



Official Report (Hansard)

Tuesday 3 March 2020
Volume 126, No 5

Contents

Executive Committee Business

Budget Bill: Further Consideration Stage 1

Private Members' Business

Crime and Older People 1

Areas of Natural Constraint 19

Oral Answers to Questions

Justice..... 30

Agriculture, Environment and Rural Affairs 39

Private Members' Business

Areas of Natural Constraint (*Continued*) 47

Adjournment

Comber Greenway: Investment..... 53

Assembly Members

Aiken, Steve (South Antrim)
Allen, Andy (East Belfast)
Allister, Jim (North Antrim)
Anderson, Ms Martina (Foyle)
Archibald, Dr Caoimhe (East Londonderry)
Armstrong, Ms Kellie (Strangford)
Bailey, Ms Clare (South Belfast)
Barton, Mrs Rosemary (Fermanagh and South Tyrone)
Beattie, Doug (Upper Bann)
Beggs, Roy (East Antrim)
Blair, John (South Antrim)
Boylan, Cathal (Newry and Armagh)
Bradley, Maurice (East Londonderry)
Bradley, Ms Paula (North Belfast)
Bradley, Ms Sinéad (South Down)
Bradshaw, Ms Paula (South Belfast)
Buchanan, Keith (Mid Ulster)
Buchanan, Thomas (West Tyrone)
Buckley, Jonathan (Upper Bann)
Bunting, Ms Joanne (East Belfast)
Butler, Robbie (Lagan Valley)
Cameron, Mrs Pam (South Antrim)
Carroll, Gerry (West Belfast)
Catney, Pat (Lagan Valley)
Chambers, Alan (North Down)
Clarke, Trevor (South Antrim)
Dallat, John (East Londonderry)
Dickson, Stewart (East Antrim)
Dillon, Ms Linda (Mid Ulster)
Dodds, Mrs Diane (Upper Bann)
Dolan, Ms Jemma (Fermanagh and South Tyrone)
Dunne, Gordon (North Down)
Durkan, Mark (Foyle)
Easton, Alex (North Down)
Ennis, Ms Sinéad (South Down)
Flynn, Ms Órlaithí (West Belfast)
Foster, Mrs Arlene (Fermanagh and South Tyrone)
Frew, Paul (North Antrim)
Gildernew, Colm (Fermanagh and South Tyrone)
Givan, Paul (Lagan Valley)
Hargey, Ms Deirdre (South Belfast)
Harvey, Harry (Strangford)
Hilditch, David (East Antrim)
Humphrey, William (North Belfast)
Irwin, William (Newry and Armagh)
Kearney, Declan (South Antrim)
Kelly, Ms Catherine (West Tyrone)
Kelly, Mrs Dolores (Upper Bann)
Kelly, Gerry (North Belfast)
Kimmins, Ms Liz (Newry and Armagh)
Long, Mrs Naomi (East Belfast)
Lunn, Trevor (Lagan Valley)
Lynch, Seán (Fermanagh and South Tyrone)
Lyons, Gordon (East Antrim)
Lyttle, Chris (East Belfast)
McAleer, Declan (West Tyrone)
McCann, Fra (West Belfast)
McCrossan, Daniel (West Tyrone)
McGlone, Patsy (Mid Ulster)
McGrath, Colin (South Down)
McGuigan, Philip (North Antrim)
McHugh, Maolíosá (West Tyrone)
McIlveen, Miss Michelle (Strangford)
McLaughlin, Ms Sinead (Foyle)
McNulty, Justin (Newry and Armagh)
Mallon, Ms Nichola (North Belfast)
Maskey, Alex (Speaker)
Middleton, Gary (Foyle)
Muir, Andrew (North Down)
Mullan, Ms Karen (Foyle)
Murphy, Conor (Newry and Armagh)
Nesbitt, Mike (Strangford)
Newton, Robin (East Belfast)
Ní Chuilín, Ms Carál (North Belfast)
O'Dowd, John (Upper Bann)
O'Neill, Mrs Michelle (Mid Ulster)
O'Toole, Matthew (South Belfast)
Poots, Edwin (Lagan Valley)
Robinson, George (East Londonderry)
Rogan, Ms Emma (South Down)
Sheehan, Pat (West Belfast)
Sheerin, Ms Emma (Mid Ulster)
Stalford, Christopher (South Belfast)
Stewart, John (East Antrim)
Storey, Mervyn (North Antrim)
Sugden, Ms Claire (East Londonderry)
Swann, Robin (North Antrim)
Weir, Peter (Strangford)
Wells, Jim (South Down)
Woods, Miss Rachel (North Down)

Northern Ireland Assembly

Tuesday 3 March 2020

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

Members observed two minutes' silence.

Executive Committee Business

Budget Bill: Further Consideration Stage

Mr Speaker: I call on the Minister of Finance, Mr Conor Murphy, to move the Further Consideration Stage of the Budget Bill.

Moved. — [Mr Murphy (The Minister of Finance).]

Mr Speaker: As no amendments have been tabled, there is no opportunity to discuss the Budget Bill today. Members will, of course, be able to have a full debate at Final Stage. Further Consideration Stage is, therefore, concluded. The Bill stands referred to the Speaker.

Private Members' Business

Crime and Older People

Mr Storey: I beg to move

That this Assembly calls upon the Minister of Justice to develop a departmental and cross-agency plan to implement the recommendations of the May 2019 report of the Commissioner for Older People for Northern Ireland entitled 'Crime and Justice: The Experience of Older People in Northern Ireland'.

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

Mr Storey: I thank the Minister of Justice for being in the House this morning. We, as individuals and parties, can all unite around the inspirational contribution of older people living and working across Northern Ireland. Whether it is volunteering, caring, employment or childcare, the roles played by this constituent group are essential to the functioning of our society. Therefore, we, as elected representatives, have a responsibility to give older people the confidence and capacity to live enjoyable, enriched and independent lives. However, the first step must be to secure their safety in the community in which they live and in their homes. This will be even more crucial in the coming years as people continue to live longer.

Over 430,000 older people live in Northern Ireland. The Northern Ireland Statistics and Research Agency projected that, by 2041, almost one in four people living in the UK will be over 65. Of course, some of us are heading towards that age group; maybe I should have declared an interest before speaking.

We therefore need dedicated action to place the needs of older people at the heart of crime prevention and crime response in Northern Ireland. It is about future-proofing our crime strategy to protect the most vulnerable.

The Office for National Statistics (ONS) reports that almost 50% of over-75s live with a disability, whilst the Department for Communities estimates that around 15% of people aged over 65 in Northern Ireland live in relative poverty. Although today's motion deals primarily with the law-and-order response to crime against older people, a cross-departmental approach is needed to address the underlying risks to our ageing population in the future. That follows on from some of the comments that were made in the House last night. Members expressed a concern that the criminal justice element can sometimes be overemphasised. You cannot be exclusive: it has to be a combination of both law and order and criminal justice rather than either/or.

We want to focus on how we can take that cross-departmental approach, and that means that we have to face up to the stark reality of the crimes that are being committed against older people. I declare an interest as a member of the Northern Ireland Policing Board. The figures released by the Police Service of Northern Ireland show that, in 2018-19, 6% of crime victims were aged over 65; there were 14 victims aged over 65 per 1,000 of the population; and 80% of crimes recorded against older people related to theft and criminal damage, while 16% related to violence against the person. No one can begin to imagine the horrendous outcome for our older people when they are attacked in such a vicious and cowardly way.

There are gaps in dealing with the issue. Taken at face value, the figures may not seem to be that high, but the interpretation loses sight of several key factors. First, the rate of crime against older people in Northern Ireland has remained consistent in the past decade, despite a reduction in traditional forms of crime. Secondly, outcome rates for crimes against older persons lag roughly 2% behind outcome rates for crimes against other age groups. That is despite evidence that specific crime-rate targets for the elderly, which are not currently used, have led to a narrowing of the gap from previous years. Thirdly, local fraud and cybercrime statistics reported by Action Fraud, the national fraud and cybercrime reporting centre, are not broken down by age of complainant. There is therefore a significant gap in the analysis of the threat posed to older people by that form of crime. Fourthly, the devil

may well be in the detail that is not available. There may be under-reporting owing to a lack of dedicated support for collecting evidence from vulnerable older people, barriers to witness testimony and other pressures caused by the criminal justice system.

Ultimately, the Commissioner for Older People's recommendations are themes that are reflected clearly in the 24 crime and justice recommendations set out in the Commissioner for Older People's May 2019 report, 'The Experience of Older People in Northern Ireland'. The recommendations range from the reintroduction of specific crime-rate targets and a review of existing court infrastructure to the creation of specific older people policy guidance for those working in the Public Prosecution Service (PPS) and the Crown Prosecution Service (CPS). We in the House, including the Minister of Justice, should have no hesitation in endorsing them in full and, I trust, without delay.

In closing, I say that that would be only the first step.

Mr McCann: Will the Member give way?

Mr Storey: Yes, I will give way.

Mr McCann: It is always interesting to note, when we get into this debate about older people in our community and the difficulties that they have, that there are tested and tried organisations — the likes of Good Morning West Belfast, Good Morning Colin and others — many of which are underfunded, that provide an excellent service to ensure that older people in our communities have some sort of contact on a daily basis. Maybe, in tying in the whole crime thing that you are talking about, that is one of the ways of doing that and making life not only better but safer for older people that we need to look at. Do you agree?

Mr Storey: I thank the Member, and I appreciate his long involvement in his constituency in relation to knowing what his constituents' needs are. In a city setting, those particular needs are more acute. I am not saying that that is exclusively the case, because, obviously, when you move into rural areas, you have other needs, pressures and issues. He is absolutely right. That brings us back to the motive and drive of the motion, which is about us collectively trying to see how we can ensure that we make life better for our older people. I pay tribute to many of those organisations.

Mr Newton: I thank the Member for giving way. Does he agree with me that, although the statistics for a crime against an older person record the one or two people who may be involved, where older persons are living in a community, a tsunami wave of fear runs across that community and creates many more victims than those who have been directly affected by the criminal act?

Mr Storey: I thank my colleague for making that important intervention and observation. It is not just about the individual. While that has to be at the centre of what we do, it is also about the sense of fear that then permeates the community. Again, it comes back to Mr McCann's comments that there are many other organisations there to help, to support and to give advice and reassurance to our older people.

That is why we should be innovative and outward-looking in our approach to solutions. In September 2018, the all-party parliamentary group on financial crime and scamming launched an inquiry into the impact of fraud and scams on vulnerable people. It is recommended that the Government build on the success of projects like the call-blocking pilot for people with dementia to address the vulnerability of older people to scammers. That is just one example, and it is in line with what my colleague Mr McCann said about the types of the initiatives that we can have here in Northern Ireland, and those initiatives ought to be explored.

In conclusion, we should be ambitious and flexible in the protections that we afford to our older generation. Crime against older people is abhorrent, and those responsible should be held to account and put where they rightly belong: behind bars. This motion and the recommendations that it endorses can help to give older victims the confidence, capacity and procedural support to make that possible. I therefore commend the motion.

Mr Speaker: I call Liz Kimmins. As this is Ms Kimmins's first opportunity to speak as a private Member, I remind the House that it is convention that a maiden speech is made without interruption, unless, of course, the Member makes controversial remarks and invites provocation, which I know you will not do.

Ms Kimmins: It is my honour to stand here today as a representative for the Newry and Armagh constituency. I am a very proud Newry woman. The city is a microcosm of the island of

Ireland, with its unique location between Dublin and Belfast, in the valley surrounded by the beautiful Mountains of Mourne and the Ring of Gullion, and is controversially divided between the counties of Armagh and Down. Of course, I am an Armagh supporter. Newry is a city of very proud people. Growing up in Barcroft Park, in the heart of Ballybot, taught me the importance of community. I am therefore very privileged to be here today representing that community and its interests at a time when our political landscape has changed forever.

I want to pay particular tribute to my predecessor and good friend, Megan Fearon, who was an excellent representative for Sinn Féin and for Newry and Armagh over the last eight years.

Megan was a strong advocate for equality and rights and for her beloved south Armagh. She has been a role model to many and will be badly missed in elected politics locally and nationally. I hope that I can continue to build on her hard work.

10.45 am

I am delighted to speak in favour of the motion and thank the Members for tabling it. I am passionate about the topic following many years of working with older people in the community. It is important to note that this is not about making an assumption that all older people are weak or vulnerable; instead, it is about recognising that increasing vulnerability can come with age. A significant number of older people have disabilities and mental and verbal limitations that can increase their vulnerability and make it more difficult for them to seek help and protection. Crimes against older people can also have a more significant impact than they would on younger people for various reasons. Older people are less able to recover from crime, physically and mentally, and studies show that victims of crime are 2.4 times more likely to enter residential care in the two years following the incident. Many older people hope that that will never happen to them as they wish to live at home for as long as they can.

We have an ageing population in the North, and it is therefore essential that the delivery of services is able to keep up with the pace of that growth. A number of aspects of crime impact on older people and vulnerable people. Fear of crime, as the Member mentioned, can almost be worse than the crime itself, causing increased anxiety among older people, leading to increased social isolation and the onset of

illness. Many older people live alone, and their main social interaction depends on others coming into their home to provide the support and assistance that they need. In my experience, the perpetrators of crimes can, on many occasions, be those in a position of trust — be it a carer, a family member or a close friend — who have an opportunity to abuse their position. It is also essential, therefore, that, in implementing the recommendations, we consider how we can reduce the possibility of abuse in those situations by avoiding isolation and dependency on others.

As raised by my colleague Mr McCann, we need to support the invaluable services in communities. In my constituency, we have the Good Morning/Good Neighbour scheme, the Home Secured project and many other community initiatives that are invaluable to older people. It is important that we ensure that they receive sufficient funding and are able to develop their good work.

As well as that, in my council area, the Newry, Mourne and Down PCSP has done significant work on the fear of crime and crime prevention in response to a recent spate of burglaries, providing home safety packs and Beat the Burglar kits to older people, holding crime prevention events and information sessions in local community centres and town centre locations. There has been a huge uptake of those events because of the significant rise in crime. That work needs to be further developed and rolled out across the North if we are serious about reducing the fear of crime and building the confidence of older people and helping them to feel safer in their own home.

Older people typically face many more challenges to accessing justice than younger people, and the report's recommendations highlight those. PSNI statistics between 2008 and 2018 have consistently shown lower outcome rates for older people who are victims of crime. That can be for a number of reasons, including a reluctance to report to the PSNI due to a lack of confidence in the system and, possibly, experiences of reporting crime that did not have good outcomes. It could be down to a fear of repercussions. As I mentioned, that can be particularly pertinent where the perpetrator is known to the older person, be they someone who comes regularly to their home, a family member or a close friend. There may, for example, be financial abuse.

As the Member said, there is a lot of under-reporting, and it is important that we do all that we can to encourage people to feel safe and confident enough to report crimes to the right

authorities. Many cases see no real outcome, which can decrease confidence in the system. It is, therefore, important that we agree to instruct the Policing Board, of which I am a member —

Mr Speaker: Will the Member bring her remarks to a close, please?

Ms Kimmins: — to reintroduce specific outcome rate targets, which will help to improve outcomes, especially for older people, and enhance the transparency and effectiveness of the justice system.

In recent times, we have also seen a high number of scamming incidents in which older people have been specifically targeted. In those cases, many older people can often feel embarrassed, which can make them more reluctant to report to the police.

Mr Speaker: The Member needs to wind up her remarks, please.

Ms Kimmins: OK. In addition to those factors, as was mentioned, a significant number of older people have disabilities, including physical, mental and communication difficulties and sensory issues, all of which can make it difficult to access justice.

Ms S Bradley: First, I welcome the opportunity to support the motion, and I commend Mervyn Storey and Joanne Bunting for tabling it.

At the outset, I reassure any older people who are listening in that, following a spate of burglaries in 2011, which we were all aware of, the rate of recorded burglaries against those aged 60 and over has dropped significantly — by 28%. There has been, however, a negative legacy of those earlier incidents, and that has remained with many people. As has rightly been pointed out, people now live as victims of the fear of crime as opposed to actual crime. The consequential loneliness that emerges from this issue should not be forgotten; it is a real blight on society.

I congratulate the Commissioner for Older People on the thorough 2019 report, which is referred to in the motion. Of course, the report focuses on the views of older persons and looks at the matter purely from their perspective, but, on inspection, the recommendations proposed and the safeguards could apply to many vulnerable people in our society, regardless of their age. I am thinking more of people with learning disabilities or physical disabilities and children. In that same

vein, the Department's sentencing review of 2019 correctly stated:

"Before considering options for change the Review considers it important to clarify the category or categories of victims requiring extra protection. The debate to date has focussed" —

rightly —

"on older people, but this excludes other vulnerable people and it has proved difficult to define what is meant by 'older people'."

I know many sprightly over-somethings who would take great offence at being called "old" or even "vulnerable".

The 2019 report by the Commissioner for Older People rightly highlights the barriers to justice, which, arguably, apply more to older people and vulnerable members of our society. They have been touched on today. They include reluctance to give evidence in court; the fact that the offender may be known to the victim or that they are conscious that the offender knows where they live; delay in realising that a crime has happened, which is particularly true with scamming or financial abuse; or the embarrassment of the victim about reporting it. There is also a real impediment in the time it takes to progress through the justice process. It is very consuming at what should be a precious time in somebody's life. No doubt, there is a need for a review of the court infrastructure to better facilitate the needs of vulnerable older people and vulnerable groups across society.

When we hear reports of violence against an older person, all right-thinking people are sickened and disgusted, but it also gives rise to our innate human instinct to protect. Today's motion rests much of that on the Minister and asks her to take up her role in safeguarding these vulnerable groups of people. Going forward, Minister, we must entrust, safeguard and reassure our older and vulnerable people; empower them to report crime and engage with the justice system with as much comfort as possible; ensure that they remain empowered and supported at the end of the process; and see justice served.

Mr McHugh: Will the Member give way?

Ms S Bradley: I will indeed.

Mr McHugh: Where I live, in west Tyrone, many of the vulnerable and elderly people you are talking about live in very isolated

communities. The police have informed us that it is organised crime on an all-Ireland basis that subjects those people to the continual robberies in our area. They also acknowledge that it requires an all-island response and that we need close cooperation between the PSNI and the Garda Síochána. I hope that the motion recognises that it needs to be responded to, in many respects, on an all-Ireland basis for the isolated people in the communities that I live in.

Ms S Bradley: I accept the Member's point, and I concur. I live in South Down, a predominantly rural constituency that borders the region, and I think everybody in the House will share the view that any perpetrator of crime should have no place to hide on this island or any island and that systems should be cognisant of that.

The whole process, however, will be valued by that final piece. When sentencing is determined, it must recognise the extraordinary courage required of a vulnerable person who has stepped up to engage with the justice system and process. It must also reflect society's absolute disgust at the heinous acts that are often behind the stories of elder abuse.

Mr Beattie: First, I congratulate the Member on her maiden speech. Those five minutes go past pretty quickly, but I look forward to hearing many more in the coming weeks and months.

I support the motion. Why would I not? If, as a society, we do not protect older people, we have serious questions to ask ourselves. I thank the Members who tabled the motion. It is the third motion on crime that we have debated in the past two days. I fully understand, because the point has been well made, that the perpetrators are often affected by socio-economic issues, such as poverty, mental health or drug and alcohol abuse. Some are victims themselves. I get all that, but I make absolutely no apology that I stand to champion the victim. That is what I want to do: I want to stand and champion the victim. I understand fully, however, that it is a cross-departmental issue.

Here is the reality: 52% of older people fear being a victim of crime — 52%. In my council area, 45% fear becoming a victim of crime. I know that Jonny and Dolores will be shocked by that, and they will take steps, as will I. It is an incredible number. Here is where it gets even worse: 30% of older people fear abuse — intentional acts or a failure to act — by a caregiver or another person with whom they are in a relationship that involves an expectation of trust. What we are saying is that 30% of older

people in our society are afraid of being a victim of a crime committed by a relative, trusted person or caregiver. There is something insidious about a society that has that level of fear among older people.

If we need an example, we need look no further than Muckamore Abbey and what is going on there. It is truly shocking. The police have identified 1,500 crimes against older people on one ward alone. There were 50 reports of assault against older people between 2014 and 2017. We know that the investigation is ongoing, but those are shocking figures. If they are not a wake-up call, there is something really wrong with us in the House.

Mr Clarke: Will the Member give way?

Mr Beattie: Yes, absolutely.

Mr Clarke: The Member makes a point about Muckamore Abbey Hospital, which is in my constituency. I have written to the chief executive of the trust about the case of a patient who is there currently. The parents are concerned but are reluctant to have a meeting to discuss the case because of their fears for the patient? Is the Member shocked to learn that?

Mr Beattie: I thank the Member for his question. Do you know what? I am not shocked any more. I am not shocked that this is going on or that people are just ignoring it or trying to shuffle it under the carpet, but I am really saddened by what goes on, the state of society and how older people are being abused. That is what it is: society is abusing our older people. Look at the older people who are being scammed out of the money that they have worked for. One in four of our older people is the victim of a scam, with around 10% of them losing up to £1,000 as a result.

A sentencing review ended, I think, last month. It might have been in January; I am not sure. Chapter 9 of that sentencing review consultation dealt with older people. It asked questions about how we should look at punishments for those who abuse or are violent against older people.

There is no question that there is public anger that our older people are being abused.

11.00 am

Question 54 asks whether there should be:

"a new offence of assault on a vulnerable person (by virtue of their age or other factors)".

Kellie, you mentioned other vulnerable people, and I take that point, but I am just dealing with older people here. The answer to that question is that there absolutely should be. There must be an offence of assault against older people because they are so vulnerable, and I hope and think that that review will reflect the anger of society and say that older people do deserve a certain type of protection that they do not presently get in our society. We are all going to be old at some stage, and some, including my children, will say that I am already old, but it is not about us growing old but those who are there now. We must take action to protect those people. Therefore, this is a good motion and the right motion. It is a motion that we all have to support, but, more than that, it is a motion that must result in some form of action.

Ms Armstrong: I thank Mr Storey and Ms Bunting for tabling the motion. As someone who has worked with older people, I am grateful that a focus on crime and the effect of crime on older people is being debated today. The motion highlights the report compiled by the Older People's Commissioner, Eddie Lynch, which confirms that being a victim of crime can be a traumatic experience for anyone but that there are particular consequences for older people.

As I said, I worked with older people before. I can give an example of an older lady, who was blind and who, unfortunately, was known to have kept £200 in her house. Lo and behold, one day, two young people arrived at her door purporting to be from the milkman and stole her £200. While that was a terrible event that happened to her, she did not leave her house for six months afterwards for fear that it was going to happen again.

While it is true that crime against older people is, thankfully, rare, the fear of crime is significant among older people. In 2018-19, there were four crime victims aged 65 or over per thousand of the population, 12 per thousand were victims of burglary, 12 per thousand were victims of criminal damage and three per thousand were victims of violence against the person. While the crime levels can be low, we have to be very careful that today's debate does not exacerbate the fear that is felt. As has been spoken about before, the reverberations and the ripple effect do have huge implications.

The report of the Commissioner for Older People had a number of recommendations that I believe have been taken up and are making significant progress to help older people. The report highlights a number of contributory factors for lower crime rates for older people, including delays in reporting crimes because of embarrassment or delayed realisation that a crime has occurred. Support for older people to report is key, and I wish to highlight the excellent work of the support responders service in Ards and north Down. It was launched in December 2018 and then looked at again in December 2019 and still runs today. It provides immediate practical and emotional support to older people when they have become a victim of crime. This type of service helps older people after a crime has happened and encourages others to know that, when their friend has reported a crime, they have received support through that process and, therefore, they too will receive support through that process.

There are wider issues of how we take proactive steps to help older people feel safer in their homes and community, and this is why the role of PCSPs is so important. One positive PCSP initiative is the Belfast home security service that provides home security. We have all seen the door chains and the fake beans cans that you can hide in your house. That helps people who have been recent victims of domestic burglary and also helps people who feel vulnerable that they may become a victim of crime to feel more secure in their homes. This service is aimed at people over the age of 60, and the PSNI crime prevention officers undertake assessments of a house and make recommendations for home security equipment. When that is being fitted, other support services can also be signposted. There are similar schemes in my local village of Cloughey, a tiny wee place. They provide door chains and a good neighbour scheme. They were afraid of the neighbourhood schemes that you see around, so they set up a good neighbour scheme. The result of that has been to build confidence and community cohesion to help to defeat that fear.

Another recommendation raised by the report was having pre-recorded cross-examinations, and I am encouraged that the Department of Justice is exploring that to improve the experience of victims who have had to give evidence in court, meaning that vulnerable victims could give their evidence ahead of trial and outside the courtroom. Not having to attend the trial should reduce the stressful impact on victims, as well as hopefully improving the quality of their evidence as a result. I look

forward to hearing from the Minister on the further activities and actions that she intends to bring forward.

Before I take my seat, I will raise an issue about how we treat older people in society. The measurement of respect and inclusion is how we treat our most vulnerable people. The Human Trafficking and Exploitation (Criminal Justice Support for Victims) Act (Northern Ireland) 2015 defines a vulnerable adult as:

"a person aged 18 or over whose ability to protect himself or herself from violence, abuse or exploitation is significantly impaired through physical or mental disability or illness, old age, addiction to alcohol or drugs or for any other reason."

In society, however, we hear of nursing homes and residential homes closing down and of older people being evicted from their home, with no consideration given to where they will then go to live. We have all heard the terrible stories of abuse that have happened in residential homes for older people.

Mr Buckley: I thank the Member for giving way. I note what Mr Beattie said about the duty on us to look after those in care, but will the Member join me in recognising the many caregivers in residential homes and care homes who do a fantastic service of looking after our elderly when they are at their most vulnerable?

Ms Armstrong: I thank the Member for his intervention. I am just coming to that point.

Although not all homes employ abusers, what systems do we have in place to prevent abusers from going to work with older people? The AccessNI system has worked well to stop people from working with children, but what about with older people?

As the Member pointed out, we also treat those who care for our older people and our vulnerable people as unskilled. Those are the people whom we entrust to look after our mums, our dads and our grandparents —

Mr Speaker: I ask the Member to draw her remarks to a close.

Ms Armstrong: — yet they are allowed to go into homes for only 15 minutes. We must do better.

The Pensioners Parliament has been closed down. We must do so much more to give people voices. With an ageing society that is

living longer, we should not allow older people

Mr Speaker: The Member's time is up.

Ms Armstrong: — to live in fear, be dismissed or considered an annoyance.

Mr Givan: I thank my colleagues Mr Storey and Ms Bunting for tabling the motion. I put on record our appreciation to Eddie Lynch, the Commissioner for Older People, who commissioned the report. It is the first of its kind into crimes against older people and vulnerable people and looks at their experiences. It is a very worthwhile document.

It is worth bearing in mind that Dr Kevin Brown, a lecturer in criminal law and criminal justice at Queen's University, who conducted the research, said:

"This research has shown that older victims of crime find it more difficult to access justice in Northern Ireland. Urgent reforms are needed to provide better support for older people when they journey through the justice system."

That is a warning that we need to heed. It is a warning that the Justice Minister needs to heed, and the 24 recommendations that were made across the different agencies in the criminal justice system need to be implemented.

When we look at the experiences in the report of some of the older people, there is a recognition that it is a much more traumatic experience for them than it is for other members of the population who endure crime against them. All crime is wrong. The experience that is inflicted on them is something that younger individuals have to bear, but, for older people, there are particular aspects to it, because they have a greater fear of crime. Mr Beattie made reference to that. They often have fewer support structures in place than younger people. They often live alone, in isolation, so the trauma that they go through is something that we must recognise, and the report highlights that.

Older people are less likely to be a victim of crime, but I caution Members against saying that it is rare, because that can sometimes lead to people not focusing on the issue, when it does need to be focused on. The figures show that there were approximately 5,000 attacks in 2018-19 on people over the age of 65. That level is not rare. In fact, it is far too high. It is wholly unacceptable, and I would not define

attacks as being rare incidents, because, unfortunately, they are not rare. They are far too common. We need to have a serious, laser-like focus on what needs to be done to reduce the level of crime against older people.

Members have touched on different aspects of this, and I will pick up on the sentencing review document, which Mr Beattie referred to. I commend it to Members. The consultation on it closed in February. There is a section in it on older people, and it gives a number of areas to look at. One is that we do not have a specific offence for attacks on older people. In the courts system, we have guidance that it should be taken into account as an aggravating factor. Sentencing by the judiciary should reflect that and, if it is unduly lenient, it can be referred to the Court of Appeal. There have been incidents when that has had to happen because of unduly lenient sentences.

Should we go down the route of minimum sentencing, which is something that this place has debated on two separate occasions? Legislation was brought forward in 2015. The House did not accept the minimum sentencing provisions in that, and I can understand some of the arguments that were made about that at the time. Interestingly, the Scottish review is looking at putting that aggravating factor for attacks on older people on a statutory footing. That would require the judiciary to ask, "Did we take it into account? Why was it not taken into account when the sentencing was there?". It would force the judiciary to record the reasons for it, and I often find that, when you have to record your reasons for something, it makes you a little bit sharper when it comes to reaching your determination. I would be interested in exploring that further.

In the hate crime review that he is undertaking, Des Marrinan is looking at adding age as a specific issue when considering hate crime. We need to give due consideration to that. There are a number of different aspects that we can look at with hate crime, but age is one of them that is being actively considered, and there is merit in doing so.

Sinéad Bradley made important comments about defining vulnerability, and that is an issue. The Pensioners Parliament did not say that it is specific to age, and it is difficult to define whether it should be at age 65 or 70. The key aspect was vulnerability, and Ms Armstrong stated that the 2015 human trafficking and exploitation legislation defines what it is to be vulnerable. There is merit in having a consistency of approach across legislation —

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

Mr Givan: — on vulnerability. Those are aspects that we should look at. I commend the motion and trust that it will get the support of the House.

Mr Speaker: I call Órlaithí Flynn. As this is her first opportunity to speak as a private Member, I remind Members that it is the convention that a maiden speech is made without interruption.

Ms Flynn: I welcome the opportunity to take part in the debate and address the House. Ironically, on this day in 2017, I was making an acceptance speech on behalf of Alex Maskey, Pat Sheehan, Fra McCann and myself as we were re-elected to the West Belfast constituency by almost 25,000 voters in the last Assembly election. I have been an MLA for over three years, and this is the first opportunity that I have had to address the House. I will not rehearse the reasons why, but I am happy to say that progress has been made and that I, like many other Members, wish to make a real difference to the lives of the people of West Belfast and wider afield.

As this is my first speech, I would like to take a few moments to acknowledge the great work and example of my predecessor, Jennifer McCann. I am proud to follow and replace her as an MLA and as a proud Irish republican woman. I look forward to representing the people of the Colin area just as well as Jennifer did.

Those who know me know that I have a keen interest in mental health, suicide prevention and women's healthcare issues, particularly the ongoing mesh implant scandal, which has seen so many women injured by those devices. I have had the pleasure and privilege to work with so many great individuals, campaigners, groups and families. I will not name them as I know that, even if the Speaker were to indulge me, it would be nearly impossible to cover them all. During the past three years, as Sinn Féin's mental health spokesperson for the North, I have worked closely with my colleagues in the south, Máire Devine and Pat Buckley. I would also like to acknowledge the genuine relationships and cross-party working that I have experienced since becoming an MLA and chair of the all-party group on suicide prevention. I want to express my appreciation to the Members who sit on that all-party group and have worked collectively to try to tackle the issue of suicide.

Turning to the motion at hand, I welcome the fact that, in May 2019, the Commissioner for Older People published a report calling for a change in how older victims of crime experience the criminal justice system. It is my understanding that several recommendations have yet to be fully implemented. Older people should be able to participate fully in the criminal justice process and have their voices heard.

A review of the existing court set-up should ensure that the needs of all older people are provided for. An enhanced approach, with the relevant agencies working in collaboration, is needed. An example is the roll-out of support hubs, which would bring together key professionals to support victims of crime.

11.15 am

From my work in mental health, I hear a lot of talk about the need to support younger people with access to the internet and social media, but is there the same emphasis on older people and internet use? It is important for older people to become more protective of their personal and financial details, as statistics show that fraudsters have targeted one in five pensioners in the North.

Crimes such as burglary, vehicle theft, criminal damage and violence without injury intrude on personal space. That invasion of safe spaces can cause severe and lasting harm. As was mentioned, almost half of older people feel more fearful of becoming a victim of crime compared with how they felt two years ago. We do not want older people locking themselves away in their homes through fear of being victims of crime. They may not let neighbours into their house for fear of another burglary, or may stop driving to the shops or to visit friends because they fear that their car might be stolen. That can be the unforeseen impact of crime.

Being a victim of crime can be a traumatic experience for anyone but, as was said, there are particular factors that make older people more vulnerable. We heard about some examples of crime in a care home setting, and, as Members know, the Dunmurry Manor care home in my constituency is the focus of a police investigation into the alleged abuse of elderly residents.

All forms of crime can have a devastating and lasting impact, physically and mentally, on older people. Fear of crime can be damaging to an older person's state of mind and seriously hinder their level of social interaction. Studies show that isolation is a key influencer in the

onset of illness and that fear of crime can result in such isolation. The report highlights the fact that it is often the case that the support networks that older people once enjoyed are not as robust as they were due to friends and family members passing away.

Demographics are changing and our older population is increasing significantly, which should be a cause for celebration. However, it also means that we need to rethink how our public services are set up and delivered for their needs. The criminal justice system should be no different. It must be accessible to older people and, importantly, must deliver for them.

I call on the Assembly to support the motion.

Mr Frew: I commend the motion and my colleagues Mervyn and Joanne for tabling it so that Members can discuss this important topic.

We have debated three motions about crime: that is an important fact. It tells us something about where our Members are at, their psyche and how they have the pulse of the communities that they represent. It is good that we can debate the issue

I put on record my thanks to Eddie Lynch, the Commissioner for Older People for Northern Ireland, for publishing the report, the first of its kind to shine a light on this important issue.

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

We all have loved ones who are getting older, and we recognise their vulnerabilities. We recognise the fact that, as we get older, we worry more. That is certainly true for people in the upper age range — the over-75s. They could be living alone out in the country, in an isolated farmhouse up a big long lane. There is absolutely no doubt that their age creates a vulnerability that we may not understand, but we need to.

I have no doubt that those vulnerable, elderly, isolated people are targeted by criminals. That is the reason why I agree with Members' comments that there should be a sentence that identifies that vulnerability. We have aggravating factors, but we need something stronger. The opportunity is there through the Northern Ireland sentencing review, which the previous Justice Minister launched.

Just while I am on my feet and have reminded myself of this, I commend Claire Sugden's comments from last night. She alluded to the

current Minister and said that the Department of Justice really is the:

"Department of Failure". — [Official Report (Hansard), 2 March 2020, p69, col 1].

She was not being derogatory about the Department; she basically meant that this needs to be more joined-up, because, ultimately, if it is not joined-up the Department of Justice has to deal with it. I hope that something will come out of the sentencing review that will protect elderly people who are vulnerable because of their age and isolation.

There is also some truth in this: it can take some time for court cases to materialise and then to get to an outcome. That is something we have been grappling with as a society for a long time. We need to be cognisant of the length of time it takes to bring cases to court and to get them out the other end.

The officialdom of court should be considered. It is really scary when you have to step into a courtroom. Some of us have experienced it, some of us will not, and hopefully not ever, but it is a very scary thing, and it is much more so for somebody who is vulnerable, elderly and who does not understand it and maybe gets confused. After looking at the report by Eddie Lynch, the Commissioner for Older People, I see that his recommendation 5 and particularly recommendation 6 talk about an "advocacy scheme" for older people, and that should be looked at seriously.

I am on the Committee for Justice, and I know that the Chair has alluded to this, but we need to ensure that —.

Mr Clarke: Will the Member give way?

Mr Frew: Yes, I will.

Mr Clarke: Will you accept that maybe advocacy is not always the right thing and that this matter needs something with substance? I can think of my own mother, who left her purse on the kitchen table. I said to her, "Why is that purse there?", and she said, "In case somebody breaks in". It is more about communities and bringing our older generation together to a situation where they can actually feel safe in their home as opposed to feeling vulnerable. Advocacy can sometimes be seen as a talking shop.

Mr Frew: I thank the Member for his intervention. Of course, yes, there has to be some sort of educational scheme whereby we,

as family members, can help to alleviate the fear of crime, but the advocacy service will be for when there has been a victim of crime. We need to wrap and support ourselves around that victim and see through the process that they are in, which is not of their choice or making. We should also realise that when vulnerable people are attacked, it is most often a burglary, where people have invaded their space and home and sometimes wreck it, but nonetheless leave that person vulnerable in their own home where they have nightmares and do not want to stay there. That is catastrophic for people.

I know of loved ones and elderly folk who have never recovered from that crime — they never ever recovered — and their health has failed because of it. That is something that we should not tolerate, we should not abide it, and we should do everything in our power to reduce this criminality and take these people off our streets and put them in prison where they belong.

Mr Principal Deputy Speaker: Thank you. Before we proceed, I will be calling the Minister to respond at 11.37 am, and several people are listed to speak. Members are entitled to use their full five-minute allocation, but I encourage them to be generous with other Members, because a significant number of people still want to speak, and we now have a very limited time.

Ms C Kelly: Older people are the backbone of our communities. They are our parents and grandparents; they are our neighbours and friends. Their home may once have been filled with the busyness of their children, and there was security in that. Now, they may be completely alone, leaving them vulnerable and lacking in the social support that younger people can avail themselves of.

Many years ago, not long after my grandfather passed away, my grandmother was the victim of a burglary in her own home. With that came an intense fear and vulnerability that was not present beforehand. It took a very long time before she felt safe again, especially as those who broke into her home never faced the justice system.

Therefore, we are supporting the motion, and I welcome the recommendations in the crime and justice report from the Commissioner for Older People, as well as the progress to date on the implementation of some of the recommendations, with more work still to be done. In evaluating and implementing the remaining recommendations, the focus must be

on prevention, early intervention and improving outcomes for victims.

It is paramount that we do all that we can to help to reduce the fear of crime for older and vulnerable people. We need to increase their confidence and the feeling of safety that they have in their homes and communities. That is especially true of those living in rural areas where they are more at risk of isolation and where PSNI resources are stretched. Crucially, they need to feel empowered and confident that they can access justice without delay.

Education is key in ensuring that older and vulnerable people can feel confident that they have the knowledge to do all they can to keep themselves safe and their homes secure from criminals. They need to be aware of the provision of ongoing prevention advice on everything from burglary to internet crime, information on what to expect from the police and details of organisations that support older people who may feel fearful. Older people must be self-assertive and able to make use of simple crime prevention advice if and when needed.

As our older population continues to grow, we need to ensure that our service delivery and justice system are fit for purpose. With the support of a departmental and cross-agency plan, the implementation of all recommendations will improve the workings of our criminal justice system and better aid older people who are victims of crime or at risk of becoming victims of crime.

Mr McGlone: I will try to be brief. Much of what I was going to say has been said, and I do not want to run the risk of repetition. Nevertheless, we have to pay reverence to the older people who have made a contribution, been here through good and bad times and deserve the right to live in peace in their home. The valuable work produced by the Commissioner for Older People is very useful to us. It provides a benchmark for how various organisations should be rolling out their projects and engaging better.

One thing that I would like to emphasise, lest it go out from here today that older people are more susceptible to crime than others, is the reality that older people are less likely to be the victims of crime. That reassurance and message must go out. However, for crimes such as burglary, criminal damage, vehicle theft and violence without injury, there is a lower PSNI outcome rate for older people than there is for people in other age groups. That information is contained in the useful research

provided to us by the Assembly's Research and Information Service. That needs to be looked at.

I will highlight some of the 24 recommendations in the Commissioner for Older People's report. It recommends:

"The data should be broken down by demographic characteristics".

Maoliosa McHugh referred to some isolated rural areas. I represent similar areas, so it would be useful to hear that data. Roving criminal gangs, some of which come up from the midlands, have been breaking into older people's houses in south Derry.

Mrs D Kelly: I appreciate the Member giving way. Given the cross-border nature of the crime, does the Member share my concerns about the decision of the British Government to drop the European arrest warrant as one of its commitments to Europe? Also, does he share the Chief Constable's concern that there is no updated community safety programme for Northern Ireland? The most recent was published in 2012.

Mr Principal Deputy Speaker: The Member is entitled to an extra minute.

Mr McGlone: I will not take it.

Mr Principal Deputy Speaker: Good man.

Mr McGlone: Those are two very useful points. Perhaps the Minister can reflect on those in her response.

The report recommends that the DOJ engage with the Commissioner for Older People on the recommendations. It recommends that the PPS look at:

"adopting a similar approach to the Crown Prosecution Service (CPS) of flagging up cases as 'crimes against older people'".

That is particularly useful and important. The recommendation on PSNI and PPS training is also very important. Of course, the issue of:

"a higher no prosecution rate for crimes involving complaints aged 75+ in comparison to the 60-64 and 65-74 age groups"

needs to be drilled down into. That is a requirement.

It is also recommended that:

"A pilot scheme on the introduction of pre-recorded cross-examination and re-examination should be introduced".

That, too, is valuable, along with the recommendations about the judiciary, criminal justice practitioners and the recommendation:

"The PSNI should conduct an audit of human and equipment resources".

There is also a recommendation relating to the court infrastructure.

11.30 am

However, we have some very valuable projects in our constituencies. For example, Agewell in Magherafelt makes almost 500 calls each morning to vulnerable and older people. That is vital. It provides handyman services and key installations to allow access for homecare workers. That is vital for many older people. The role and function of those domiciliary care workers is integral and is a lifeline for older people. It is important to have more tick-tack between the statutory agencies at that level.

Mr Storey: I thank the Member for giving way. He has made a very valid point. The difficulty is that, sometimes, there is little coordination or crossover between those organisations, whether it is call provision or domiciliary care. That cross-departmental working would be very valuable.

Mr McGlone: I thank the Member for that. I will make one last point. There is a duty on us all to be a good neighbour and to keep an eye out for older people in our communities, particularly in rural areas, who are living alone, sometimes in isolation. We do not need to be nosy or intrusive, but we should keep a watchful eye out for them.

Mrs Barton: Being the victim of crime can be a disturbing and distressing experience for any person, particularly if it impacts on their health, either emotionally or physically, with the dreadful experience being compounded if the victim, perhaps, is from an older age group or is a more vulnerable person.

We have all watched and listened to many elderly people who have been subjected to crime. Who will ever forget the elderly lady from Aghnacloy, in my constituency of Fermanagh and South Tyrone, who jumped from an

upstairs window after her home was broken into? Crime comes in many different guises. We have crime that involves violence against the person; crimes of property, including theft and burglary; cybercrime; telephone scams and Internet scams.

From a survey conducted by Age Sector Platform two years ago, the Northern Ireland Pensioners Parliament found that the fear of crime was a major concern for two out of three people surveyed — 64%.

Ms Dillon: Will the Member give way?

Mrs Barton: Yes.

Ms Dillon: Does the Member agree that more work needs to be done, particularly to bring older and younger people together? I know that some PCSPs and, in my area, the Youth Service, do some really good work and there needs to be more of that.

Mr Principal Deputy Speaker: The Member is entitled to an extra minute.

Mrs Barton: Yes, I agree; that intergenerational work is excellent and works well. We see it happening in schools at the moment between older and younger people.

Half of the older people in Northern Ireland have become more fearful, as they grow older, of falling victim to crime. Burglary is of particular concern, with one in six adults worrying about being the victim of that crime, and 13% expressing concern about violent crime. Many claimed that that high level of fear of crime impacted detrimentally on their quality of life. They imagined that they were being watched when they were leaving their home and feared returning home, not knowing what one would discover.

While society totally condemns crime against older people, each incident further traumatises the victim and increases fear among the wider population. Unfortunately, a lack of confidence in the statutory agencies, including the Public Prosecution Service, has done little to allay the fear of crime among those people. The length of time that a case can take to get to court and the types and lengths of sentencing that are imposed in cases of burglary and assault on our vulnerable population must be reviewed to gain back the confidence of elderly people.

In trying to assist with bringing the perpetrators to account, many older people claimed that they found the experience of appearing in court

daunting, while the progression of failing physical health and memory recall cause problems in trying to bring about prosecutions, especially if the case was taking too long to progress.

With the fear of crime increasing and the number of solved crimes well below acceptable levels, something must be done to reassure our elderly. Measures must be taken to lessen their chance of falling victim. They must feel safe in their home, whether from thugs who enter their home to commit violent attacks, to steal or to commit sexual assaults; from so-called trusted friends responsible for financial abuse; from fraudsters calling at their home and charging exorbitant fees for minor repair work; or from someone preying on them through threatening phone calls or internet scams. All those crimes can have a devastating impact, be it financial loss, physical scars or the effect on emotional well-being. Sadly, others choose to try to forget the experience because of the embarrassment of admitting that they were a victim of crime.

It is essential that our elderly population, who have still so much to offer their families and society, be treated with dignity, listened to and protected. A renewed effort must be made to keep them safe.

Mr Principal Deputy Speaker: I call Mr Gordon Dunne but remind him that he has about two and a half minutes.

Mr Dunne: I welcome the opportunity to speak on this important matter. I thank my colleagues for bringing it forward.

The impact of crime on our older population cannot be overestimated. The Commissioner for Older People's report, launched in 2019, reinforces the need for action to be taken on the issue and provides an extensive series of recommendations to improve the experience of older people across Northern Ireland. Although, overall, older people are less likely to be a victim of crime, the impact that crime may have on their life can be truly devastating. Having assisted older victims of crime through my constituency work over the years, I can say that the mental and physical trauma that crime can have on older people is serious and can lead to isolation, vulnerability and the loss of independence.

It is important that there be a focus on speeding up justice, and consideration needs to be given to the introduction of screens in court and to the use of pre-recorded evidence and video links to improve the justice process for older people. In

the report, there were concerns raised about the time that cases took to get through the court system.

The reintroduction of visible neighbourhood policing teams (NPTs) in our communities is a welcome move. Local officers, dedicated to specific areas of work, can get to know residents, including the elderly. They can establish a rapport and build up trust with the local community, including residents' groups; community hubs such as Men's Sheds; luncheon groups, including churches'; and the voluntary sector. Visible policing provides reassurance to the law-abiding public and helps to deter criminals. The PSNI needs to focus more on how it deals with crime against older people. It needs to follow up on crime and deal with the victims of con men contractors, as was mentioned by Members. I recall a recent incident when con men contractors got access to an older lady's home in my constituency. They conned her into paying them cash for work. While she was distracted, the con men helped themselves to valuable items in the home. Follow-up action by the PSNI included fitting additional security measures and giving advice on checking the identity of visitors.

Older people can easily fall victim to scams, from telephone calls to direct mailing. Such scams often target vulnerable people. It is crucial that our older population have confidence in the relevant agencies, including the PSNI, the PPS and the court system.

Mr Principal Deputy Speaker: The quality was not constrained in any way by the quantity, so well done.

Mrs Long (The Minister of Justice): I pass on my gratitude to the Member for North Antrim and the Member for East Belfast for tabling the motion and welcome the opportunity to respond. I also congratulate the two Members who made their maiden speech during the debate. There is no more important issue that they could have chosen on which to address the House.

I thank the Commissioner for Older People for conducting the first piece of research into crime in Northern Ireland from the perspective of older people and those who support them. Before responding in detail, I reassure Members that work on the recommendations in the commissioner's report is already being progressed by my officials in conjunction with delivery partners and an initial draft action plan is being produced. More generally, I very much welcome the report and understand the importance of hearing those voices at first hand

so that we can further refine and strengthen service provision. With that in mind, my Department has undertaken similar work in relation to a range of victims, looking at the experiences of those most affected by crime, that has informed policy development in our criminal justice organisations. The commissioner's report highlights the importance of hearing the voices of older people regarding their journey through the criminal justice system and challenges us to develop policy and implement changes to further improve older people's experience. That is a good thing, as it ensures that the right questions are asked of government and that, collectively, we all work together to achieve the best possible outcomes for victims and witnesses.

While the focus of the motion is on older people, it is important to remember that many of the changes that we, as a justice system, are bringing forward will benefit all victims of crime, regardless of age. System changes should benefit all, with a focus, as need be, on those who are particularly vulnerable by virtue of their circumstances. With older people currently defined as anyone aged 60 or over, it is also important to recognise that not all older people are vulnerable. While there are also unique challenges for some older people, in fact, as Sinéad Bradley rightly highlighted, many older people may be quite offended to be viewed or treated as vulnerable.

To assist those who are victims of crime, my Department currently provides almost £1.8 million to fund services covering three core areas, offering support to almost 50,000 victims of crime annually. This includes emotional and practical support services at court and assistance with criminal injuries compensation applications. Regarding the detail of the report, some of the key areas for my Department are assessing the needs of victims and witnesses of crime, tackling delay, needs assessment, considering the outcomes of our sentencing review, progressing pre-recorded cross-examination and considering what improvements may be made to data collection and communications.

Before turning to the report's recommendations, I will set out some of the wider work that the Department is taking forward in that area. Whilst figures show that older people are statistically less likely to be the victim of crime, they show that older people have the highest level of fear of crime. What statistics do not show is the impact that those crimes have on the lives of older people and their families and the fear that they can generate in a community, as referenced by Robin Newton and others.

Community impact statements are one option to look at critical incidents that have a significant impact on a community and can damage public confidence. The purpose is to enable that community to advise the court on the impact that that crime has had. My officials are willing to discuss with the commissioner how, if an incident occurs that has a disproportionate effect on older people, that can be identified and reflected in a community impact statement. That would also need to involve discussion with the police, who are ultimately responsible for advising on those statements. In recognising that, the Department has also worked with the Commissioner for Older People, the PSNI and St John Ambulance to deliver a pilot support responder service for older victims of crime. That service launched in 2018 in two council areas — Ards and North Down, and Lisburn and Castlereagh — and provides immediate practical and emotional support to older people if they become victims of crime. It is designed to reduce the immediate impact of crime on an older person. The service was reviewed in December 2019 and continues to operate in the two council areas. Uptake of the service in the pilot areas was quite limited due to support provision through family and friends, which is welcome. However, consideration is being given to extending the service to at least one other council area at this time.

In 2018, the Department supported the Age Sector Platform in relaunching its updated 'Feel Safe' guide. It contains a range of crime prevention advice to help older people keep safe, including details on internet fraud, bogus callers, elder abuse, scam prevention and information on organisations that can help older people feel safe. The Department also supports the Scamwise NI partnership, which aims to raise awareness of scams amongst the general public, including older people, their families and carers. The assets recovery community scheme administered by the Department also provides funding for projects aimed at preventing crime or reducing the fear of crime. While it is not specifically designed for projects for older people, it funds a range of activities that involve working with older people.

Addressing the fear of crime was raised by Catherine Kelly.

The Department works very collaboratively with our network of policing and community safety partnerships, the private sector and the voluntary and community sector. Policing and community safety partnerships have a legislative duty to address crime, fear of crime and antisocial behaviour, and to do so by

engaging with the local community. In addition, their initiatives include the support of neighbourhood watch schemes. There is a high level of awareness raising and educational activity aimed at delivering key messages on crime prevention, particularly home security. In 2018-19, PCSPs provided support for 778 accredited neighbourhood schemes that were active across Northern Ireland, covering over 41,933 homes with 996 volunteering coordinators. An example of current PCSP initiatives is the Belfast home security service, providing home security equipment and services to people who have been recent victims of domestic burglary and to older people who feel vulnerable about becoming a victim of a crime of that nature. The service is generally aimed at people over 60 and others who are at risk of becoming victims. The project specifically targets three categories of individuals, including those who have been a victim of burglary to help them feel safer in their homes if they are over 60 years of age or at risk of harm. A PSNI crime prevention officer undertakes an assessment of the house, making recommendations for security equipment to be installed as required. When the successful contractor is fitting the equipment, they also advise of other relevant support services.

11.45 am

I turn now to consideration of the commissioner's report and its recommendations. I look forward to continuing to engage with partners in the statutory and community and voluntary sectors to ensure that the needs of older people are appropriately considered in reviewing current services and taking forward new services. The ongoing work of considering the report's recommendations is being progressed with my officials, and an initial draft action plan has been developed. As Mervyn Storey rightly identified, it is important to recognise that it is not within my Department's gift to deliver on all the recommendations. Many will require collaboration with other delivery partners, criminal justice and other sectors. My officials will meet the commissioner's office to discuss our response to the report before we formalise the action plan.

Today, however, I want to focus on the recommendations that lead to speeding up the justice system, needs assessment, sentencing and pre-recorded cross-examination. Speeding up justice is just one of the big challenges facing the justice system and is a priority for the Department, its justice partners and the Criminal Justice Board. The speed at which

cases progress matters to victims and witnesses, their families and communities, and can help offenders to better understand the implications of their actions and create a better opportunity for rehabilitation. Reducing the time that it takes to complete criminal cases is challenging and complex, and reforms will take time to embed for their impact to be seen. However, as rightly highlighted by Paul Frew and Rosemary Barton, it is crucial to building confidence in the justice system. Reforming committal proceedings is one of the key ways in which we can speed up Crown Court cases, which is why the restored Executive included it in our list of priorities in New Decade, New Approach. I know that the commissioner, like many others, is keen to protect victims and avoid the potential trauma of committal hearings and victims having to give evidence in court twice. A draft committal reform Bill is now at an advanced stage, and I hope to introduce it before the summer recess. As well as abolishing oral evidence from victims and witnesses at committal hearing, the Bill will pave the way for more fundamental reforms that will see certain types of cases directly committed to the Crown Court without the need for a traditional committal hearing.

In the longer term, the Department's aim is to eradicate the committal process entirely for Crown Court cases. Statutory time limits are also referenced at recommendation 19 of the commissioner's report. The intention to introduce these for youth cases was announced by former Justice Minister David Ford in 2012. In reaching that decision, the then Minister considered three independent reports on the criminal justice system: 'A Review of the Youth Justice System in Northern Ireland', 'Review of the Northern Ireland Prison Service', and the Criminal Justice Inspection's progress report on avoidable delay. All three highlighted delay in processing criminal cases as a significant challenge and concluded that statutory time limits should be introduced as a means of delivering a step change in performance in the system. The consensus across all three reviews was that priority should be given to the youth court, where cases take longer to complete on average than in the adult Magistrates' Court.

I am mindful that the initial discussion regarding the introduction of statutory time limits was some time ago, so it is right to consider the best approach to speeding up the system. To inform thinking around that and the performance of the criminal justice system more widely, the Department has developed data to measure the end-to-end processing times of criminal cases from the point that an incident is reported to police until the case is disposed of in court.

That end-to-end performance data has provided fresh insight into delay and has been used to identify the problem areas in the system. Of particular note is that the data has highlighted a disparity in performance between cases that are initiated by way of a police charge and those that the police report to the Public Prosecution Service for a decision on whether to proceed with the case. That has led to the Department taking forward research into why reported or summons cases take, on average, longer than complete charge cases. As a result, the Department, through working closely with its criminal justice partners, has been able to improve performance in certain areas; for example, in the Magistrates' Court. That work will continue to be developed, and further delivery performance improvements will be made to inform future work on statutory time limits and the wider speeding up of justice reform programme.

I will move on to the sentencing review. A number of Members, including Mervyn Storey, Paul Frew and Paul Givan, raised concerns about sentencing. Recommendation 16 states that:

"Further research should be conducted to explore the types and lengths of sentences imposed".

Ultimately, sentencing is, and must be, a matter for the judiciary. It will balance a range of often conflicting factors to arrive at a sentence that is proportionate to the crime and, at the same time, fits into the overall sentencing framework. Other factors taken into consideration include an offender's personal circumstances, the severity of the crime and the impact on the victim, which can be longer lasting for older and more vulnerable people. Liz Kimmins set out very clearly the effect of crime on older and more vulnerable people; it often undermines their confidence to continue living independently. Although it is natural for victims to want to see offenders punished, talking to victims shows that the experience is that their focus is often more on stopping offending from happening so that fewer people experience similar hurt. It is important that offenders are held to account for their actions and that sentencing deters others from committing offences. However, to reduce reoffending, it is important that problem-solving justice is applied. That looks beyond the offence and finds the causes behind it. International evidence shows that that holistic approach, including tackling the underlying causes, can reduce future crime and the number of victims. Work is being taken forward in that area, including on substance misuse and domestic

abuse, to break the cycle of offending behaviour. That is particularly important given the evidence that short-term custodial sentences are not necessarily effective and often result in further criminal behaviour.

As I mention domestic abuse, I turn to the remarks made by Doug Beattie and Órlaithí Flynn about domestic situations. I appreciate that people have real concerns about the abuse of older people in a care or family setting. The new domestic abuse offence that I will shortly bring forward will include instances where an older person is subject to domestic abuse by either a partner or family member. It will apply in cases where children or grandchildren, including those over the age of 18, abuse a grandparent. It is important that that is included in the domestic abuse Bill. We also need to look at opportunities for rehabilitation and some form of recompense for or restoration to the victims.

As you know, the public consultation on sentencing review in Northern Ireland has closed. As things stand, sentencing guidance requires the courts to look at the vulnerability of victims of any crime as an aggravating factor. We need to look at whether additional issues need to be taken into consideration, and we are open to having that discussion.

I will mention briefly needs assessment. It is important that we identify the needs of victims and that we better support them through the system, which is often one that is alien and strange, as it is people's first passage through it. Pre-recorded cross-examination was raised by a number of Members. That is an important measure that has yet to be introduced, but I believe that it will make a considerable difference in reducing the impact of going to court through cross-examination taking place ahead of the trial and without the presence of the accused.

I thank all those who participated in the debate. I reassure people that we intend to take this important work forward. I particularly value the advice and input of the commission on how it challenges all of us to improve the services that are delivered to older people. As we go forward, the Department will work closely with the commission to deliver recommendations to be addressed through the action plan. I look forward to the continued support of Members as we work together to create a safer and shared community for everyone.

Ms Bunting: Like the Minister, I am grateful to those who participated and for the tone and unanimity that we adopted in the debate. They reflect the seriousness and sincerity with which

we approach the issue. I will briefly summarise what I took to be the key events in the debate.

Mr Storey opened the debate by reminding us of the inspiration that the older generation provides to us. He gave us some stark statistics. All were thought-provoking, and some were incredibly worrisome. Mr McCann intervened to talk about the excellent existing organisations in our communities, and he is absolutely right about that.

My colleague Mr Newton spoke about fear, as did a number of Members, and about the fact that it permeates beyond the neighbourhood. It reaches beyond the individual to the family. I, for one, am not ashamed or afraid to admit in the House and to the House that I live in fear of harm coming to my elderly mother and, worse still, by someone's hand. It has already happened. The circumstances were that a man came to her door, forced his way in and insisted that she had an issue with her roof. He repeatedly came back for money, leaving her afraid to come downstairs, to open her blinds, to open her door and to leave her home.

Ms Kimmins spoke about those who go into residential care after a burglary. That is exactly what happened to my gran, and, as with Ms Kelly's experience, it entirely reflects and mirrors my experience when my grandmother was burgled. They locked her in her room. They actually took out a full window. Once it had happened once, it happened twice. We do not know whether it was the same people. Nobody was ever caught. With that came her decline and entry to a residential home.

Ms Kimmins also mentioned that those who are known to the older person or are in a position of trust are often the perpetrators, and she spoke about the fear of repercussions from reporting a crime. A number of Members referred to those key issues. On that point, it would be remiss of me not to congratulate both Members on their maiden speech this morning.

Ms Bradley mentioned loneliness, which, along with isolation, is a key factor in the debate. She reminded us that this whole conversation is about not just the elderly but the vulnerable. She also referred to the barriers to reporting — the embarrassment and the issue of memory/recall — and how all those things are off-putting to those advancing in age. Mr McHugh intervened and spoke about isolation.

Rightly, Mr Beattie kept the focus on the victim. He gave us shocking statistics on the prevalence of abuse. Those are sobering

thoughts for us all to continue with in the course of our work in this place.

Ms Armstrong told an emotive story about the impact of theft. She was right when she said that we must be careful not to exacerbate the fear. I am grateful to her for raising a point about the definition of vulnerable and vulnerability. That is another reason why I pay tribute to and thank my friend Lord Morrow for his Act, which brought up that definition. Ms Armstrong also referred to the important issue of safeguarding, and I thank her for that important point.

Mr Buckley referred to the impressive work done by caregivers. It is they who afford many of us the opportunity to continue working to provide for our families while caring for an elderly relative and loved one.

Mr Givan, along with many others, referred to the trauma after an event. He spoke of sentencing and the importance of a consistent approach to the vulnerable.

Ms Flynn, rightly, raised the issue of older people being protective of their financial and personal details. This is the issue: there is a trust and a naivety whereby older people are sometimes prepared to give details over the phone that those who are younger and perhaps wise to scams would not give. She spoke of the devastating impact that those scams can have.

Mr Frew highlighted that the elderly are often targets for criminals and raised the issue of the importance of education on safety.

Mr Clarke mentioned advocacy versus the sense of security through the community.

12.00 noon

Ms Kelly reminded us that our elderly are the backbone of our society. I have already mentioned that her personal experience mirrored my own, and she was right when she spoke of prevention, information and support.

Mr McGlone talked about our elderly deserving the right to live in peace in their homes. I wholeheartedly concur. He spoke of cross-departmental working and said that good neighbours are vital.

Ms Barton raised a harrowing account of a person jumping from a window. She also mentioned statistics regarding fear, as did a number of other Members.

Ms Dillon raised a really important point about the old and the young being brought together. It is so vital in our society, and there are so many great examples of circumstances where the old and the young come together and break down the barriers; the fear on one side and the imparting of knowledge and wisdom on the other. Often, young people will take a bit of advice from the elderly that they would not necessarily take from their parents.

Mr Dunne referred to pre-recorded evidence and video links and the importance of visible policing and the impact that that will, hopefully, have.

I turn to my own remarks, which will be fairly brief. To be the victim of crime is horrendous, but how much more so must it be for those who are older, perhaps alone and certainly vulnerable. Even the word "victim" is synonymous with all things unpleasant and serves to bring home our own potential frailty, because anyone can be the victim of crime. That said, we take this issue seriously, not just because we think, "There but for the grace of God go I", but because many of us in this Chamber are at that time in our lives when we are faced with caring for an elderly loved one. We are watching those who were invincible to us in our childhood become those for whom we fear and will protect with all we have.

Perhaps to my shame, I had not read the report prior to the debate. It pinpointed and crystallised what I had considered to be the issue, prior to sitting for a time and empathising with those in our society who are a bit older: the fear of crime and the reasons for preferring not to report it, to which many Members have alluded. What also struck me was that a lifeline can also be a threat, including the telephone, which is also a resource for the scammer, and even things like handrails for outside steps, to the bad guys, can be indicative of vulnerability.

As recently as yesterday, an elderly lady in east Belfast was burgled. Her home was ransacked and money and jewellery were stolen. Only a couple of weeks before that, two men entered an elderly couple's home with hatchets. Just imagine, and this is the rub, the psychological impact; the desecration of their personal safe haven and sanctuary; and the ensuing loss of confidence. That highlights their vulnerability and mortality. It is a reminder that we are not what we once were. Who among us wants to face that reality?

It is important that we get this right. The fear of crime is debilitating and paralysing and can lead to isolation, which only exacerbates the

problem. I am grateful for the Minister's presence, words and actions to date and for her proposed actions. I look forward to working with her, the commissioner, the police and the Policing Board towards improved outcomes.

Question put and agreed to.

Resolved:

That this Assembly calls upon the Minister of Justice to develop a departmental and cross-agency plan to implement the recommendations of the May 2019 report of the Commissioner for Older People for Northern Ireland entitled 'Crime and Justice: The Experience of Older People in Northern Ireland'.

Areas of Natural Constraint

Mr McAleer: I beg to move

That this Assembly expresses concern at the Department of Agriculture, Environment and Rural Affairs decision to end areas of natural constraint support; notes that the decision has had a negative impact on farmers in severely disadvantaged areas; and calls on the Minister of Agriculture, Environment and Rural Affairs to use the powers contained within schedule 6 to the Agriculture Bill (HC Bill 7) to bring forward a new areas of natural constraint scheme.

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

Mr McAleer: The British Agriculture Bill was introduced in the House of Commons on 16 January this year, and it sets out a number of powers and measures, some of which apply to the North. In the context of the motion, the specific element that I am referring to is Part 1 of schedule 6, which, at the Minister's discretion, makes provision for elements of a direct payment, including a payment for areas of natural constraint (ANCs).

Figures in the research pack, which was kindly provided by the Assembly's Research and Information Service (RaISe), show that the North is heavily reliant on agriculture for its share of gross value added (GVA) and percentage of total employment. Indeed, the Committee recently heard evidence that in the region of 100,000 people are employed in the

food and drink industry in the North. It is a huge sector and is worth about £4.5 billion per annum. Compared with England, Scotland and Wales, the North also has the smallest average farm size, with grass-based cattle and sheep accounting for 89% of the total number of farms. We have more dairy, cattle and sheep less-favoured area (LFA) farms and ANC farms than any other devolved region.

Seventy per cent of land in the North is defined as a less-favoured area and has been eligible for such support since 1975. Although we have the most beautiful hillsides, rugged countryside and undulating landscapes, those bring challenges for farming, such as difficult topography, poorer soil quality, rooting depth and many more biophysical issues that are criteria for areas of natural constraint funding. As a result, farm incomes are very low. Farms rely on EU direct support, especially those in ANCs, which to many farmers are better known as less-favoured areas. Farmers are producers of food, but they are also the custodians of the countryside. Without direct support, as many as 30% of farms will go out of business. Those are figures that we received from Queen's recently. That would result in land abandonment and have a huge negative impact on the rural economy and local services. As such, it is vital that we tailor an agriculture policy to the needs of farming in the North. Indeed, we are undertaking that process at present.

Ms Dillon: Will the Member give way?

Mr McAleer: Yes.

Ms Dillon: Will the Member agree with me that the withdrawal of EU direct support will have an impact on much more than just farming, in that it will also have a potentially serious environmental impact?

Mr McAleer: Yes, I agree with that. As I said, the evidence that we received in Committee recently shows that, if direct support to our farms ends, at least 30% of them will go out of business. Although I do not have figures for the LFAs and ANCs, I am certain that the percentage would be much higher than 30% in such areas. Yes, land abandonment absolutely has a huge environmental impact, as well as having wider social and economic impacts.

Farmers in those areas are very restricted in the choices that they can make. They do not have the option to rotate their crops and they cannot grow cereals. As much as they can do is maintain their grasslands and their beef and sheep. They are at the end of the livestock

production chain and vulnerable to price fluctuations. Hill farmers and farmers who are not on hills but are in areas that are designated areas of natural constraint need that mitigating payment because of the additional challenges that they face. The payment exists to create a more level playing field with lowland producers and, indeed, with their counterparts in the South, who are fortunate enough still to have the EU support and access to a wider range of support schemes than the rest of the country.

A policy document that accompanies a recent report from the National Farmers' Union (NFU) states that the value of hill farming must be recognised in order to shape the social and economic needs of people living in rural areas and that weather, rising costs and disease lead to hill farmers getting less for their produce while facing increasing production costs.

That is a good summary of the challenges.

Indeed, the former Agriculture Minister Michelle O'Neill, who is now the deputy First Minister, took the decision to go some way towards addressing that disadvantage by introducing the ANC scheme in the rural development programme for 2014 to 2020. That was a follow-on from her predecessors, the former Ministers Michelle Gildernew and Brid Rodgers, who, in their time, continued with the less-favoured areas (LFA) compensation allowance. As I stated previously, that type of support had been available since 1975.

A subsequent Minister in 2016 made the decision to withdraw those mitigating measures and, in the process, created these additional challenges and inequalities. At the time, Sinn Féin expressed concern that the Department had not applied the proper regard to meeting its statutory functions under section 75 to promote equality of opportunity, because it is a matter of fact that certain sections of the community are more adversely impacted upon by that decision than others. It is well documented that hill farmers struggle to make an income. The ANC allowance was important for farmers to tackle the barriers to hill farming and help make it become more viable. Indeed, the guide to the 2018 ANC scheme states that:

"The ANC Scheme provides for a payment to farmers with land in the Severely Disadvantaged Area (SDA) to compensate for all or part of the additional costs and income forgone related purely to the constraints for agricultural production in the area".

Turning to single farm payment, because the two are interconnected, it is important to note that, for historical reasons, the per-hectare entitlement of farmers in severely disadvantaged areas is below the regional average. In 2014, the then Minister, Michelle O'Neill, set in place a transition towards an equal rate, which is sometimes referred to as a flat rate, whereby, over the course of the seven-year transition period, farmers' payments that were below the regional average would incrementally increase, and farmers' payments that were above the regional average would incrementally decrease, until all farmers received the same amount per area-based entitlement by 2021. I think that the predicted value was in the region of €330 per hectare. However, I have noted that Mr Poots is intent on halting that transition towards equality. We are now five years into the seven years of that transition period.

I should add a caveat: we have always been concerned that, even if the seven-year transition period was implemented and all farmers received the same flat rate of €330 per hectare by 2021, farmers in the ANC scheme with land in severely disadvantaged areas still deserve that additional mitigating payment:

"to compensate for all or part of the additional costs and income forgone related purely to the constraints for agricultural production in the area."

We responded to the DAERA consultation on the option for a basic payment scheme entitlement unit. We made it very clear that the Department should continue the transition towards the flat rate and emphasised the need to support farmers in severely disadvantaged areas and continue the ANC. We have made the case very strongly to departmental officials that the redistribution of pillar 1 funding does not constitute substantial mitigation for the withdrawal of the ANC payment. We told the Department that the failure to mitigate the withdrawal of the ANC payment would result in negative, adverse impact on farmers who live in severely disadvantaged areas. I should say that this payment continues throughout the EU, in the South of Ireland and in Scotland. We can see the devastating impact that the withdrawal of that funding has had on farmers as we speak. According to DAERA's own figures, the number of suckler cows is at its lowest since 1998. The withdrawal of the ANC payment is a contributory factor to that and the loss of farmers' income. The total income from farming fell by 25% between 2018 and 2019. That is all compounded by the uncertainty caused by Brexit.

In the South of Ireland, the Government have invested more heavily in agriculture. For example, €250 million is available to the Department of Agriculture, Food and the Marine towards its ANC payment, and there are a range of other support schemes and the area-based single farm payment. Indeed, at the Committee recently, the UFU made the point that the support payment to farmers in the South must be tracked and, if possible, matched so that the North can compete in an all-Ireland economy with counterparts in the South. I should also have pointed out that almost 50% of suckler cows and 60% of the ewe population is grazed on the severely disadvantaged areas, so the production of livestock in the hill and upland areas is crucial to supporting the finishers and the red meat industry in the North.

12.15 pm

In conclusion, there is now an opportunity under the new powers in the Bill to introduce a new areas of natural constraint scheme, and we call for the Minister to use his power to introduce the scheme as a priority.

Mr Principal Deputy Speaker: That was nine minutes and 59 seconds. Excellent. Well done.

Mr Irwin: I welcome the opportunity to speak in the debate, and, in doing so, I acknowledge the situation facing farmers in areas of natural constraint and severely disadvantaged areas as we move beyond current funding models towards a unique and, I hope, specifically tailored UK support scheme. I firmly believe that the restoration of the devolved institutions in Northern Ireland has been embraced and welcomed by vast swathes of the Northern Ireland public, and I know that for many farmers it has signalled an important opportunity to be involved fully in the shaping of a policy and support system that will deliver, sustain and encourage growth post Brexit.

As we know, the industry in Northern Ireland across all sectors and all land types has relied on payment support schemes over the years, which have assisted farmers to operate in a highly competitive agri-food industry in Northern Ireland. There is a valid argument that this competitive marketplace could become more competitive, depending on the types of decisions made on market access. I am of the opinion that a very real effort must be made to ensure that a very high quality and stringently placed product should be protected and promoted, given the high standards in food

production in Northern Ireland. The quality of our food is what makes it stand apart and what makes Northern Ireland products sought after. We must ensure that this quality continues.

In Committee in recent days, we heard from various representative groups and stakeholders on the issue of support and what it would look like, and there is a widely accepted narrative that support must take all sectors into account. However, what that support will actually look like remains to be thrashed out. The farming industry generally is aware of the difficulties faced by those farming in areas of natural constraint and the challenges that this presents. Indeed, active farming in SDAs provides an important service over and above food production by maintaining the land in these challenging conditions, so contributing vitally to ecosystems in these regions of Northern Ireland. That is no small undertaking and contributes positively to the protection of the environment.

As we look to future support, there has been a consensus through various consultations, carried out, for instance, by the Ulster Farmers' Union, that area-based payments is not perhaps the best means of promoting growth in the sector and that any new arrangement needs to be more focused on production. There is also a recognition of the unique challenges of severely disadvantaged areas, and, at recent AERA Committee meetings, that has been debated across the party spectrum.

While the motion calls for the Minister to use powers to bring forward a new areas of natural constraint scheme, I feel that a much greater discussion is required on wider support for agriculture in Northern Ireland to ensure that, whatever support scheme is enacted going forward, it is as supportive as possible of productive, profitable and sustainable agriculture. It must be stated that farmers in SDAs gained from convergence and that transfer of money came at the expense of lowland and disadvantaged area farmers. It is also worth noting that Northern Ireland receives the largest per hectare payment in the British Isles. In moving to a new support system, this must be recognised.

Mr McAleer: Will the Member take an intervention?

Mr Irwin: Yes.

Mr McAleer: Does the Member accept that, when the entitlements were introduced in, I think, 2005, sheep and hill farmers had been

labouring under an unfairly low average entitlement and that this was the only chance of getting a bit of equality?

Mr Irwin: Yes, under convergence, there is no doubt that hill farmers did benefit and that that brought up their payment much higher than it originally had been. There is no doubt about that, and I think that that is accepted widely.

Sinn Féin will know, given that it held the Agriculture Ministry in the past, that ANCs require ministerial direction to sign off, signalling that it was a more difficult proposition, and, indeed, it agreed a scheme for only two years before a review of its future. It was Minister McIlveen who, following that, ensured that farmers received a payment in 2018 to have a period of transition.

ANC is clearly not the best support mechanism, and, as a member of the Committee for Agriculture, Environment and Rural Affairs, I urge the Minister to use the opportunity that presents itself to ensure that support measures post Brexit reflect profitability and sustainability. I will certainly use my position on the Committee to argue strongly for those bedrocks. Our industry must be built on sustainability, going forward. Support measures must have clear benefits and outcomes. That is where the debate on future payment models will have to take seriously the views of all sectors in Northern Ireland.

With that in mind, I do not support the motion, and I urge all members of the Committee for Agriculture, Environment and Rural Affairs to get involved in the debate and scrutiny of future support mechanisms.

Mr Catney: As has been said, agriculture is a massive part of our economy, our landscape and our way of life. I have always considered myself a countryman, but, after I went to talk about sustainable dairy farming at Greenmount, I found my country credentials extended only to the odd céilí in an old farmer's barn somewhere. I gathered potatoes for Mrs Wilson, who, I think, was a relation of our Minister, and I learnt early on that it was better to go to the local publican in The Four Trees in Moira rather than be outside gathering potatoes or picking strawberries in the cold weather. I will always remember Mrs Wilson saying, "You might leave the house tired after your day's work, but you will never leave it hungry". I have good memories of that.

There needs to be a better understanding of the impact that agriculture has on all our lives. It is

not a stand-alone issue but one that integrates with all areas of life. That is why the impact of agriculture is important to consider when looking at the single policies of areas of natural constraint. In my view, removing that single policy would have a much wider detrimental effect on agriculture and on the whole of society.

The proposal also comes at what is one of the most difficult times for our farming industry in recent history. The uncertain effects of coming out of the common agricultural policy, farm incomes falling as much as 23% in the past year and a half and the growing impact of climate change have placed extraordinary pressures on our farmers. To then cut payments for areas of natural constraint for our farmers on the worst land with the poorest soil and the harshest conditions has to be a step too far for all of us. I also noted with alarm, while researching the motion, that, as the proposer stated, 70% of the land in Northern Ireland fell into the criteria of less-favoured areas. I know that has changed for ANC, but it is still an incredibly large amount of our agriculture industry that the loss of this income will impact on.

I understand the argument, particularly in a time of climate emergency, for our agriculture policy to promote and encourage environmental use of the land, whether that be through the growth of forests or allowing land to fall back into its natural habitat. However, it is not sustainable to do that at the expense of our farmers, who are in great hardship. I think that a balanced way forward can be found that supports our farmers in areas of natural constraint as well as protecting the environment and the productivity of our farming sector.

Some 70% of all land in Northern Ireland is for agricultural use. As politicians, we give no certainty to our farmers, with conflicting stories coming every day about what the future of agricultural support will look like, about trade deals flooding our markets with low-cost, lower-standard food that our farmers cannot compete with and about how we will pay for that and help our farmers produce the food that we all need. Removing the support for areas of natural constraint will create another hurdle for our overworked farmers to jump over.

I learned a lot during my visit to Greenmount; in fact, I do not think that there is much that I did not learn about sustainable dairy farming. I learned that I could not do what our farmers do. They are vital to our ongoing prosperity and must, where possible, be supported. That is why I ask the Minister to look again at the ANC

scheme and find a way to support our farmers working in extreme hardship.

Mr Principal Deputy Speaker: If going berry picking occasionally qualifies you as a countryman, the Stalfords of Braniel qualify as country people as well.

Mrs Barton: In Northern Ireland, family-based farming enterprises are an important part of our community. Northern Ireland is unlike other parts of the United Kingdom, Europe and, indeed, the world, where large factory-farming techniques have been established and agricultural products are churned out without the same consideration or management of the excellent quality products and protection of the environment that we have here.

Farming on poorer land has always been a challenge, irrespective of where you farm. In Northern Ireland, there has always been the persistent and perpetual farming mentality that, despite not making a profit, the individual farmer will stick with it and continue their quality production.

There has long been support for local hill farmers or those who farm severely disadvantaged areas. Previous to areas of natural constraint, the less-favoured area compensatory allowance was in place. DAERA's figures highlight that farms in severely disadvantaged areas are well over £100 per hectare worse off than lowland farms. With the removal of areas of natural constraint payments, it is estimated, around 10,000 farms will be impacted.

A very large percentage of land in my constituency of Fermanagh and South Tyrone falls within the severely disadvantaged area standards. On hill farms, there are limited options for crops, with grass the only feasible option.

The Sinn Féin motion raises concerns that the areas of natural constraint payments were ended, but the reality is that a consultation on the future of the ANC scheme was carried out in 2016. The consultation was ordered on the watch of a Sinn Féin ARD Minister and decided on by a DUP AERA Minister. It was that same AERA Minister who, in December 2016, announced that 2018 would be the final year of the ANC scheme and that, even then, it was to have a budget of only £8 million compared with the previous budget of £20 million. The Ulster Unionist Party wanted funding for the scheme to be kept in place. We believed that there was sufficient scope in the overall Executive funds to pay for it. The last Executive squandered

hundreds of millions of pounds, not least on pet projects such as the extravagant new DAERA offices at Ballykelly, but, still, many staff are retained in Dundonald House. It was simply not true that continuing to fund the scheme from Executive funds was impossible.

I hope that a new, equivalent scheme will be developed and that hill payments will be reinstated. Not only would that assist the farmers of severely disadvantaged land but most of the money would go back into the community.

Mr Blair: Similar to what Mr Catney and, perhaps, Mrs Barton said, I will speak on behalf of the Alliance Party in the hope that we can achieve an outcome, although I recognise that such an outcome will require some balance.

I speak, however, in general support of the motion, its principle and sentiment. Let me explain: there have been changes in financial processes, regulations and, indeed, in ministerial directions. It has been said already that those changes have not come about abruptly; they have been made over time. However, we have a duty to hill farmers, including those on smaller hill farms that, it might be said, are less productive overall than others in the agricultural sector that we hear about more often.

12.30 pm

Smaller hill farms are a vital component of the family farming community. They have a crucial role in Northern Ireland in, for example, conservation of the countryside, maintaining the landscape, preserving tourist potential and, in some cases, protecting the coastline.

It has to be said, however, that there is some potential for conflicting evidence in payments made under the basic payment system in comparison with what went before. That is worthy of further and more detailed examination, so that we can ascertain properly what the actual losses and gains are to those directly involved.

At the time of the Bew report, there were many offices and representatives campaigning against payments being allocated purely on land area. However, where there is evidence that current arrangements have introduced disparity, as I said previously, we need to reassess the system. In that regard, I draw attention to the fact that the motion refers to:

"to bring forward a new Areas of Natural Constraint scheme."

It does not prescriptively say that the scheme introduced has to be exactly the same as the scheme that was there before.

In that regard, I urge the Minister to pay attention to the outcomes of the payment arrangements that are in place, give full assessment to those most affected by the current system and, in doing so, pay due regard to those in severely disadvantaged areas. Apart from that, I support the motion.

Mr M Bradley: I am grateful for the opportunity to speak in this debate. I acknowledge the difficulties facing the farming industry post Brexit and the uncertainty surrounding the Northern Ireland/Ireland protocol. I share the concerns of many that the exceptionally high standards set in our agri-food industry. The extensive traceability of our products must be maintained. Food produced here is of the highest quality worldwide. Protection of the environment is woven into the fabric of farming itself. Therefore, it is good that motions such as this are debated in the devolved Assembly, as is right and proper.

The areas of natural constraints scheme is a land-based payment, and many farmers have been critical in the past of payments made via the basic payment scheme. Many have queried what public good is delivered and whether it presents good value for money, as it is a land-based payment that is not targeted to either the environment or productivity.

The Minister at the time, Michelle O'Neill, gave a commitment for an ANC scheme for two years, 2016 and 2017, followed by a review before the scheme could continue. Minister Michelle McIlveen ensured that the scheme was available to allow payments to 2018, to give farmers a transitional period. It is clear that our farming industry needs continued support. That will have to be tailored for the marketplace that we find ourselves in, both locally, within the GB market, and in the Republic of Ireland market.

Some may argue that the Republic of Ireland has maintained the ANC scheme, and it has. However, it has a maximum claim area, and it has also converged towards a flat rate, at the slowest rate possible under EU rules. It has a lower average payment per hectare.

Some have suggested that the removal of the ANC scheme is an attack on hill farmers, but it is not. Productive farmers in hill areas keeping

sheep and cattle with an above average per-hectare payment, could be impacted upon greatly by any move to a flat-rate payment, with much greater consequences than the removal of the ANC.

It is time to look at a new way of doing things in consultation with the industry. The question has to be asked whether new arrangements can be focused on production. Instead of harking back to old schemes, we should be focusing on new opportunities, targeting the needs of productive farmers in all areas.

The motion calls on the Minister to use powers to bring forward a new areas of natural constraint scheme. Is it as simple as that? I do not think so. Further discussions and consultations must be held to ensure that whatever scheme is preferred should be one that is supportive of and beneficial to the industry. It should be a scheme that has merit and a clear delivery outcome. A continuation of the ANC scheme towards a flat rate could have a detrimental impact on farmers in severely disadvantaged areas (SDAs).

In closing, I ask the Minister to give a commitment that he will look at new ways of supporting all farmers to become more productive, profitable and sustainable.

Mr Principal Deputy Speaker: Before I call the next Member to speak, I remind Members that it is convention in the House that a maiden speech is heard without interruption. I call Ms Emma Sheerin.

Ms Sheerin: Is onóir an-mhór domhsa labhairt libhse anseo inniu. It is a massive honour for me to speak here today and to speak to you as a representative of Mid Ulster. I follow in the footsteps of my friend and colleague Ian Milne, a man who has spent his entire adult life as a political activist, standing up for what is right, even when it was dangerous to do so. Ian continues to work as a public representative as the Bellaghy councillor for the Moyola district electoral area (DEA), and I continue to enjoy working alongside him, as well as the 16 other Sinn Féin councillors on the district council, whom I also want to thank.

As one of three Sinn Féin MLAs for Mid Ulster, I am blessed to have the support and guidance of two fantastic sisters in the constituency — Linda Dillon and our party vice president, Michelle O'Neill — as well as that of our MP, Francie Molloy, who has been at the forefront of this movement for five decades and has been a personal mentor to me.

Mid-Ulster is a brilliant place in which to live. It is half Derry and half Tyrone, but the rivalry between the two ends on the football field. There is a diverse and brilliant community that stretches from the top of the Carn, overlooking Swatragh and Slaughtneill, right down to Coalisland and Pomeroy. The people are full of ingenuity and industry. Engineering is a massive sector in mid-Ulster, evidenced by the fact that over 80% of the world's crushing and screening equipment is manufactured there.

In the east are Ardboe and Ballinderry on the shores of Lough Neagh, which has Europe's largest wild eel fishery. My own Ballinascreen is in the west, nestled between Slieve Gallion and the rest of the Sperrins, where agriculture still provides for families who oftentimes have been farming the land for generations. As an MLA, I want to promote and support everything that is positive about our district, and I want to find solutions to the problems. I want to help the people whom I represent, and I believe that government has a vital role in aiding those who are at a natural disadvantage.

The ANC payments carried out precisely that function. After decades and decades of myriad schemes that discriminated against the hill farmer, Michelle O'Neill's transition to a flat rate, combined with the ANC payment, gave those people breathing space. I declare an interest at this point: I am the daughter of a sheep farmer from the Sperrins. I was reared in a farming family that stretches back generations. I understand, more than anyone, the unique challenges faced by our mountain farmers.

As was said previously, 50% of suckler cows and 60% of the ewe population in the North are grazed on ground that is considered severely disadvantaged. Some 30% of mid-Ulster is made up of SDA land, namely the rough hilly ground of the Sperrins. Farmers who own and work that land do so against a multitude of challenges. From poor and fluctuating farm-gate prices to rising fuel and feed costs and the annual worry about the weather, everything is felt more extremely on the mountainside.

The Irish climate, combined with poor soil quality, makes growing fodder difficult, but the people who cut and bale the silage still need to be paid. The vet's bills still arrive, and the machinery still needs to be serviced. The ANC payment was not a top-up to a farmer's income that allowed for a second holiday that year. It did not lead to investment in banking shares, but it did go into the coffers of the small farm-supply shop, the independent contractor putting up a bit of fencing or the family business

struggling to survive. Those are the funds that keep rural Ireland ticking.

There are no guarantees when you are engaged in this industry. At the end of 2019, roughly 80% of farm income came from EU subsidies. Now, with the uncertainty of Brexit and what it means for the single farm payment, there is an added worry for those producing lamb and beef. Equality is not simply about treating everyone equally; equality is about creating an environment in which everyone has an equal chance. As a representative of those living in a rural area who have not always had that equal chance, I am urge the Minister to introduce a new areas of natural constraint scheme.

Mr Principal Deputy Speaker: I thank the Member and I want to be first to congratulate her on making her maiden speech in the Assembly: congratulations.

Ms Dolan: I welcome the opportunity to speak on this important motion. As many of you know, I represent Fermanagh and South Tyrone, a border constituency that sees approximately £46 million a year in single farm payment. Furthermore, statistics show that almost 92% of land in Fermanagh is severely disadvantaged. In the Minister's parliamentary constituency, only 2.5% of land is severely disadvantaged.

In addition to introducing a transition to a flat rate of farm payments, Sinn Féin Minister Michelle O'Neill initiated the areas of natural constraint scheme as a support mechanism for farms in severely disadvantaged areas. The ANC scheme was a clear recognition of the need for a bespoke response, in addition to the move to a flat-rate payment, to address inequalities in the system. Such inequalities are recognised in the South of Ireland and Scotland, both of which have ANC schemes that they have committed to continuing.

It is well documented that many farmers struggle to make an adequate income. The ANC allowance was important to farmers for tackling the main barriers to farming and helping it to become viable. I live in a border constituency where the ANC payment has ended, yet our neighbours in the South, who could be as close as the next field, have seen the Government investing more heavily in agriculture: approximately €250 million is available towards the most severely disadvantaged farmlands. Sinn Féin opposed the decision taken by the DUP Minister of Agriculture to end the ANC scheme payment. The consequence of that decision was the recreation of inequalities and the loss of £20

million a year to farmers in severely disadvantaged areas.

As has been said, almost 50% of suckler cows and 60% of our ewe population in the North reside on farms in SDA areas. That breeding population produces a significant quantity of livestock that is then used for further breeding or finishing on lowland farms. Production in hill areas is therefore of huge strategic importance in the context of supporting the red meat industry in the North.

Full convergence or transition to a flat-rate payment is an important move in addressing inequality in the agriculture sector and, as such, it must be achieved within the seven-year time frame set out by Sinn Féin Minister Michelle O'Neill and endorsed by the Executive in 2014. It is disappointing that the Department has decided to freeze that. Transition to a flat-rate payment does not by itself address the difficulties facing farmers in SDA areas who face constraints relating to the quality, topography and location of their land.

Sinn Féin strongly disagrees with DAERA's analysis in its February 2016 consultation on options for future support to areas of natural constraint, but the redistribution of pillar 1 support in favour of SDAs is a hugely significant mitigation. We also disagree with DAERA's view that redistribution of pillar 1 will contribute significantly towards compensating SDA farmers for the termination of the ANC scheme. Flat-rate payments will not address the geographical and topographical challenges facing severely disadvantaged areas or sufficiently fill the gap created by the ending of the ANC scheme.

The exceptional adverse challenges of farming in ANC areas, and the importance of a Department fulfilling its statutory obligation under the Rural Needs Act 2016 to pay due regard to that and introduce mitigating measures, such as a full transition towards a flat rate and the restoration of the ANC annual payment, must be recognised and taken into account when developing policy.

Mr McCrossan: I too congratulate the Member for Mid Ulster on her maiden speech. I sincerely hope that she finds herself as a Tyrone woman and not a Derry woman.

Mr McAleer: *[Inaudible.]*

Mr McCrossan: I am sure you have influence over her, Declan.

I support the motion and thank those Members who brought it before the Chamber. It is important that we send a clear message to our farming community across the North that they will no longer be left behind. That includes ensuring that those farmers who farm less favourable land are not disproportionately impacted on by the House or by something that is as catastrophic as Brexit. It will have a huge impact on our farming community. That is well-documented by many farmers across the 18 constituencies of Northern Ireland, regardless of their background or belief; it is generally accepted that Brexit will have a devastating impact on agriculture here.

Many of our farmers are struggling and are in need of support. It is important that we use this debate to convey that support directly to them and to the organisations that represent their interests. As I said, our farming community has benefited substantially from EU money for decades and from schemes that have not only kept farms alive but contributed significantly to their output.

12.45 pm

Like many in the Chamber, I take great offence when farmers are accused of being paid for nothing. We hear that but, in fact, people need to realise the work and endless hours that a farmer puts in to ensuring that his land is farmed and the great sacrifices that are made. Some farmers do not go on holiday, and some will not even leave the house for a day because they are afraid to leave the farm because they are so dedicated to it. That is a generational thing that has come through, and I can speak about many people in my constituency in that regard.

I do not need to convince the House that our farmers across Northern Ireland are world class and that they provide world-class produce that is exported around the globe. It is with great concern that we are here today to represent those farmers who, through no fault of their own, have lost entitlements because of the removal of the ANC support last year. ANC represents the less favourable areas of land — again, that was discussed in great detail by other Members — mostly on hills. My constituency is quite hilly, as Declan McAleer, my constituency colleague, mentioned.

The ANC accounts for 44% of all farmland across the North, and ANC payments were meant to protect those farmers because of their disadvantage and to ensure that there was an equal playing field. However, that funding,

which amounted to around £20 million spread over 9,000 applications, has now been removed. Many farmers have been left in a state of limbo, unable to plan for the future or for their families and their farms. That is unacceptable, and it is why we need to do something tangible about it. Regardless of which farm I have visited, that comes across very clearly.

Over 60% of the farmland in my constituency of West Tyrone is designated as severely disadvantaged, and that includes areas such as Dromore, Ruskey, Castlederg and the Glenelly valley. I have met farmers and local community groups who hold the view that the removal of the ANC payments was disproportionate for farmers in West Tyrone and, indeed, in Fermanagh and South Tyrone. They are not able to compete with producers in many more favoured areas and do not have the luxury of simply converting to dairy, arable farming or potatoes. Indeed, DAERA's statistics show that upland farms' income is £114 less than that of lowland farms. The compensation that they were provided with for so long has been removed, with very little care given.

In West Tyrone, farms in the Glenelly valley not only have to deal with those cuts but are still in financial despair, given that their farms, livelihoods and businesses were decimated by the flooding in 2017. I have documented that very well; I know that the Minister has taken it seriously, and I appreciate any response that he has given to me in that regard. Almost three years later, they have still not been properly compensated and, as I said, I hope that the Minister will move swiftly on that.

The debate is not only about ANC payments but the wider fundamentals of future farm payments, following the end of CAP in December. Farmers have concerns about their funding post 2020 and, again, Brexit has compounded that. Will the British Government commit to the same levels of EU funding for our farmers? That remains to be seen. If the New Decade, New Approach funding is anything to go by, I have no faith that they will do what is right for the agricultural community.

I welcome the fact that my constituency colleague has brought this issue to the House, but it is a bit frustrating that Sinn Féin is back in the Chamber asking for funding to be reinstated that was removed as a result of a consultation by the Sinn Féin leader, then Minister, Michelle O'Neill, back in 2016.

Ms Bailey: I support the motion, which:

"calls on the Minister of Agriculture, Environment and Rural Affairs to use the powers contained within schedule 6 to the Agriculture Bill (HC Bill 7) to bring forward a new areas of natural constraint scheme."

It is pretty basic stuff, really. The Agriculture Bill that is working its way through Westminster will set the post-Brexit agenda for the UK agri-sector for decades to come. We need to get this right, and schedule 6 is the only part that directly addresses Northern Ireland's future. Suffice to say that it raises more questions than it answers in terms of compliance with the Ireland/Northern Ireland protocol, with our climate and biodiversity commitments and with sustainability measures that will be fit for purpose in the greening decade to come.

Given that we also know that Scotland will introduce its own primary legislation for the future of its agriculture and that Wales is working towards producing legislation, it is clear that there will be no UK framework to rely on. We need our own plan for our own future that meets our own needs.

If we are to move towards production models, it needs to be sustainable production and future-proofed productivity. Our farmers in severely disadvantaged areas need to be given solid assurances that we will protect them and that they deserve to have access to specific and targeted economic interventions. They also need to know that their hard work and dedication are invaluable to wider society.

Farm incomes across Northern Ireland are down, and the Minister himself told us that. They are down 25% in the last financial year, if I remember correctly. Northern Ireland farm business surveys tell us that that is expected to plummet even further. ANC payments across the UK vary greatly. For example, Scotland budgeted £450 million at the same time that we spent £8 million. Until we have a financial plan in place, we should not further stress disadvantaged farmers.

The Green Party —.

Ms Dillon: I appreciate you taking the intervention. Does the Member agree that a review is good practice whenever a new scheme is implemented and that the outcome of that review should not have resulted in these payments being removed, given all the evidence that we have heard today?

Ms Bailey: I thank the Member for her intervention, and she raises important points. Change is fluid at the minute, and everything

should be continually reviewed. We are facing phenomenal change in the face of Brexit, and we need to put plans in place.

The Green Party aims to further the social, environment and economic well-being of those involved in our agri-sector. We have an opportunity to renegotiate a scheme to recognise market realities, such as farm size, and future challenges, such as climate change. We have the opportunity to re-evaluate what we consider to be economically productive. For example, what will be the economic value of the tree-planting schemes that the Minister announced just yesterday, the maintenance of those lands and any potential forestry?

Things are changing. Let us make them fit for purpose. We urgently need a new ANC scheme to give economic assurance and value to those working on our land and in our environment.

Mr Allister: No one in the House will get argument from me that our hill farmers do not make a valuable contribution to our agricultural production. However, it is imperative that we take an overview of all our agriculture because, at the end of the day, we are a food-producing region. We need to optimise that and do it in a way that respects that there is a limited pot of government money to aid that process. Therefore, it is appropriate that, from time to time, we stand back and examine whether the distribution and spend are balanced correctly or whether they need adjustment. Therefore, it was right to review the ANC payments. It is quite a preposterous proposition for the mover of the motion to say that he wants to see not only a flat rate but the advantage of an ANC for hill farmers. There is not an endless money tree. There is a need to balance where we are best helping production.

I am surprised — well, maybe I am not — that, in the debate, there has been no reference to one of the reasons why ANC was introduced in the first place. It was introduced in part to offset the curtailment that had been placed on hill farming by the EU. It is by addressing and removing some of those curtailments, such as stocking rates, that we could help hill farmers. Why should farmers not be able to set their own stocking rate on their own land? Why should they not be able to out-winter cattle on their own upland areas? Why must we have these prescriptive rates, dates and times of stocking? If we remove them, we help to restore autonomy and the possibility of success to those areas. Why do we have restrictions on the type of livestock in hill areas? Why are we not giving our farmers the freedom to farm? They control their own farms. They know what

is best for their business. Take heather burning, which we banned. The ability to burn heather at the right time of the year, under the right burning conditions, would help hill farmers. It is, in part, because we took away all those rights that ANCs were imposed. By removing those EU-inspired, nonsensical, inhibiting provisions, we could, in fact, liberate our hill farmers. That would be a most useful step to take, but we did not hear a word of that today. All that we heard was the usual whining, "Give us the money. Give us the money". It is not a sustainable situation. I hear talk about sustainable farming. Yes, sustainable farming includes making sure that the areas that are productive and making the big contribution to our farming output are not neglected. Yes, there has to be a spread and all things have to be considered, but this tunnel vision — that we need to channel more and more money away from the productive sections into the non-productive sections — is the height of nonsense.

Mr McAleer: I thank the Minister for giving way. Will the Minister accept that his constituency, 35% of which is designated as a severely disadvantaged area, has very limited options for farmers? If we drive them and totally force them on productivity, it will be really challenging for those farmers. Very little can be done when dealing with mountains, hills, slopes, stony land and bad soil. Does he not accept that? It is not a case of, "Give us the money". This is about the farmers who live on hills and in bad areas and are very hard-pressed. It is not a case of, "Give us the money".

Mr Principal Deputy Speaker: First, Mr Allister has an extra minute. Secondly, I do not think that you could possibly have insulted Mr Allister any more than by referring to him as "the Minister". He is "the Member".

Mr Allister: What a slur, I have to say, Mr Principal Deputy Speaker [*Laughter.*] I do not think that Mr McAleer has been listening. I have identified burdens that could be taken off hill farmers. Allow them to farm as they need to farm. Take away the mollycoddling restrictions and open up their opportunities. He has not addressed, thought or spoken about that at all. Are we here to help farmers, or are we here to hinder them? The ANC restrictions on farming hinder hill farmers. I say that we should liberate them and let them farm as they ought. If things are as grim as is said — things are not good in farming — this is the moment to look forward. Brexit provides the opportunity to do things differently. That is what the Minister needs to address: how can we do things not just differently but better? Simply repeating what we

have rarely amounts to doing things better. Of course, there are powers. I see reference in the motion to a schedule to the Bill. Paragraph 7 in Part 2 of schedule 6 gives the Minister very wide powers. Where he considers:

"there is a severe disturbance in agricultural markets or a serious threat of a severe disturbance"

and there is a threat to protections etc —

Mr Principal Deputy Speaker: I ask the Member to conclude.

Mr Allister: — he can take monetary action to deal with that. That is the right way to go. Take the shackles off our farmers and have the safety net of the Department able to intervene when it is needed.

Mr Principal Deputy Speaker: The Business Committee has arranged to meet at 1.00 pm. I, therefore, propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time. This debate will continue after Question Time, when the next Member to speak will be the Minister, Mr Edwin Poots.

The debate stood suspended.

The sitting was suspended at 12.59 pm.

On resuming (Mr Speaker in the Chair) —

2.00 pm

Oral Answers to Questions

Justice

Domestic Homicide Reviews

1. **Ms Dolan** asked the Minister of Justice to outline her plans to introduce domestic homicide reviews. (AQO 252/17-22)

Mrs Long (The Minister of Justice):

Worryingly, there are, on average, six domestic homicides each year in Northern Ireland, with a domestic abuse incident occurring every 17 minutes. Each domestic homicide is a tragedy, and behind every statistic there is a person with family and friends whose life has ended in traumatic circumstances. I want to do all that I can to prevent that happening in the future. I intend to introduce domestic homicide reviews locally in the autumn. A recruitment exercise to identify suitable individuals to chair the domestic homicide reviews will be finalised in the coming weeks. Once the chairs are appointed, we will ensure that they have access to a period of appropriate training before commencing the reviews. The chairs will work alongside a multi-agency panel to see what issues can be learnt from those tragic cases to prevent future abuse and deaths. It is hoped that the reviews will begin during the autumn.

Ms Dolan: I thank the Minister for her answer. It is an issue that has affected my constituency. Paragraph 6.10 of the consultation document on domestic homicide reviews (DHRs) states that the Department does not intend the DHRs to cover death by suicide. Concerns about that have been raised by a number of bodies, including the Attorney General and the Policing Board. Will the Minister commit to including death by suicide within the remit of domestic homicide reviews?

Mrs Long: Submitting suicide to a domestic homicide review is complex because, for such a review to take place, the case must have gone to court. Therefore, it can be very difficult, unless it can be proved that coercion or force was involved in the suicide, for that to happen. Homicide suicide cases will be used for refinement purposes as we develop the tools for domestic homicides, and they will be included when they are introduced. However, a suicide on its own would not be appropriate for a homicide review, simply because it will not have gone through the court system.

Mrs D Kelly: I welcome the introduction of the domestic homicide reviews. Minister, can you inform the House whether there will be opportunities for learning from other jurisdictions and best practice? How will research be incorporated in the review?

Mrs Long: We are aware that domestic homicide reviews are happening in other regions. That is one of the reasons why we have decided to introduce them here. They were originally introduced in England and Wales in 2011, under section 9 of the Domestic Violence, Crimes and Victims Act 2004. That legislation also provides for Northern Ireland in the form of a commencement order. We hope to bring that forward in the autumn.

In terms of learning, it is important that the thematic report is published every two years to reflect on what has been delivered and to highlight improvements in practice. That will also be critical in preventing future offending. Furthermore, it will, hopefully, bring learning to the justice partners that are first responders or those who, potentially, engage with families ahead of such tragic circumstances.

Mr Chambers: Given that deaths while under the care of the Health Service are reviewed by those responsible for that care — the hyponatremia deaths are a prime example — does the Minister believe that there is a place for our justice system in those morbidity reviews?

Mrs Long: The issue of hyponatremia falls well outside the scope of a question about domestic homicide. It would be for the Minister of Health to take forward any investigation in that regard.

Mr Blair: I thank the Minister for the answers provided to this point. Will she outline the timescales for the introduction of the domestic abuse Bill?

Mrs Long: The intention is that we will bring the domestic abuse Bill to the Committee ahead of Easter recess. With a fair wind, that should happen because we are just waiting for the Office of the Legislative Counsel to sign off on the Bill. It should then go through the Executive process, and, hopefully, it will be with the Committee ahead of recess.

After that, it will really be in the hands of the Executive, the Committee and the Assembly as to how quickly we are able to progress it.

I am very keen to see the Bill introduced as quickly as possible. There is a commencement

period required in order for us to have training in place for justice partners who will be delivering on the issues. As we have discussed with other jurisdictions, that can take up to a year, but we have spent some time talking to other partners about how we can reduce some of the delay so that we can make the domestic abuse legislation operational at as early a juncture as possible.

Antisocial Behaviour

2. **Ms Mullan** asked the Minister of Justice for an update on the actions carried out following the review of antisocial behaviour legislation in 2018. (AQO 253/17-22)

Mrs Long: Tackling antisocial behaviour and the negative impact that that type of behaviour has on communities is a priority for the Executive. That is reflected in the current draft Programme for Government, which outlines our commitment to improving community safety by tackling antisocial behaviour (ASB) through a review of legislation.

My Department carried out a consultation in 2018, inviting public opinion on a number of legislative proposals aimed at addressing antisocial behaviour, with particular emphasis on behaviours linked to the consumption of alcohol in public places. Fifty responses were received from a range of interested parties. In summary, there was broad support for consideration of additional powers to deal with noise nuisance, seizure or confiscation of alcohol in designated places and the closure of premises, both residential and business, associated with disorder or nuisance. Opinions were more divided on the introduction of criminal behaviour orders, which replaced antisocial behaviour orders, on conviction in England and Wales, and public spaces protection orders, which provide powers for local authorities to deal with nuisance or problem behaviour by imposing conditions on the use of public areas.

A full summary of responses was published on the Department's website in December 2019. A recurring theme from respondents was the requirement of any additional information to inform further consideration of future legislative proposals and the requirement for a swift and effective multi-agency response to nuisance and inconsiderate behaviour.

My officials have commenced a scoping exercise to identify how successful some of the proposed legislative changes have been in England and Wales. They are setting up a

multi-agency working group to consider the findings from the consultation, as well as an evidence base in managing an operational response to antisocial behaviour. That will include considering whether there is sufficient legislation in place and whether additional powers are necessary. I recognise the benefits of non-legislative approaches, so work is also under way with key partners who lead on operational responses through ASB forums to better connect strategic policies and operational work in order to improve the delivery of targeted early intervention in local areas.

Ms Mullan: I thank the Minister for her answer. You touched on this, but can you identify the stakeholders that your Department is engaging with at a community level that are most impacted on by persistent antisocial behaviour?

Mrs Long: We have engaged with stakeholders in a number of ways, such as through the Northern Ireland safe community survey, previously the Northern Ireland crime survey. It asked people about their perceptions of crime, so we have had direct contact with the public. We are also working with other partners, including policing and community safety partnerships, the police, and community and voluntary sector organisations. We are working with the Northern Ireland Housing Executive on its community safety strategy. We are also looking at the draft policing plan, particularly at the police's work on their crime prevention strategies.

Mr Muir: Does the Minister agree that tackling antisocial behaviour requires not just legislation but a multi-agency response? What work is being done to deliver that multi-agency response?

Mrs Long: I thank the Member for his question. It picks up where the previous question left off. We need a multi-agency response in a number of areas and across different Departments. For example, alcohol issues are persistently raised, and I am working with the Department for Communities on looking at the issues around seizure. We want to ensure that there are alternative solutions. Improving the operation of current council by-laws, for example, would make them more effective. The Department of Justice has introduced a penalty notice scheme that allows fixed penalties to be issued for a number of public order offences, including public drunkenness, disorderly behaviour and behaviour likely to cause a breach of the peace.

In addition, the work of community safety partnerships is hugely important. Their local

plans include measures and initiatives such as community safety wardens, educational programmes, engagement and diversionary programmes, and intergenerational programmes to try to address local concerns in areas where antisocial behaviour is an issue.

Mr Dunne: The Minister will be fully aware of the problem of group antisocial behaviour, especially in our town centres. As we look forward to better weather and the longer summer evenings, will the Minister advise what initiatives, following the recent review, she will implement to try to address the problem?

Mrs Long: The Member highlights a particular issue that tends to happen with increasing warm weather and more people spending time outside. It should be an opportunity for people to enjoy the environment around them, but many of us will know — the Member will have had experience of this in his constituency — of the impact that drinking can have, particularly when it comes to the enjoyment of the coast.

In terms of initiatives, we need to look at how we can work in partnership with others. There is an issue in that police do not have the power to seize open canisters of alcohol or open containers that previously contained alcohol. There have been attempts to address that through legislation, but we have been advised that those attempts, if enacted, would not be successful or effective in tackling the issue.

So it is about collaborative working between the Department of Justice, the Department for Communities and local councils to ensure that we review the by-laws, look at how they are implemented and enforced and look at where additional legislation might be necessary to provide them with the back-up required. It is also important that we continue to work with others, including Youth Service, to try to deflect young people away from risk-taking behaviour, because it is not only a nuisance to others in the community, it places young people at risk of harm. It can place them in danger and make them quite vulnerable. So it is important that we try to take a proactive approach to ensure that young people are protected, as well as local communities.

Mr McGrath: Nothing challenges antisocial behaviour more than police on the streets. There can be a perception at times that there are not enough police on the streets or that they are never seen. There has been a promise of additional officers, especially for the community beat team. I made reference to that yesterday,

so I ask the Minister again when those new officers will be on the ground.

Mrs Long: The deployment of police resources on the ground is a matter for the Chief Constable, and the question would be best directed towards him. There are additional officers being made available, and the police have been clear to the Policing Board that it is their intention to use those officers to strengthen community policing teams, not just in order to tackle antisocial behaviour but to help with cooperation within communities and build the kind of strong relationships between police and the communities that are absolutely essential if we are to create a culture of lawfulness and assist the police in the work that they do to keep people safe.

Mr Speaker: Questions 5 and 12 have been grouped.

Gillen Review: Recommendations

3. **Mr Givan** asked the Minister of Justice for an update on the implementation of the recommendations contained within the Gillen review of civil and family justice. (AQO 254/17-22)

Mrs Long: The modernisation of the civil and family justice system is one of a number of significant reforms being progressed by the Department. As the Gillen review recognised, the civil and family justice system has not been subjected to fundamental change for some years, and substantial reform will take time and require considerable contributions from a range of partners, including other Departments and the judiciary.

We have made a good start, though with limited resources. Our focus has been primarily on family law, and we have made good progress in a number of areas. That includes piloting a family drug and alcohol court, working in partnership to improve the experience of litigants in person in the court system and, in the domestic abuse Bill, progressing legislation to protect victims of abuse from being directly cross-examined by the perpetrator. I intend to build on that good start over the coming months.

Mr Givan: I welcome the progress being made, particularly in respect of family law. One aspect that I would like to see taken forward is the standardised fee approach for legal aid, which took place in criminal law. It would be good to see that taking place on the civil side.

Within the recommendations made by Gillen, there was an area that he touched on when it came to how court cases were being communicated and public access to the gallery. There were submissions that were made in respect of that from the Bar Council, including that defendants should have the right to remain anonymous until the point at which conviction takes place.

Is that an area that, the Minister believes, should be taken forward by way of granting anonymity to defendants until the point at which they are convicted and found guilty? Otherwise, we will look at the approach taken in the Republic of Ireland to handling these types of serious sexual offences cases.

2.15 pm

Mrs Long: A bit like Claire Sugden when she suggested that the Department of Justice tends to be the place where people go when things go wrong, I think that Justice Gillen also became that person. You are referring to a second review that Sir John Gillen did on sexual offences and crimes.

There is an issue about anonymity. Clearly, we value the open and transparent nature of the court system, but it is important that victims and, indeed, those who are accused of crimes are given protection, particularly in those very sensitive areas. It is a balanced conversation, because there has also been evidence that, when the names of perpetrators and alleged perpetrators are made known, other victims will often come forward, so to not disclose their name and who they are can be a barrier to other people coming forward. That is still under consideration by the Department, and no final decision has been made.

Mr Allister: If the Minister is taking questions on the second review, I will ask her this. I urge her not to rush to blind acceptance of everything that is in that report, because, I suggest to her, there is one aspect in particular — maybe more than one — that sits antithetically with a fair process in a trial. I refer to the suggestion that we should move to a point where the cross-examination of an accused is subject to all questions being approved by the judge. Cross-examination is critical in separating the wheat from the chaff in a case. It cannot be scripted. It is answer-led and, therefore, should not be judge-led. Will she carefully consider the adverse impact on a fair judicial process if we get to the point where cross-examination is fettered in the way suggested?

Mrs Long: I reassure Mr Allister that there is no intention on my part to rush to judgement without giving the issues careful consideration. The importance of a fair trial and a fair hearing is absolutely crucial and is at the heart of the justice system. There are, however, examples that people can refer to of people being asked questions that perpetuate rape myths: for example, people are questioned about their previous sexual behaviour or about what they wore. Those are myths that, as a society, we have spent a long time trying to unpick. In those cases, in the same way that it would not be permitted to refer to people's family or caring responsibilities during a job interview, it is absolutely right that we should have boundaries within which people can be questioned, particularly when it comes to questioning and cross-examining witnesses who, in these cases, may also be a victim of crime. It is important that those who are involved in these cases are trained specifically for that role. That includes those who act in defence of those who are accused as well as those who are prosecuting in the system.

Ms Anderson: Minister, I want to ask you primarily about the proceedings that allow for perpetrators to question victims in family courts. You said that you would ban that some time soon, but do you have a time frame? Also, do you have any policy specific to parental alienation? You said yesterday that it would not be in the domestic violence Bill, but will there be specific policies? La Dolce Vita Project is keen to hear whether there will be policies relating to this.

Mrs Long: I know that the Member has been working with the La Dolce Vita Project for some time. They have also corresponded with me about their concerns. The issue of parental alienation is gaining increasing recognition in the family courts. I think that we also recognise that, in cases where there is domestic abuse, particularly coercive control, children can often be used and abused in order to effect some kind of ongoing control and contact with the victim that is unwelcome. It is important that those in the family court system are alert to the risks of people coming into contact with people in the family courts, whether they are there as a result of stalking offences or as a result of domestic abuse.

As I said to the Member previously when questioned about this, the issue of domestic abuse will cover coercive control. Parental alienation is a form of coercive control in a family. It will also bring forward an aggregating

factor to be considered around children being involved in those offences. There is a real opportunity for issues of parental alienation to be dealt with in the domestic violence Bill whilst it is not listed as a specific offence. Raising awareness is also hugely important to those who work as justice partners in the system.

Helen's Law

4. **Mr Easton** asked the Minister of Justice what plans her Department has to introduce Helen's law in Northern Ireland. (AQO 255/17-22)

Mrs Long: I refer the Member to the answer that I provided in response to his recent question for written answer by way of background. The Prisoners (Disclosure of Information about Victims) Bill, known as "Helen's law" in England and Wales is before Parliament. It has been called "Helen's law" as the outcome of a long-running campaign by Helen McCourt's mother. Helen was murdered in 1998, and her body was never recovered. Her mother has campaigned to include provisions as a statutory duty on the Parole Board in England and Wales to consider the non-disclosure of the whereabouts of victims' remains as part of its assessment of consideration of release of prisoners where the board believes that the prisoner has access to such information.

Mr Easton: I understand that the families of Charlotte Murray and Lisa Dorrian have been in contact about trying to introduce such a law for Northern Ireland. Does the Minister agree that those families have been through far too much pain, suffering and anguish and that those who are responsible for those murders, whether they have been convicted or will be in the future, should not get out of jail until such times as they reveal where people's loved ones are?

Mrs Long: I thank the Member for raising those issues. Obviously, I am aware of the tragic case of Lisa Dorrian, and I have every sympathy with Charlotte Murray's family. I am aware of their desire to see the law changed, as is proposed for England and Wales. I will meet Charlotte Murray's family soon and will consider the issue further in the light of the passage of the Bill. I know that Sinead Corrigan, Charlotte's sister, has begun a campaign, has been very active in petitioning and now has over 3,000 signatures in support. I will, hopefully, meet the family on 11 March and will then be able to consider further whether such legislation is required in Northern Ireland.

Ms Dillon: I welcome the Minister's confirming that she will meet the families, because that is very important. In your short time as Minister, you have been very proactive in meeting victims about all the issues. That can only be positive.

Obviously, an element of Helen's law relates to sentencing. Could that be encompassed by the sentencing review?

Mrs Long: I want to say a couple of things on that. In circumstances where someone has been murdered and sentencing takes place, obviously, it is a matter for the judge to make a judgement on what they decide to do. Where they issue a life sentence and then make a tariff decision, they take account of the circumstances in the individual case, which would include any aggravating or mitigating factors, including the impact on the family. Aggravating factors can increase the length of the tariff, which is the term that is served before someone can apply for parole. That is an issue for consideration in that.

In the case of Charlotte's murder, when the judge made his sentencing remarks, he said that he regarded the devastating impact of the family's not knowing where her body was as:

"the most serious aggravating feature of this case",

so it was taken into account in sentencing. It is important that it continues to be so.

Mr Butler: The murderers of Captain Robert Nairac GC are still on the run in the US. Can the Minister confirm whether, if Helen's law were brought in in Northern Ireland, those individuals, if arrested, would not be released under licence as per the Belfast Agreement unless they gave the location of Robert's remains?

Mrs Long: First and foremost, it would not be appropriate for me to prejudge whether Helen's law will be introduced, because we have not made a decision on it. It is still under consideration. When it comes to sentencing, the provisions in the 1998 Act are already set out. It would be a matter for the Northern Ireland Office to change the 1998 Act in order to bring in what the Member suggests as part of the general sentencing guidelines. I am happy to write to the Member with clarification of which legislation would apply in those specific circumstances. I know that those cases would be treated under the 1998 Act, which led to the early release of prisoners.

Mr McGlone: I am trying to tease out that issue of tariffs. You said that it was for the judiciary to determine tariffs, including full-life tariffs, but there is also the issue of parole where a person convicted of murder has not disclosed the location of the victim's body, which falls within the remit of DOJ. First, is the Minister prepared to change the legislation on the tariffs that are implemented by the courts? Secondly, will parole be made unavailable to persons who have not disclosed the whereabouts of their victim's body in circumstances where they have been convicted of murder?

Mrs Long: The Member is correct in identifying that there are two places in the system where aggravating factors such as non-disclosure of victims' remains can be considered. The first is at the point of tariff setting, where the judge makes a decision on the earliest point in a sentence at which a life prisoner can apply for parole. Obviously, that is often not the point at which life prisoners are released. They must go through a robust pre-release programme and pass pre-release testing before consideration. Therefore, somebody who has a tariff that appears quite short might, if they fail those tests, end up serving quite a long sentence. That will be covered by the sentencing review, where there is the opportunity to look at the wider frame of sentencing. We have not reached conclusions on the outcome of that, but the responses to the sentencing review are being collated and will be considered.

The Parole Commissioners, in considering the release of prisoners on licence, will assess all of the information in relation to the offence, and, where an offender has refused to reveal the location of the victim's remains, they are able to take that into account. That is already the case. Effectively, the legislation in England and Wales places our current parole board practice on a statutory footing, but it does not place a duty on the board to deny release until a person identifies the location of a victim's remains; it simply requires the board to take it into account before making a decision on the point at which to parole a prisoner.

Driving Offences: Sentencing

5. **Mr McAleer** asked the Minister of Justice to outline any changes she intends to make to sentences for those convicted of driving offences that cause death or serious injury. (AQO 256/17-22)

12. **Ms S Bradley** asked the Minister of Justice whether she has any plans to review

sentencing for driving under the influence of drink or drugs. (AQO 263/17-22)

Mrs Long: Mr Speaker, with your permission, I will take questions 5 and 12 together.

The recent consultation on sentencing included driving offences resulting in death or serious injury, including those as a result of careless driving while under the influence of drink or drugs. A number of questions were posed, including whether the current maximum of 14 years should increase to a maximum of life or 20 years. As mentioned on 17 February in answer to a previous question, the consultation closed on 3 February, with over 200 responses received. The majority of responses related to sentencing for serious driving offences. The responses are being analysed, with a view to a report this spring.

It may assist Members if I make clear, however, that responsibility for road traffic legislation lies with the Department for Infrastructure, and questions about any wider review of sentencing for driving offences should be directed to the Minister for that Department, Nichola Mallon. A wider policy review of sentencing for driving under the influence of drink or drugs would be a matter for her, and her Department would be responsible for developing policy in that area.

Mr McAleer: I take the opportunity to commend the family of young Enda Dolan, who was killed in an accident a number of years ago. The family have been campaigning relentlessly for appropriate sentences for those convicted of killing people in such circumstances. Does the Minister agree that it will be important that, if any sentencing changes are to come about, the punishment must fit the crime and act as a deterrent, particularly in situations where no remorse is shown?

Mrs Long: First, I join the Member in paying tribute to the family of Enda Dolan. Enda's death is one that sticks in most people's mind. It was an absolutely horrific incident. I had the honour of spending time with the family recently when they came to meet me to discuss their concerns about the sentencing in that case and about how sentences are constructed.

Their desire is to see sentencing as clear, open and transparent as possible and to ensure that victims' families can understand the sentencing, understand how it is calculated and be confident that the sentencing fits the crime. I know that their concerns in relation to that are significant.

They have already — and I commend them for this — through their campaign and feedback on their experience, changed elements of the justice system. For example, now it is routine that families have the sentence described to them before they enter the court for the actual sentencing so that they are not caught off guard, surprised or confused by how the sentences are described in court, because it can be a very upsetting experience for families who are sitting in a confusing, highly emotional situation to then hear very complex explanations as to why the sentence has been arrived at.

2.30 pm

Mr Speaker: That ends the period for listed questions. We now move to topical questions.

Community Policing: DOJ Investment

T1. **Mr McGlone** asked the Minister of Justice to outline the investment that she will be able to make in community policing. (AQT 181/17-22)

Mrs Long: As the Member is aware, investment in policing and the management of resources in the PSNI is entirely a matter for the Chief Constable. However, like all Departments, I am currently in negotiations with the Finance Minister on the settlement for the coming year. That will include money for policing, which is a large part of my budget. Around 70% of the Department of Justice's budget is spent on policing, but how that is disbursed and spent in the Police Service is entirely a matter for the Chief Constable.

Mr McGlone: I thank the Minister for her response. Can I seek assurances from the Minister that, through her engagement with the PSNI, the amount of money that she has sought for policing has been, in some way, prioritised to be directed towards community policing?

Mrs Long: Again, it is for the Chief Constable to decide on the police's priorities when deploying their resources. Undoubtedly, he is already on record as saying that he places huge emphasis on the need for enhanced community policing and good contact in communities. I imagine that, dependent on resources, that is an area that he will want to expand on, but it will be entirely a matter for him.

Terrorist Offenders (Restriction of Early Release) Bill

T2. **Ms Dolan** asked the Minister of Justice to outline her rationale for supporting the introduction in the North of the British Government's Terrorist Offenders (Restriction of Early Release) Bill. (AQT 182/17-22)

Mrs Long: There are a number of issues around the early release Bill. As you are aware, emergency legislation was brought through Westminster in recent weeks that Northern Ireland was not included in. I think that that sends out a potentially dangerous message that, in some way, for Northern Ireland, there is a two-tier system when it comes to dealing with terrorist offenders. That potentially places Northern Ireland and the public at greater risk. That Bill was brought forward in response to a particular operational need, but in the longer-term development of the legislation, departmental officials continue to engage because, whilst it is our desire that we match best practice from other jurisdictions, it is also important that we have systems that are operable within and sensitive to the Northern Ireland context.

Ms Dolan: I thank the Minister for her answer. Human rights organisations have expressed grave concern at this law. Will the Minister take account of those concerns?

Mrs Long: Issues around human rights are always at the top of our agenda when it comes to how we deal with people who offend and how they are treated in the system. In particular, concern was expressed about the emergency legislation and provisions about retrospectivity in relation to sentences. Ultimately, the main duty in looking at those issues is around public protection, but I do not believe that public protection is aided if people are under the impression that their human rights are being abused. It is important that a correct balance is struck and that we give due consideration to all the factors, including whether or not people's human rights are being respected in the system.

Stalking: Legislation

T3. **Mr Stalford** asked the Minister of Justice for an update on legislation to create an offence of stalking in Northern Ireland, given the devastating impact that it has on victims. (AQT 183/17-22)

Mrs Long: I thank the Member for his question. As he will be aware, we have fallen somewhat behind some other jurisdictions on the issue of stalking. On the basis of the policy development that has taken place here so far, I intend to introduce a stalking Bill in the autumn. It will introduce a specific offence of stalking and take into account the effect that multiple incidents have on a person. At the moment, stalking has to be prosecuted under harassment law, and it can often be difficult for victims to meet the threshold. The Bill will also introduce stalking protection orders that can be initiated by the police and will therefore remove the burden that is often placed on victims under harassment law to seek non-molestation orders, which can be quite expensive and unwieldy; in fact, some victims have found that the perpetrators in such circumstances pursue them by trying to alter non-molestation orders to maintain contact with them through the courts.

Mr Stalford: I welcome the answer that the Minister has given and am grateful to her for it. The sexual harassment of women involving mobile phones has become an increasing problem in our society. Will the Minister outline some of the proposals that she has to tackle those outrageous assaults on women?

Mrs Long: I thank the Member for that. It is important, on two fronts, that we tackle online crime, particularly the kind of assaults that the Member has spoken about. Whether it is revenge porn, upskirting or anything else, I am committed to ensuring that the law provides the most effective protection for victims of that kind of crime. It is my intention to bring forward legislative proposals on amendments to sexual offences law, including amendments to the law on voyeurism that will make upskirting a specific offence. I want to bring that legislation to the Assembly in a justice Bill that we plan to introduce in early 2021.

Domestic Abuse: Safe Accommodation

T4. **Mr McHugh** asked the Minister of Justice whether she intends to introduce a statutory duty to provide safe accommodation for victims and survivors of domestic abuse here, similar to that which is included in the British Domestic Abuse Bill. (AQT 184/17-22)

Mrs Long: The statutory duty to provide accommodation falls to the Northern Ireland Housing Executive and lies with the Department for Communities. We would want to work in partnership with other parts of government to ensure that those who seek protection from

domestic violence can secure accommodation. As the Member will be aware, it can be a very traumatic experience for someone to build up the courage to leave a relationship or home circumstance. Often, if they fail at the first hurdle, they will not pluck up the courage to find the opportunity again. It is vital that proper accommodation and wrap-around support be provided for victims and their families in the first instance so that people can escape abusive and often very dangerous relationships.

Mr McHugh: Minister, is there an intention on your part or through working with other Departments to engage with Women's Aid?

Mrs Long: Women's Aid, the Men's Advisory Project, NIACRO, Nexus and lots of other organisations are hugely important partners for us in developing the initial offences and the legislation and in how we manage offenders after release to ensure that people are protected during the time that somebody is serving time for an offence and when that person is released back into the community.

A huge amount of work needs to be done on upskilling first responders to be aware of the impact of stalking and domestic violence and, in particular, to note the signs of coercive control at the earliest possible stage. That training is ongoing. In answer to an earlier question, I referenced the need for the training to be comprehensive so that, when we operationalise the offences, our justice partners are in a good place to ensure that they are effective and provide the correct level of protection for people and families in those circumstances.

Abortion Services: Anti-harassment Measures

T5. **Ms Bailey** asked the Minister of Justice, in light of the UN CEDAW report that recommended that women be protected from harassment by anti-abortion protesters by investigating complaints and prosecuting and punishing the perpetrators, and the fact that the recent NIO consultation on abortion regulations stated that new powers may be required in Northern Ireland to allow for the proactive designation of exclusion zones so that the women and girls who are accessing those services and the health professionals who work in the facilities can feel safe, secure and free from harassment and intimidation, whether she will introduce such powers. (AQT 185/17-22)

Mrs Long: I thank the Member for her question. It is very timely, because I have raised this with the Northern Ireland Office. It would be its

responsibility under the recent Northern Ireland (Executive Formation etc) Act 2019 to introduce such protections as part of the overall approach. The Member has been involved in this issue long enough to know that not everyone in the Chamber, and not all parties, share her view when it comes to the issue of protection zones around clinics.

However, I fundamentally believe that, while people have a right to protest, they do not have a right to interfere with other people's ability to access services and travel back and forward to a clinic that is offering either advice or medical services that are legal and permissible for patients. Managing protest in a constructive way, to allow freedom of expression but not to interfere with the free passage of others, is absolutely crucial in this legislation being effective.

Ms Bailey: I thank the Minister for her answer. Can she let us know how many reports of harassment and intimidation by anti-abortion protesters have been received to date? What are the numbers of subsequent investigations and prosecutions?

Mrs Long: I would have to write to the Member with statistics for that. I omitted to say in my original answer that I met Robin Walker, the Parliamentary Under-Secretary of State, to ask him specifically about this issue, which still falls to the Department of Justice in terms of implementation. As you know, with the decriminalisation of abortion, other regulations in that respect have moved to the direct lead of Health. However, exclusion zones and how they are policed and managed will fall to the Department of Justice in due course.

Magilligan Prison: Update

T6. **Mr Robinson** asked the Minister of Justice for an update on the business case for the rebuild of Magilligan prison in his constituency. (AQT 186/17-22)

Mrs Long: I would be delighted to do so and I will be in a position, hopefully, to have it reinforced to me how important that is because I will be visiting Magilligan tomorrow. I hope to see at first hand the work being done there. It has already been brought to my attention by the head of Prison Service how important it is that the prison is substantially rebuilt. That is one of the issues for which we have made capital bids, so that we can take that business case forward and develop proper plans. In due course, the prison will be built. We are absolutely

committed to maintaining a prison at the site of Magilligan.

Mr Robinson: Does the Minister agree that staff and inmates require a new prison after asbestos was found in prison buildings?

Mrs Long: It is absolutely crucial that the prison estate is fit for purpose. It also needs to reflect the kind of work now done in the prison system. It is no longer simply about locking people up, but about providing people with opportunities for rehabilitation, education and gaining new skills, and, hopefully, setting them on the right course so that we challenge them in the prison system to turn their lives around when they come out. The Member is of course correct that it is also the working environment of those who work in the Prison Service, and therefore it is absolutely crucial that buildings are fit for purpose. They should also be respectable buildings in which people can feel proud of the work they do.

Domestic Violence

T7. **Mr Lynch** asked the Minister of Justice for an update on the domestic violence perpetrators' pilot scheme in Derry's courts, which was suspended because of uptake, given that, in April 2019, he was told that more research would be done. (AQT 187/17-22)

Mrs Long: I am afraid I do not have an update for the Member at this time, but I am happy to get one and write to him.

Mr Lynch: The Department has funded the Probation Board to deliver a pilot scheme for behavioural change of individuals who have not reached the criminal justice system but who show concerning behaviours. Can the Minister outline any plans she has for the roll-out of this programme?

Mrs Long: The programme to which the Member refers is a pilot scheme that will test effectiveness. In the early stages, it appears to be working well, in that those who have not been forced to take these corrective courses are much more open to engaging with the system than those who are, for example, offered it as part of their sentencing structure.

We need to wait until the pilot has been fully assessed before any roll-out. We undoubtedly need to look at it because we want to deflect as many people away from the justice system and offending as possible. If we can help people to build better patterns of relationships and safer

family units, and to be able to take care of each other more appropriately, that is for the good of everybody concerned.

Mr Speaker: Time is up.

We move now to questions to the Minister of Agriculture, Environment and Rural Affairs. Questions 6 and 8 have been grouped.

2.45 pm

Agriculture, Environment and Rural Affairs

Mobuoy Dump: Mills Review

1. **Mr Sheehan** asked the Minister of Agriculture, Environment and Rural Affairs to outline the regulatory and oversight reforms made by his Department and the Northern Ireland Environment Agency in response to the Mills review. (AQO 267/17-22)

Mr Poots (The Minister of Agriculture, Environment and Rural Affairs): The oversight reforms made by my Department in response to the Mills review are as follows: our compliant waste sector is now a corporate priority for the Department; a comprehensive operational waste strategy is being developed; structural change has been implemented with the creation of a new single directorate within the Northern Ireland Environment Agency, bringing together existing regulatory and enforcement teams along with the new intelligence unit; a joint local and central government waste working group has been established with councils to support the more effective handling of municipal waste; and staff skills and professional development have been improved, with a robust induction and technical development framework in place.

The regulatory reforms made by the Department in response to the Mills review are as follows: a new compliance assessment model is in use for licensed and permanent sites, which has resulted in improved compliance levels; a number of waste regulations have been introduced or amended, providing the Department with additional powers controlling waste, transport documentation and treatment activities; the fit and proper person requirements for holders of waste authorisations has been revised; technical qualifications have been enhanced; a broader range of offences is now prescribed; and a review of activities exempt from food waste management licensing was carried out,

and regulations have been amended to reduce the risk of abuse by operators.

Mr Sheehan: Will the Minister give us his assessment of the reforms and whether they have been effective in preventing any further incidents of illegal dumping?

Mr Poots: They are certainly more robust. One can never be absolutely certain that people will not try to cheat the system, because there will always be individuals, particularly where considerable amounts of money can be made — considerable amounts of money can be made from this — who continue to try to cheat the system. Nonetheless, the regulations have been strengthened considerably, and we are committed to ensuring that people do not get away with these misdemeanours.

Mr Durkan: The Minister mentioned the "fit and proper person" criteria. Will he elaborate on those criteria and outline what steps the Department has taken to make sure that someone who might have been connected to a company that was involved in misdemeanours and crime cannot become a director of a new company and get contracts and licences?

Mr Poots: Any person, or company, who has previously been charged will be easily identifiable. In these processes, there are a series of things, which include the financial fitness to carry out such operations. This programme is in place to ensure that fit and proper persons comply.

Coastal Erosion

2. **Mr Nesbitt** asked the Minister of Agriculture, Environment and Rural Affairs for an update on his Department's work with the Department for Infrastructure on coastal erosion. (AQO 268/17-22)

Mr Poots: The coastal forum has enabled my Department to collaborate and develop strong links with the Department for Infrastructure on coastal erosion risk management issues. The two Departments commissioned a baseline study and gap analysis of coastal erosion risk, which was published in January 2019. The study collated existing data relating to coastal erosion and undertook a high-level vulnerability assessment. However, the primary conclusion from this assessment was that there is insufficient data, and the results must be considered as preliminary and of insufficient reliability to inform coastal management decision-making. The report made

recommendations on how to improve the evidence base, and these have informed the draft coastal work programme. As part of this project proposal is in preparation for a comprehensive shoreline survey and vulnerability assessment, the coastal forum has also prepared a position statement to assist councils with their consideration of coastal change when preparing local development plans.

In addition to collaboration between my Department and the Department for Infrastructure, the coastal forum and its associated working group have provided an opportunity for collaboration with councils and organisations, such as the National Trust, Ulster University, the Agri-Food and Biosciences Institute and the Geological Survey of Northern Ireland. That collective expertise and desire to collaborate on the challenging issue of coastal erosion risk management is becoming very constructive.

Mr Nesbitt: I welcome the establishment of the coastal forum. I also declare an interest as a member of the Ards peninsula coastal erosion group. The group has two objectives: first, to see a replacement of the so-called Bateman formula with a fit-for-purpose policy from the Executive; and, secondly, to have either the Minister's Department or the Department for Infrastructure take on the role as the lead and coordinating Department for the Government's engagement in coastal management. Does the Minister support those two objectives?

Mr Poots: Yes, the Bateman formula was introduced and endorsed in 1967 by the then secretary to the Ministry of Finance, Sir Cecil Bateman. It ruled that assets along the coastline would be looked after by the respective Department or landowner whose responsibilities most closely coincided with the property or asset at risk from erosion, which clearly has a weakness about it. The Coast Protection Act 1949 did not extend to Northern Ireland, so there was no legislation in place in Northern Ireland to specifically address coastal erosion or assign responsibility for it. Instead, for the past 53 years, it has been addressed through the Bateman formula.

The approach is essentially a coastal protection policy rather than a coastal erosion risk management strategy, and the objective is simply the protection of property, with no requirement to consider the consequences of implementing and maintaining coastal protection. Bateman does not require a joined-up or strategic approach as a consequence. So there has been a lack of leadership on coastal

erosion risk management and no coordinated strategy to consider and address coastal erosion in Northern Ireland. It is important that our two Departments, DFI and DAERA, work closely together to get into the coastal erosion issue.

Mr Dunne: We welcome the work that has been done to date on coastal erosion, but there are issues, especially with the high spring tides that we are having and the continual flooding relating to further erosion. What further work has the Minister done to identify funding for councils and other agencies to address the ongoing problem of coastal erosion, especially in areas like north Down and, indeed, Ards?

Mr Poots: The coast forms part of a highly dynamic system. As such, it will be subject periodically to the natural process of coastal erosion. That is particularly true of the sandy beaches and dune systems that are prevalent and that we are fortunate to have in many parts of Northern Ireland. The management of any given area will depend upon a range of factors, such as nature and value of the site at risk, the coastal process that is affecting it and the area's nature conservation interests. It is those factors that will influence the most appropriate response, from non-intervention through to the construction of coastal defences. It is difficult to define best practice, recommended methodologies and materials to be used as they will differ depending on the circumstances. My Department, as the marine licensing authority, receives applications for construction and development proposals up to the high-water mark. It will consider the factors that I mentioned in the pre-application and licensing processes and will provide that guidance on the environmental information or reports that are required to support such an application.

Mr McNulty: I had an interesting response from the Assembly's RaISe last week when an answer came from the head of marine planning that related to Armagh's coastline between the Victoria Lock on the Omeath Road and the border, close to Davey's pub. Is the Minister aware that County Armagh has a coastline?

Mr Poots: I am not as familiar as the Member with County Armagh, but I know that it is bounded by County Down, County Louth, County Tyrone — and there is one more, is there not?

Mr Buckley: Lough Neagh.

Mr Poots: Lough Neagh. *[Laughter.]* I know that it is not on the sea coast. I do not know

how that happened, so I am not able to explain it.

Mr Speaker: Good try.

Ms Ennis: During yesterday's debate on afforestation, the Minister spoke about the light detection and ranging (LIDAR) survey and technology. Does he have any plans to use the LIDAR survey to assess coastal erosion and use the technology for its prevention?

Mr Poots: LIDAR is a very useful tool. We intend to use it to identify where run-off goes into coastal waters. If it can help us to tackle coastal erosion, we should utilise it. If we can gain further benefits from it, as opposed to using it just for water management, I will be happy to look at that.

Slurry Spreading: Regulations

3. **Mr Lunn** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the effectiveness of regulations governing the spreading of slurry or other materials on farmland. (AQO 269/17-22)

Mr Poots: I thank the independent Member for Lagan Valley for his question. He is looking very well in the corner there.

The current nutrient actions programme (NAP) regulations for the period 2019-2022 implement a range of controls on livestock manures and chemical fertilisers. In Northern Ireland, NAP has been in place since 2007. It is reviewed and revised every four years and applies to all farms. The measures are underpinned by scientific evidence, including local research by the Agri-food and Biosciences Institute.

Key measures include a closed period during the winter months, when slurry cannot be spread, and no spreading when soil and weather conditions are unsuitable. There are limits to how much slurry can be spread. There are non-spread zones beside waterways and a minimum slurry storage capacity requirement for livestock farms. The NAP for 2019-2022 includes additional measures. These aim to address pressures on water quality, particularly for increasing phosphorus levels, which have been evident over recent years. Other measures include a requirement to use low-emission slurry spreading equipment in certain circumstances.

The most recent water quality data indicates that the vast majority of surface freshwater and groundwater in Northern Ireland continues to

have nitrate levels well below the limits in the EU nitrates directive. However, excess phosphorus is the main cause of water quality problems in our rivers and lakes. My Department recognises the good work done by farmers since the NAP was introduced in 2007. Soil phosphorus is, however, often above the agronomic optimum, so there is more work to be done on reducing phosphorus inputs from livestock feeds and chemical fertilisers. Ensuring best practice and compliance with the NAP measures will reduce the risk of phosphorus run-off in the waterways.

Mr Lunn: I thank the Minister for that very comprehensive answer. I have no problem with the regulations, but I have some problems with their enforcement. Does he agree that the punishment for careless, or even illegal, behaviour or transgression of the regulations should fit the crime and, perhaps, should be greater than is currently the case?

Mr Poots: That is a matter for the courts. The courts are independent of the Department, and the Department, through the Northern Ireland Environment Agency (NIEA) will take the prosecutions. The NIEA is not the prosecutor and cannot determine what punishments people will get. Some people have said that that situation demonstrates the need for an independent agency, but it is the courts that make those decisions, not an independent agency, not the NIEA and not the Department or anybody else. If we are not satisfied, that needs to be addressed with the Lord Chief Justice as opposed to a political Minister.

Ms Sheerin: I spoke at length earlier about the different challenges faced by farmers. Another factor that makes life difficult for farmers is the calendar. Does the Minister envisage that his Department will have any additional flexibility on the precise timing of the open and closed seasons for slurry spreading?

Mr Poots: The nitrates directive was brought in by the European Union, which has a great way of applying blunt instruments to local problems.

I would prefer to apply local solutions to local problems.

3.00 pm

February was wholly unsuitable for spreading slurry, except for three or four days at the start of the month, whilst January was an exceptionally good month and ideal for spreading slurry. We want to test this and see what latitude we have. Given that we are still

locked into European Union directives as a result of the protocol, we want to see where we can stretch this. Farming by a calendar works only in an office in Brussels. It does not work in a field in County Tyrone, County Londonderry or County Down.

Mr Stewart: It is essential that farmers have the flexibility to spread slurry at times that are suitable. We have many small farms and, subsequently, many fields with plenty of hedges and open drains. Are the new measures, such as increasing buffer zones from 15 to 30 metres, making things slightly more unworkable?

Mr Poots: Of course it will make it more difficult. If you have a small field, the buffer can create a problem. Some drains can be dry drains, so they are less of an issue. We need to ensure that there is less pollution of waterways while maximising nutrients going into the soil. Run-off is no good for farmers or the environment. We need to match the needs. That is why we are looking at soil analysis, which can demonstrate the appropriate amount of fertiliser and organic manures that farmers need to apply without overdoing it and it ending up in waterways.

Ms Bailey: It is good to hear the Minister talk about the weather. Farming is dictated by the seasons. Climate change is messing with weather patterns, and farmers are struggling with that. Will you be looking at slurry spreading in terms of climate change?

Mr Poots: Yes, that is certainly something that I want to look at. I have indicated to my departmental officials that things are not working as they are and we need to look at how we can change things. That will not be straightforward, but I am committed to engaging in work on that.

We have an unpredictable weather pattern, albeit that our weather seems to operate in cycles. We get cycles of dry weather followed by, generally, a longer period of wet weather. We need to make the best of it when the weather is good, and when the weather is not so good, it is not suitable to be spreading slurry.

We must give farmers a little more flexibility so that they can do a better job of protecting the environment than has been set out for us by the European Union. Consequently, we, locally, can make better decisions on this than have been handed down to us.

Sperrins Flooding: Hardship Fund

4. **Mr McHugh** asked the Minister of Agriculture, Environment and Rural Affairs whether he will introduce a hardship scheme for farmers and the wider rural community affected by flooding in the Sperrins in August 2017. (AQO 270/17-22)

Mr Poots: I am aware of the difficulties experienced by farmers and the wider rural community in the Sperrins as a result of the flooding in August 2017. As I outlined previously in response to a question, DAERA has provided a range of financial, advisory and practical support to affected farmers. The Department continues to provide support, including £500,000 to the Loughs Agency to undertake riparian fencing works in the worst-affected areas.

As regards providing support to the wider rural community, departmental officials met local stakeholders in Plumbridge to discuss community needs. My Department continues to engage in the collaborative work under way through a local growth partnership board to identify priority actions for the Sperrin district electoral area. I have received detailed briefings outlining DAERA's response to the flooding event. The Department for Communities operates a scheme of emergency financial assistance, which was introduced by the Executive on the initiative of the then Finance Minister in June 2017. Its purpose is to provide immediate financial support to households that have suffered from flooding.

Mr McHugh: I welcome the fact that some initiatives have been undertaken. When I was Mayor of Derry City and Strabane, I visited that site. I can only describe it as being like a moon landscape at the time.

To what extent has the Minister provided financial assistance directly to farmers, or is that likely to happen in the near future?

Mr Poots: The advice from officials is that the provision of a financial assistance scheme cannot be justified on value-for-money grounds, nor, given the passage of time, can a convincing justification be made on hardship grounds. However, I recognise the challenges faced by affected farmers. This will be a difficult decision for me to make, so I will carefully consider all the relevant issues surrounding the matter before reaching a balanced position in due course.

Mr McCrossan: I thank the Minister for the consideration that he has given to the matter

and for the work that has been done by his Department thus far. I know that you are taking it very seriously, Minister, and I appreciate that. Will he consider joining me in the beautiful Glenelly valley to visit a few of the farmers who are affected to see at first hand the impact that the flooding has had on that community?

Mr Poots: I will consider it. At a meeting earlier today, it was described by one of my officials as not so much a flooding incident as a landslide incident. We should be treating it as a landslide incident as opposed to a flooding incident, because large quantities of material slid down into the valley. Some of the fields were covered with over a metre of debris, and it was impossible to farm on that land until the necessary adjustments were made. That work had to be carried out at considerable cost to people who perhaps had not got the means for it.

I understand all of this. There are just over 220 cases involved here. Some were hit much harder than others. Some have subsequently benefited from environmental farming scheme grant aid, which has allowed for new fencing etc. It is one of those difficult calls that I have to give ministerial direction on, so I have to give considerable thought to it.

Mr Buckley: In 2016, severe flooding damaged considerable parts of my Upper Bann constituency, namely on the lough shore. Farmland and rural businesses were destroyed by severe floods and a rising lough level. Although I know that the Minister's Department does not control the level of the lough — that lies with the Department for Infrastructure — farmers are again looking on at increased rainfall and noticing the dangerous lough level. They are asking whether there will be ministerial coordination between DAERA and the Department for Infrastructure to ensure that the hardship and pain caused to many of those farmers does not happen again.

Mr Poots: Therein lies the problem for government, in that the first scheme is probably the most powerful one, the next scheme is just a little behind that, and so on. There has been a series of incidents beyond your own — I recall the incidents in Fermanagh a number of years back — where weather events have caused hardship. Precedent is used, of course. I need to look at all of this and give it all very serious consideration. I would like to be helpful, but we are custodians of public money, and there is only so much of it to go around. We have to be cautious in all of these matters.

Mrs Barton: Unsurprisingly, I want to speak about yet more flooding in Fermanagh. We have had prolonged periods of rain. Some of our roads have been flooded, and vehicles have had difficulty getting through to farms. Can the Minister tell me if compensation is possible for dairy farmers where, for example, the milk tanker has not been able to get to the farm for a number of days?

Mr Poots: The Department does not have a particular fund for this type of thing, so each matter has to be done on a case-by-case basis. Where genuine hardship can be demonstrated, that can be given consideration. These difficult weather events are going to continue. They are not going to go away. Therefore, we have to be cautious of just how much public money we invest in this. We should be encouraging people to have the appropriate and adequate insurance, but I understand and accept that many insurers will not cover quite a lot of these issues.

Farmers' Income

5. **Ms McLaughlin** asked the Minister of Agriculture, Environment and Rural Affairs whether he plans to bring forward legislation to protect farmers' income from the market strength of supermarkets and wholesalers. (AQO 271/17-22)

Mr Poots: Farmers work extremely hard to very high standards and play a vital role in producing high-quality food. The farming industry is also vital to our economy, supports tourism and contributes to rural and environmental sustainability. However, it faces severe financial pressure. Provisional estimates of farm income indicate a 25% reduction in 2019. This follows a similar level of reduction in 2018. Estimates show that most farms, notably cattle and sheep farms, have suffered. There is clearly a concern, and it is not sustainable. I strongly believe that everyone in the agri-food supply chain should share equitably in the risks and rewards. The long-term sustainability of the farming industry depends on farmers receiving a fair return for their work and produce. Encouraging and facilitating dialogue is vital to the overall success of all sectors in the supply chain. The retail and processing sectors have an important role and I have started to engage with them, and their representatives, to hear their views on helping farm businesses become more financially sustainable. For the longer term, DAERA is working to develop an agriculture policy framework that meets the industry's future needs. My officials are engaging informally with internal and external

stakeholders to gather evidence on the challenges and opportunities and practical policy interventions that we can make. I hope to lay the foundations for a better-functioning supply chain in this Assembly mandate.

Ms McLaughlin: In light of that very stark fall in farm income of 23% in 2018 and 25% in 2019 and the further challenges of the UK leaving the European Union, it is a very challenging environment for farmers. They are being squeezed. What does the Minister intend to do about that?

Mr Poots: We have the Groceries Code Adjudicators (GCA) remit. It is a reserved matter and is subject to regular review. DEFRA and the Department for Business, Energy and Industrial Strategy (BEIS) published the UK Government's response to a call for evidence on extending the GCA's remit to include farmers. Analysis of the response led DEFRA and BEIS to conclude that it would not be appropriate to extend the remit of GCA at that time, which was unfortunate. The UK Government concluded that there is a significant potential to explore more targeted and proportionate approaches to support primary producers. These include the possibility of introducing mandatory written contracts in the dairy sector and mandatory carcass classification and price reporting within the sheep sector. Powers to introduce measures to support fairness in the supply chain are included in the Agriculture Bill recently introduced at Westminster. I hope to engage further with other UK Ministers on these issues in the coming months.

Mr Speaker: I call Catherine Kelly, and we have under two minutes.

Ms C Kelly: Has the Minister given any consideration to introducing legislation that will guarantee a minimum farm gate price for producers?

Mr Poots: I know that it is an aspiration that some people in the farming sector have been pressing for, but I do not think it is a realistic aspiration. I do not think it is deliverable and, consequently, it is not something that we have been pressing for. Ultimately, we live in a free trade market. We live in a global marketplace, and we compete quite well in it because of the standard and quality of our goods and our close proximity to one of the best markets that is available, which is the GB market. That is not without its challenges, and a 23% and 25% reduction in two years running is not sustainable going forward. We need to see an

uplift in prices in the incoming year, and I will be challenging supermarkets and processors to ensure that farmers get a fairer cut of the profitability that remains in the food sector.

Mr Speaker: That ends the period for listed questions. We now go to topical questions.

3.15 pm

Climate Crisis: House Refurbishment

T1. **Mr Carroll** asked the Minister of Agriculture, Environment and Rural Affairs, given that it is estimated that 24,000 jobs could be created by refurbishing and retrofitting homes here, whether he agrees that that would be a worthwhile project to take on to create jobs and tackle the climate crisis. (AQT 191/17-22)

Mr Poots: The Member talks about 24,500 jobs. The question is this: who will pay for those? If it is the Assembly, where will it get the money from, and what areas will it be taken from? I have a lot of sympathy with the issue of retrofitting homes. Newer homes have tremendous ambient heat. Consequently, they use very little energy to keep warm because they retain heat so well. That is a place that we want to go to. Building regulations deal with newer houses and extensions to older houses, but there are many houses across the country for which we do not have that standard, and, consequently, there is an awful lot of heat loss. The Member raises a valid point, but the issue is this: where do we get the finance to do it?

Mr Carroll: Obviously, funds could be made available if the will were there. Will the Minister ensure that all the buildings in his Department are up to the required standard so that they do not waste energy or carbon?

Mr Poots: The Member raises an interesting point. Ballykelly was criticised earlier: it is an excellent building for heat retention. Dundonald House was mentioned: it is an appalling building for heat retention. Somebody thought that it was a wise thing to list it. The heating system is one of the most environmentally unsustainable and unfriendly systems that there are, but that is how various parts of the Department work: built heritage thinks that it is wonderful, but everybody else thinks that it is absolutely appalling. Nonetheless, I am happy to investigate that. Our staff need to be in buildings that have good, appropriate heating systems for the wintertime and proper conditions for the summertime, when it is very

warm. We need to look at all of that. Dundonald House is certainly a building that I will look at.

Wild Flower Planting Project

T2. **Mr M Bradley** asked the Minister of Agriculture, Environment and Rural Affairs whether he would support a wild flower planting project to encourage natural ecosystems and improve biodiversity in Northern Ireland. (AQT 192/17-22)

Mr Poots: Yes. It is one of the things that I have asked about when looking at how we move beyond the current environmental farming schemes (EFS) to the next tranche. Wild flowers grow better on soils that are not so good. They excel where the soil is shallower or is more clay-ish in nature. It is a great thing to encourage wild flowers, and it is something that I would be keen to investigate further, going forward.

Mr M Bradley: The use of wild flower planting on lands across Departments would benefit insect life, which, in turn, would provide food for other insects and, most importantly, birds and, significantly, the most important insect on the planet: the bee.

Mr Poots: I agree with the Member, particularly on the importance of the honeybee. People often take for granted the work that the bee does to sustain our environment. In America, because of the growing of almonds and the extraction of milk from those almonds, they have lost around one third of the honeybee population. That has been done in the name of the environment; people drink almond milk rather than cow's milk in the name of the environment. They are actually destroying the environment. I believe that around a third of the milk that Starbucks, for example, uses is almond milk. Starbucks is damaging the environment; it is damaging the bee population because of what it is doing. It should stop using almond milk because the mites from the almonds are destroying the honeybee population.

Immigration Proposals: Local Impact

T3. **Ms S Bradley** asked the Minister of Agriculture, Environment and Rural Affairs for an up-to-date assessment of the potential impact that the British Government's harsh immigration proposals could have on the agriculture and fishing industries here. (AQT 193/17-22)

Mr Poots: At the minute, only around 9% of people who work in the agri-food sector would qualify under the new regulations that are being suggested. I welcome the fact that the regulations have been eased, but two sectors — one is the health and social care sector, which does not involve my Department, and the other is the agri-food sector, which does involve my Department — will be hit badly as a consequence of the regulations. That battle is not over, and it is a battle that we need to continue to have. Those two sectors in particular should have a different level than, perhaps, some of the other sectors. Perhaps, engineering and some of the other areas that people come here to work in provide better-paid jobs, so we need to look at the areas where we have a reliance on workers from other countries so that we make it possible for that to happen.

Ms S Bradley: Can the Minister advise whether he is taking into consideration, from his reading of the proposals, the reliance on seasonal workers in industries in the agriculture and fisheries sectors? Can he explain what direct lines of communication he has to the uninformed, unconcerned — perhaps, both — Prime Minister who made such proposals?

Mr Poots: I have raised it at the Executive, and the Executive are writing to the Government of the day to express their concern about the issues involved. We need to recognise that it is not just us but many places in England, Scotland and Wales that will be hit as a consequence of this. The fishing industry will be hit as a consequence of it. We need to recognise that people who have come from other countries have sustained many of our businesses and sustained our agriculture sector in that we have an excellent processing sector, much of which is made up of people who came from other countries. It is a bit of a sad reflection on our society that, although there are many jobs out there, there are still people who do not want to take them up, whilst people from eastern Europe, Portugal, East Timor, Brazil and other countries are only too glad to take up the work that is available here.

Tree Planting: Young People

T4. **Mr Stalford** asked the Minister of Agriculture, Environment and Rural Affairs, following yesterday's positive announcement about afforestation and the Department's planned initiatives, to outline how he intends to engage young people in planting more trees in Northern Ireland. (AQT 194/17-22)

Mr Poots: Our young people are very important in the whole environmental issue. Young people are talking a lot about the environment. I encourage young people not to get lifts to school but to use public transport or to walk, and that would be more effective than strikes. That is one thing that I would say.

Ms Ní Chuilín: Tut-tut.

Mr Poots: I hear the Member tut-tutting, but can she argue that it would not be better for the environment if fewer cars were sitting outside school gates with fumes coming out of them?

In any event, we will, hopefully, be joined by over 500 young people next week as we commence the programme of planting trees. We want to engage with young people and the youth population and encourage them to get more involved in our environment, in our biodiversity, in our forests and all that. That is part of the programme, and we will work with the Department of Education and others to develop it.

Mr Stalford: In 2014, there was an outbreak of sudden oak death in Belvoir forest. Some 6,500 trees covering 11 hectares had to be felled, which accounted for almost a quarter of the forest. Will the Minister join me in visiting Belvoir forest to see for himself how tree replanting can be facilitated there? I hope to engage Belvoir Park Primary School in such a project.

Mr Poots: I am very interested in anything that encourages young people to get involved. If the Member wants to pass on the details, I will give them my fullest consideration.

Rural Services

T5. **Ms Sheerin** asked the Minister of Agriculture, Environment and Rural Affairs, given the fact that the 'NDNA' document repeatedly identifies the transformation of key services as a priority, what steps he will take to remind his and other Departments that the transformation of key services must be done in a way that complies with their rural needs duty and properly considers the needs of rural citizens. (AQT 195/17-22)

Mr Poots: That is cross-departmental and affects a wide range of Departments. The Department for Infrastructure has many responsibilities for transportation, ensuring that people who live in areas that are more challenging to reach do not lose the opportunity

to go to medical appointments and that their children have reasonable access to school transport and all of those things. We all have a role to play in ensuring that the rural community, which is a vibrant and vital community in Northern Ireland, can go about its business to the best of its ability. Bearing in mind that many in that community are not well off, we need to be able to support and facilitate them, especially for their key needs.

Ms Sheerin: It is important that the Minister and the Department think about their role as a champion for rural citizens. He may not have legislative authority for health, education, housing or justice, but we need Departments to move beyond their silos. Does he agree?

Mr Poots: Absolutely. I have been talking to the Minister of Health about rural isolation and mental health issues. Sadly, many incidents happen in rural communities as a consequence of that isolation, when people do not have the opportunity to talk to others when they feel down and depressed. Those are all issues to which we need to find solutions. That is a collective task for all in the Assembly. We need to work together and in the best interests of all of our people, but, in this instance, for the rural community in particular.

Mr Speaker: I call Dolores Kelly, who has made it in the nick of time.

Mrs D Kelly: Just.

Lough Shore: Help for Local Fishermen

T6. **Mrs D Kelly** asked the Minister of Agriculture, Environment and Rural Affairs whether he can provide any help, including flood alleviation measures, for those local fishermen who have contacted her and who are very concerned about the impact of the recent floods at the lough shore, with many of them unable even to get across to their boats. (AQT 196/17-22)

Mr Poots: Maybe the Member needs to talk to the Minister for Infrastructure about flood alleviation and ensuring that our rivers maybe get a bit more dredging and can take more water away. If we look over at England and at many of the floods there, we see that it has been because of the lack of dredging that they have reached the point where many homes have flooded. Thankfully, in Northern Ireland, we did not get to that point this year, but we were not that far off it just a few days ago. We

have had a bit of respite, but, were there to be further bad weather incidents, we could be at that point. We should not be at all complacent. I will visit the area to look at the conditions for myself.

Mrs D Kelly: I welcome the Minister to have a look at that. Will there be collaboration across Departments, given the importance of the fishing industry to Lough Neagh?

Mr Poots: I know the importance of the eel industry. There used to be a Father —

Ms Ní Chuilín: Kennedy.

Mr Poots: Yes. When I was in DCAL, he reminded me about it often, so I know the importance of the eel fishing industry in that area. Many people want to acquire that premium product, so I understand that the fishermen need to have the opportunity to catch that very high value commodity.

Mr Speaker: Time is up. I ask Members to take their ease for a moment while we change the top Table.

3.30 pm

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

Private Members' Business

Areas of Natural Constraint

Debate resumed on motion:

That this Assembly expresses concern at the Department of Agriculture, Environment and Rural Affairs decision to end areas of natural constraint support; notes that the decision has had a negative impact on farmers in severely disadvantaged areas; and calls on the Minister of Agriculture, Environment and Rural Affairs to use the powers contained within schedule 6 to the Agriculture Bill (HC Bill 7) to bring forward a new areas of natural constraint scheme. — [Mr McAleer.]

Mr Poots (The Minister of Agriculture, Environment and Rural Affairs): The Assembly will be sick of looking at me. Nonetheless, since my appointment as Agriculture, Environment and Rural Affairs Minister, I have had a number of calls to introduce the areas of natural constraint scheme and have listened to concerns that the closure of the ANC scheme had, in some way, brought disadvantage to farmers in severely disadvantaged areas (SDAs). I welcome the motion, as it affords me the opportunity to provide the facts around the closure of the scheme and the real impact that it had on farmers, and it allows me to again put on record that, going forward, I want to devise support schemes that are good for all our farmers, including those farming in the SDAs.

SDA farmers work on land that was classified as "severely disadvantaged" back in the 1970s, and around 485,000 hectares of agricultural land was classified as SDA. It makes up just under half of all agriculture in Northern Ireland and is farmed by just under 10,000 farmers, mostly beef and sheep farmers. The SDAs are concentrated mainly in the mountain areas of Mourne, the glens of Antrim, the Sperrins and most of Fermanagh. Those farms are so important to our ecosystem, to our environment and to the production of quality goods that are often finished elsewhere. The biophysical characteristics of the SDAs dictate that there are limited agriculture opportunities beyond cattle — that is, suckler cows — and sheep production. I am also aware that the economic viability of suckler cows and sheep production in the SDAs is vulnerable.

The ANC scheme formed part of the EU rural development programme 2014-2020 and was worth £20 million per annum in 2016-17. At that

time, Minister O'Neill programmed the scheme to run for two years because she felt that that was all that was affordable, and a review of the ANC scheme was then to take place to determine the next steps. That was a review that Minister O'Neill asked for.

I should say that, when Minister O'Neill introduced the ANC scheme, the business case for it did not stack up. It was done by ministerial direction; it was not done on the basis of an identified need that was supported by a business plan.

Mr O'Dowd: Will the Minister give way?

Mr Poots: Yes.

Mr O'Dowd: The Minister has long experience of being a Minister in various Departments, and he always strikes me as a Minister who makes decisions rather than awaiting Civil Service advice or allowing civil servants to make the decisions. Will he not agree with me that, one, it is appropriate for a Minister to ask for a review — that does not mean that you will end the scheme — and, two, in some cases, a Minister stepping forward and making the decision, rather than simply following Civil Service advice, is often the best way forward?

Mr Poots: I was criticised by one of our local newspapers for taking a ministerial direction to give money to the Northern Ireland Hospice and Mencap some years ago, but I suggest that it was the best money that was ever spent by the Department of Health. Those are two wonderful facilities, and I recommend that Members go there to see the support and care that they provide to people in that arena. We have to take cognisance of the issues that are put before us, but civil servants give advice and Ministers make decisions. I am not afraid to do that.

It was recognised that the redistribution of the basic farm payment scheme pillar 1 fund since 2015 had given an uplift to the SDA farmers that equated to an additional £18 million. At the exchange rate that was used for direct payments by 2019, the uplift was at least comparable to previous ANC receipts in 2016 and 2017. For example, for ANC farmers in Fermanagh and South Tyrone, the net uplift was £3.8 million. For those in West Tyrone, which covers the Sperrins, the net uplift was £4.3 million. For those in North Antrim, which covers the glens, the net uplift was £3.2 million. For those in Mid Ulster, which also covers the Sperrins, the net uplift was £2.6 million. All

those areas have had an uplift as a result of convergence.

Mr McAleer: Will the Minister take an intervention?

Mr Poots: I will give way in one moment.

Some in the ANC scheme have lost out. The busiest livestock farmers lost out as a result of convergence. In general, however, ANC farmers have benefited from convergence. I will give way.

Mr McAleer: Does the Minister accept that the so-called uplift that he talks about happened only because farmers in the SDAs had been labouring well below the regional average for years and years?

Mr Poots: It is interesting that the Member raises that issue, because I know that one of his colleagues took the issue to the Equality Commission. The commission did not see any issue of equality in it, and it was thrown out. I have heard quite a number of Sinn Féin Members refer to equality in the debate, yet they did not refer to the fact that Sinn Féin had raised the matter with the Equality Commission and lost its case.

Given budgetary constraints at the time, it was not possible to source a new funding stream to continue operating the ANC scheme from Executive funds. The only alternative was to transfer money from pillar 1 — direct support payments — to create the necessary budget, and the clear message from the consultation that took place and the responses that came back was that that was not an acceptable option. I understand that Mr Catney wants to take money away from farmers in Lagan Valley and give it to farmers in the ANC area. Mr Blair wants to do that in South Antrim and give the money to farmers in other constituencies. Mrs Barton wants to take money from Mr Nesbitt's constituency and give it to farmers in hers, and so it goes on. The truth is that farmers who had already benefited from convergence would then be dipping into the funds of other farmers who had already been disadvantaged as a result of convergence, and to do that would put those farmers into greater hardship.

The ROI has not moved as quickly as Northern Ireland towards convergence and a flat-rate pillar 1 payment per hectare, and payments are still more based on production. Those are key factors that everybody needs to take into account. Ms Dolan said that Sinn Féin does not agree. Not agreeing is one thing, but we have

to look at the facts. Facts are stubborn things from which it is hard to get away. Scotland was mentioned in the debate: Scotland pays out £128 per hectare. Wales pays out £243 per hectare. England and the Republic of Ireland have managed to reach convergence, and they both pay £261 per hectare. Lo and behold, Northern Ireland pays £333 per hectare. Therefore, the farmers who own large swathes of land that is more in the hills than in the lowlands have benefited most and benefit more than any other farmer in these islands. Consequently, Minister McIlveen decided that the scheme would operate for just one additional transitional year on a budget of £8 million. Without that decision, the scheme would have ended in 2017.

Taking that on board, I can say that SDA farmers, as a whole, have increased the value of their total payments from the CAP, despite the ending of the ANC scheme. While there will always be winners and losers at an individual level, at a regional level there has been no negative impact on SDA farmers. I want to make it clear that I do not intend to introduce an ANC scheme this year: I cannot. It is simply not possible. It would be possible to introduce an ANC scheme under the new Agriculture Bill, but the Bill's provisions will be operational only from 2021 onwards.

These provisions have been designed so that the House and the Minister have flexibility to make such decisions, but I have to point out that, in order to introduce an ANC scheme, the funds would have to be provided by scaling back direct payments to all farmers, which would result in that transfer from farmers who have already yielded money towards the ANC areas having to yield further funds to some of the constituencies that I mentioned. That has to be seen in the context of the £18 million on an ongoing annual basis that has already moved into the SDA. Rather than reintroducing a second area-based payment, I will focus my time and effort on devising schemes and support measures that are good for all farmers, in particular younger people who want to come into farming, younger people who do not own large swathes of land, who have to rent land and who want to make a living off farming and make a go of it, as opposed to the people who already sit on amounts of land and are not properly utilising it.

The United Kingdom has left the European Union and the CAP, and the most significant policy change affecting the agri-food sector in over 40 years means that our policies do not have to be constrained by the existing CAP pillar 1 and pillar 2 construct. We need to move

to something new that better addresses the needs of Northern Ireland agriculture. In 2018, my Department undertook an engagement exercise on a potential future agricultural policy framework for Northern Ireland, and, in that proposed framework, my officials, in conjunction with key food, farming and environment stakeholders, identified four desired outcomes and a long-term vision for the Northern Ireland agri-food industry. The first of those is an industry that pursues increased productivity in international terms, closing the productivity gap that has been opening up with our major suppliers. An ANC scheme does not do that. The second is to have an industry that is environmentally sustainable in terms of its impact on and guardianship of air and water quality, soil health and carbon footprint and diversity. ANC does not do that. The third is to have an industry that displays improved resilience to external shocks such as market volatility and extreme weather events, which have never been more frequent and to which the industry has become very exposed. Again, ANC does not help with that. The fourth is to have an industry that operates with an integrated, efficient, sustainable, competitive and responsive supply chain with clear market signals and an overriding focus on high-quality food and the end consumer. ANC does not assist with that.

Those four outcomes complement each other and are broadly supported by the stakeholders. Our focus now needs to turn to how we can deliver those outcomes. I want, in particular, to mention the suggestion in the document around a basic farm resilience support as one possible option, moving forward, and the relevance to the debate today is that a basic farm resilience support payment could be designed to take into account issues such as natural disadvantage based on soil and climate factors, as well as targeting productive farmers. I have tasked officials to flesh out those ideas as quickly as possible.

That is only part of the solution. We need to help farmers, no matter where they are, to become more efficient and maximise sustainable returns so that they can achieve from the assets at their disposal. Those assets include the environmental assets on the farm, and SDA farms are well placed to play a major role in delivering more of the environmental outcomes that the citizens want and that we owe to future generations. Farmers should be properly rewarded for delivering those environmental outcomes, and it offers a way forward.

In summary, the role of SDA farmers, like all farmers, will evolve as we move forward. No industry can afford to stand still or, worse, go backwards. How we have done things in terms of convergence and all of that has not helped the industry to go forward and be more efficient and encourage young people into the industry. Most importantly, I want to devise the appropriate schemes and measures beyond 2020 that are good for all farmers and provide the basis of a sustainable and profitable future.

Mr Deputy Speaker (Mr Beggs): I call Philip McGuigan to wind up the debate. You will have 10 minutes.

Mr McGuigan: I thank my party colleague for bringing the debate before us. I thought that the discussion was very good and very useful. My party colleague Declan McAleer, who proposed the motion, talked about the North's reliance on agriculture.

He tabled the motion in the context of the Westminster Bill and stated that the ANC payment was at the discretion of the Minister and that we need to tailor our agriculture policy here to suit the North. He hoped that the Minister would use his discretion to reintroduce an ANC payment. He went on to talk about the farmers in those areas of need and that the payment created a leveller with other farmers. He talked about the history of ANC support being enacted and subsequently withdrawn in 2016. In my biased opinion, I thought that he made a great case for its introduction.

3.45 pm

William Irwin acknowledged the difficulties of hill farmers, but he wanted that to be addressed as part of a UK solution. He said that support was needed, but he was not conclusive about what future support would look like. He went on to say that new arrangements should be based on production rather than area-based payments. He laboured that point. He felt that an ANC is not the best mechanism.

Pat Catney talked about the importance of agriculture and farming to our economy and landscape. It is a part of life here in the North. He told some very interesting stories about his childhood, particularly about gathering potatoes. It brought me back to my childhood. I miss gathering now that modern technology is used. Young people do not get the opportunity to gather spuds the way that we used to. He talked about 70% of the land in the North being in less-favoured areas. We need to encourage

and promote environmental use of the land. He supported the motion.

Rosemary Barton talked about the quality of our produce and the environment here. She said that there had long been support through many years for hill farmers in various guises. She mentioned £100 per hectare and said that they were worse off than in lowland farms. She said that 10,000 farms were impacted as a result of no ANC payments. She detailed the impact that that has had in her constituency of Fermanagh and South Tyrone.

John Blair said that he supported the motion in principle. He said that small farmers are vital. Over and above the issue of farming, they are vital to the conservation of our landscape, tourism potential and protecting the coastline in some cases. He said that there was an opportunity for the Minister to introduce a new scheme of natural constraint.

Maurice Bradley talked about the uncertainty for farmers post Brexit. He welcomed the debate in the context of the Assembly getting to debate it from the North's point of view. He asked whether a land-based payment was good value for money and said that policy needs to be tailored to our market demands. Again — this theme flowed through all the DUP Members' contributions — production seemed to be the best way forward.

I congratulate Emma Sheerin on her maiden speech. I was born and raised in Swatragh, so I agree that Mid Ulster is a great place to live, particularly the Derry part of the constituency. She talked about the importance of agriculture to her constituents. She is the daughter of a sheep farmer in the Sperrins, so she understands the problems in working with the land in those particular circumstances. She said that an ANC payment was not a top-up that was spent on luxuries but was needed to pay bills or to invest in the local agriculture economy.

Jemma Dolan supported the motion. She said that 92.5% of her constituency of Fermanagh and South Tyrone is severely disadvantaged, and she compared it with the Minister's constituency, where 2% is the case. She talked about the ANC allowance helping many farmers who are struggling. She is a border constituency MLA, and she put it in the context that the lack of an ANC payment put farmers along the border at a disadvantage to their neighbouring farms across the border. She talked about the importance of convergence through flat rate and expressed her disappointment that that convergence has been halted.

Daniel McCrossan —

Mr McAleer: I thank Philip for taking the intervention. I should have made a point of order earlier, but, in relation to the EQIA, that has not been tested by the Equality Commission because the date between the decision and the complaint being made to the Equality Commission exceeded 12 months. It did not pass that threshold. The decision was made, and it was only some time later, through the Department's own statistics, that it was realised that 67% of people in ANC areas were from the Catholic community. Religion is a protected category under section 75 of the Northern Ireland Act. That is the reason.

On the €333 per hectare, I can tell you that, up in the hills, people do not get near that. You are talking about entitlements of £100 or, maybe, £80 per hectare. That does not stack up across the North. I also think, and hopefully the Member will agree, that pitting areas against each other is very divisive and not a very helpful way to proceed.

Mr McGuigan: I completely agree with the sentiment. Yes.

Daniel McCrossan said that we need to send a clear message to all farmers that they will not be left behind because of Brexit. He also said that many farmers are struggling and need support and that he wanted to hear that support coming from the debate. He talked about the dedication and sacrifice of our farmers and their world-class produce. He went on to detail the flooding that had affected farmers in his constituency, and he said that they still have not been properly compensated for that. He also said that he has no faith in the British Government keeping the same level of funding offered by the EU after Brexit.

Clare Bailey gave her support to the motion. She put it into the context of the Agriculture Bill setting new policy for years to come and said that we need to get this right. She said that we need our own plan that meets our needs and that farmers in areas of natural constraint need to be given certainty. She also agreed that there should be specific and targeted economic interventions.

Jim Allister is always worth listening to. He agreed that hill farmers make an important contribution, but he went on to say that we need a policy that takes account of a limited pot of money. I hope that he will forgive me for paraphrasing him when I say that he was not a big fan of the flat-rate payment plus an ANC

scheme. He seemed to be a lone figure in suggesting that Brexit will be good for hill farmers, as there will be fewer restrictions. He also pointed out that he had heard lots of whining. I repeat that: he heard lots of whining. My colleague intervened and gave him a promotion midway through the debate. According to him, the ANC hinders hill farmers.

Moving on, the Minister —

Mr Allister: Will the Member give way?

Mr McGuigan: Yes.

Mr Allister: I am sure that it was entirely unintentional that the Member would distort what I said [*Laughter*] but I point out that my criticisms were that the ANC was brought in, in part, because of EU regulations that restricted the farming methods and choices of hill farmers and dictated how much stock they could have on the hills, what type of stock and the dates that they could have their stock on the hills and matters such as that. The ANC was supposed to be an antidote to EU smothering of the choice of local farmers. I said that we should get rid of the smothering and liberate the farmers and let them make their own decisions.

Mr McGuigan: I was not wanting to distort the Member's comments. A lot of hill farmers will be surprised to hear that they will now be better off because they have left the EU and have lost the ANC payment.

The Minister wanted to, in his words, introduce schemes "that are good for farmers", including those in SDAs. He said that the ANC scheme was worth £20 million. He said that it was implemented by Minister O'Neill. John O'Dowd corrected him when he talked about the scheme ending in two years and said that there would be a review after two years.

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

Mr McGuigan: Sorry?

Mr Deputy Speaker (Mr Beggs): Will the Member draw his remarks to a close.

Mr McGuigan: Sorry. I did not get to make my own remarks. [*Laughter.*] Everybody else spoke so well, and it was so interesting.

In conclusion, I support the motion. Our farmers need this payment.

Question put.

The Assembly divided:

Ayes 48; Noes 29.

AYES

Dr Aiken, Mr Allen, Ms Anderson, Dr Archibald, Ms Armstrong, Ms Bailey, Mrs Barton, Mr Beattie, Mr Blair, Mr Boylan, Ms S Bradley, Ms Bradshaw, Mr Butler, Mr Carroll, Mr Catney, Mr Chambers, Ms Dillon, Ms Dolan, Mr Durkan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Mr McNulty, Ms Mallon, Mr Muir, Ms Mullan, Mr Nesbitt, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr Sheehan, Ms Sheerin, Mr Stewart.

Tellers for the Ayes: Ms Dolan and Ms Sheerin

NOES

Mr Allister, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Middleton, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr M Bradley and Mr Robinson

Question accordingly agreed to.

Resolved:

That this Assembly expresses concern at the Department of Agriculture, Environment and Rural Affairs decision to end areas of natural constraint support; notes that the decision has had a negative impact on farmers in severely disadvantaged areas; and calls on the Minister of Agriculture, Environment and Rural Affairs to use the powers contained within schedule 6 to the Agriculture Bill (HC Bill 7) to bring forward a new areas of natural constraint scheme.

Motion made:

That the Assembly do now adjourn. — [Mr Deputy Speaker (Mr Beggs).]

Adjournment

Comber Greenway: Investment

Mr Deputy Speaker (Mr Beggs): In conjunction with the Business Committee, I have given leave to Mr Robin Newton to raise the matter of investment in the Comber Greenway. The proposer of the topic will have 15 minutes.

Mr Newton: I thank the Minister for Infrastructure for taking time away from what I know are many very busy and competing priorities. At the start, I would like to pay tribute to two permanent secretaries who were in the Department prior to the restoration of the Assembly, namely Mr Peter May and Ms Katrina Godfrey, who made what contribution they could to the development of and investment in the Comber greenway. It is appropriate that we acknowledge the fact that they did that.

The Comber greenway is a seven-mile route that runs from east Belfast right through to Comber. It is recognised by a number of organisations that have an interest in cycling, well-being and health. Cycle NI said:

"From the Holywood Arches to Dundonald the Greenway provides a tranquil green corridor through East Belfast",

recognising it as a great asset. Walk NI said:

"This route provides a tranquil green corridor through East Belfast and ending passing through a rural landscape into Comber".

Sustrans, which has had a major part to play in the development of the route, said that the Comber greenway:

"provides local people with a traffic-free route for walking or cycling"

from Comber through to east Belfast. Discover Northern Ireland said:

"The most remarkable feature of the Greenway is the feeling of rural escape from urban bustle."

Each of those organisations recognises what an asset the Comber greenway is.

4.15 pm

I am pleased to say that Belfast City Council and Lisburn and Castlereagh City Council unanimously supported a motion calling for investment in the Comber greenway. Belfast City Council established a working group as a result of that motion. I look forward to Ards and North Down Borough Council giving consideration to a similar motion and working with the Department on the development of the greenway.

Belfast City Council, in its motion, noted:

"the benefits which the Comber Greenway facility has created in allowing Belfast's citizens"

— Belfast's citizens, not east Belfast citizens —

"and visitors to the City the opportunity to become increasingly active and to promote increased health benefits. The Council calls upon the Department for Infrastructure to develop, through a collective approach, a strategic, political and costed plan for the Comber Greenway, as part of the recently launched Strategic Plan for Greenways within Northern Ireland."

We need to take notice of the benefits that greenways have, in general, brought to Northern Ireland. The best model of a greenway is the Connswater greenway. I have often referred to the Comber greenway as a sister project of the Connswater greenway. Both link at the junction of the Holywood Arches, where there is a natural, continuous flow from one into the other.

The evaluation report of the Connswater greenway states:

"In many respects, CCG ... is a model and example of best practice for the development and delivery of large-scale, multi-partner, complex projects with multiple objectives. This is reflected in widespread national and international interest and through numerous awards and accolades, including recognition as one of the world's 200 most influential projects by the Institution of Civil Engineers in 2018."

There is no reason why the Comber greenway, with the right vision and support and with a holistic approach to its development, should not receive the same accolades. It has the potential to be a living landmark and a valuable, life-enhancing asset.

The Comber greenway has the potential to offer increased levels of walking, cycling and dog walking. I am pleased that the infrastructure is in to allow lighting to be applied from the Hollywood Arches to the Billy Neill playing fields. That is positive. We need to move to the next stage of lighting installation. I hope that the Minister will see that as a worthy investment.

The Comber greenway goes further than just a venue for walking, cycling and dog walking. Like its sister project, the Connswater greenway, it has the opportunity to apply to provide play facilities. It probably has a better opportunity than the Connswater greenway to encourage wildlife, to develop shrubbery and the bridges along its route, and to pay tribute to its long history as a railway track. A number of station platforms are still in situ, and there are groups interested in bringing them back into view. It has the potential to hold events and, indeed, to contribute overall to a much more holistic and healthy lifestyle for our communities.

Like greenways across the UK, the Comber greenway also has the opportunity to contribute to increased business and the creation of businesses, be that with the existing Hollywood Arches traders or new traders that could abut on to it. There is potential to develop the Hanwood Centre along the route, to increase the cycle facilities that have been provided by Lisburn and Castlereagh City Council and to have guest houses abut on to it.

There is a major opportunity where the Comber greenway reaches Dundonald village. I accept that Lisburn and Castlereagh City Council is working on another plan, but Dundonald village is described in the current plan, in about six lines, as a village with a high level of vehicular traffic going through it and a number of boarded-up properties. It is a shame that you can rent a property in Dundonald village if you pay the rates. You do not need to pay rent; you can pay the rates, and you will get a property in Dundonald village. Travel a mile down the road to Ballyhackamore and you will pay top dollar for a property renting — a mile down the road. There is potential for the Comber greenway to link with the Comber Road shops and with Dundonald village, providing increased business opportunities and the opportunity to enhance Dundonald village. That would be a significant feature if we were to invest in the Comber greenway, and it could enhance life in and around Dundonald village.

It is not possible to think of it just as somewhere to walk or cycle. We need to think of it in a holistic manner. We need to think about what

abuts on to the Comber greenway on either side and about its potential as a whole. I am pleased that the Minister, in her former life and in her current role, has been a supporter of the greenway movement and the cycling movement and so on. I am not quite sure what her role was here, but I am pleased that, Nichola Mallon, as an elected representative, paid tribute and said:

"I personally have enjoyed the cycle along the Comber Greenway".

Indeed, she went on to say that:

"and as a party, we are keen to explore further development of Greenways".

She added:

"The SDLP believes that Northern Ireland needs a long-term and dedicated strategy to improve cycling provision."

We have an opportunity to do that here. Indeed, we have an opportunity to do much more than just develop the cycling strategy.

I will finish by saying that, in its document 'Exercise, Explore, Enjoy: A Strategic Plan for Greenways', the Department outlines its vision, aims and objectives. It states:

"The Minister for Infrastructure is committed to active travel and strongly supports improving health and wellbeing for everyone across the region. In setting out this Strategic Plan for Greenways, the Minister's vision is a region where people have ready access to a safe traffic-free environment for health, active travel and leisure."

The case for investment in the Comber greenway is indisputable. It brings so much to that corridor from east Belfast to Comber, and not just for those who live in areas abutting on to it. There is the additional potential for business activity and education opportunities for our children, who can use it as a play area. It brings a holistic approach to improving our overall health and well-being.

Mr Deputy Speaker (Mr Beggs): Other Members will have five minutes in which to contribute to the Adjournment debate.

Mr Allen: I follow the esteemed Member and colleague from East Belfast whom I have had the opportunity, from my time in the House, to work with on a number of occasions. We have worked quite well together. I recall him securing

previous Adjournment debates. I am sure that he is glad to be back down to the area of the House from where he can again contribute as a Member working for the community on the ground. I am sure that he continued to do that in his role as Speaker.

As the Member, quite rightly, pointed out, the Comber greenway is a wonderfully tranquil green corridor that runs all the way from Comber to the heart of east Belfast. As he highlighted, the greenway is about much more than just east Belfast. It is about looking at the wider context of the greenway and all the positive benefits that flow from it. It would be remiss of us to zone in on the cycling and walking benefits. There is so much more to greenways. They bring potential footfall to businesses along their route. When doing a bit of research prior to this Adjournment debate, I came across some statistics. It is estimated that, for every £1 invested in greenways, the return is up to £4. It is about looking at greenways in that wider context and the positive benefit that they deliver for our wider communities.

Recently, people from the wider community made representations to me. They want further investment in the Comber greenway and, indeed, the enhancement of greenways right across Belfast and Northern Ireland. I welcome the fact that the Minister is here. I welcome her positive attitude towards greenways and the commitment that she has given to them. I have worked very well with the Minister in the past, and I have no doubt that she will do everything that she can to invest.

I note that there are plans to enhance greenways. The current greenway stretches for seven miles. My young children — aged 11, seven and 15 months — very much enjoy going out at the weekend with their nanny Linda and walking along a stretch of the greenway. I am very happy that the Member brought the matter to the House. I am very happy to support it and to work with him, other colleagues across east Belfast and colleagues across Northern Ireland to work towards the realisation of that commitment to invest in our greenways.

Mr Lyttle: As MLA for East Belfast and chairperson of the Assembly all-party group on cycling, I welcome the opportunity to speak in support of the outstanding community facility running through my constituency that is the Comber greenway. I thank my colleague Robin Newton MLA for availing himself of the Adjournment debate opportunity so that we could do so collectively.

On the wall of the constituency office that I share with Naomi Long MLA hangs a letter that we received at a time when a former Regional Development Minister was considering replacing the greenway with light rail. It reads:

"Please keep our greenway. We always cycle on it. The trees give us oxygen and blackberries. Thank you. Oisín Doran, 7 years on this planet."

I am glad for Oisín and the many people who use, enjoy and rely on that clean, green traffic-free cycle route and walkway daily that the campaign to save and maintain the Comber greenway was a success. That seven-mile section of the national cycle network is one of the few traffic-free walk and cycle greenways available in Belfast and, indeed, Northern Ireland, the like of which is vital to advancing the sustainable and active travel provision that we need to address the climate change, health and pollution challenges that face our population and planet.

4.30 pm

There are many positive benefits of the Comber greenway: transport; physical and mental health; community and business connectivity; and, of course, environmental. It is vital, therefore, that we work together to protect and enhance the greenway. My Alliance Party colleagues and I have consistently worked to protect and develop the Comber greenway. That has included working with the Department for Infrastructure, local councils, Sustrans and the Eastside Partnership to secure the installation of toucan crossings at key road crossings, such as at Beersbridge Road and Kings Road; path-widening schemes; public realm improvements at the Bloomfield walkway section of the Comber greenway; and the installation of one of the first if not the first bike stations in Northern Ireland at the Billy Neill soccer centre.

Further improvements are needed, including works at Island Street to extend and link the greenway to Titanic Quarter, ramps at North Road bridge, bins, seating, improved signage, better management of green space and enhanced linkage of the Comber greenway and Connswater Community Greenway, as part of the EastSide Greenways and the Northern Ireland Greenways strategies.

I have recently corresponded with the Department for Infrastructure to press for the introduction of lighting, as has been mentioned by other Members, at key sections of the

Comber greenway, the like of which has been key to the success of the world-class, award-winning Connswater Community Greenway; indeed, the vision and the future development of the Comber greenway should be based on the Connswater Community Greenway model of a multi-use, linear park and walk-and-cycle way, adopted and maintained to the highest standards possible with the support of the councils in which it is located. I welcome the leadership shown by the former Alliance Lord Mayors of Belfast and Lisburn and Castlereagh — Nuala McAllister and Tim Morrow — to work in partnership with Sustrans and the Department for Infrastructure to explore and advance that model. I understand that work has been ongoing between the Department for Infrastructure and councils to progress that approach, and I welcome the attendance of the Minister for Infrastructure today to update the Assembly on the matter.

The sustainable and active travel, social, health and economic potential of the Comber greenway is vast, and Alliance Party representatives will give our full support to the Minister for Infrastructure and our elected colleagues to work together to do all we can to realise that potential.

Miss McIlveen (The Chairperson of the Committee for Infrastructure): First, I thank the proposer for tabling the Adjournment debate. Robin has been a great advocate of the Comber and the Connswater greenways. We can all agree that greenways such as the Comber greenway are an investment in the health and well-being of all our communities. I have used the Comber greenway on numerous occasions as a pedestrian and a cyclist, along with my colleague Joanne Bunting. As you travel along the greenway, it is evident that it attracts users of all ages and abilities. There are those on their own, those with families — both young and older families — and those with friends. It presents an opportunity to re-engage with nature and to exercise in a traffic-free environment. Certainly, the expansion of greenways in the UK and Europe has proven to be extraordinarily popular and a huge draw for tourists. Having my constituency office in Comber, I see at first hand the benefit of the greenway to the town and, in particular, to the local coffee shops. There are, therefore, numerous benefits to investments in our greenway network.

The development of the Connswater greenway has been a great addition to east Belfast, with its link to the Comber greenway. However, the contrast between the two is stark. The lack of lighting along the Comber greenway makes it

unsafe and practically unusable once the evening starts to draw in. The fact that the greenway was constructed without some lighting provision is difficult to fathom. While I appreciate that work has commenced in East Belfast at that end of the greenway, if we are to encourage commuters from my constituency to use it as an alternative to the car, it is imperative that lighting be installed along the full route.

While the proposer has talked about the enhancement of the Comber greenway as it currently exists, as well as its future management, I am keen to see further expansion of the network. As part of a fact-finding visit, I went to the Netherlands to look at the fast-cycle route between Arnhem and Nijmegen and at how high-quality, dense cycling infrastructure networks enable local children to cycle to school and to assess the urban cycling infrastructure in Amsterdam. I also took the opportunity to go to Edinburgh to learn the lessons from their greenway expansions.

I have been a consistent advocate of our greenways, which is why, when I held the post of Regional Development Minister, I launched a fund to enable councils to undertake feasibility studies of expanding the greenway network in their area. As a Strangford MLA, I was delighted that Ards and North Down Borough Council availed itself of the opportunity to look at an ambitious expansion that sought to extend the Comber greenway through Comber itself to Newtownards and on to Bangor, connecting with the north Down coastal path. In principle, that is a fantastic concept that provides a large, circuitous and traffic-free route. However, problems have arisen in the conduct of consultations and how information has been presented to local landowners. It is natural that landowners and residents will have certain reservations, and those concerns need to be managed sensitively. There is a wealth of evidence now available to show how concerns about problems such as antisocial behaviour are largely unfounded and how, for example, those living along the Connswater greenway have embraced it. It is little wonder, though, that locals have objected when the "vesting" word has been used.

As we focus on an outcomes-based approach, investment in greenways can meet many of the outcomes, including connecting people; helping people to enjoy a long, healthy and active life; helping people to live and work sustainably; and creating places where people want to live and work, visit and invest. We should improve and expand such fantastic assets, but those

charged with carrying out that function need to apply the lessons learned from other schemes in Northern Ireland and elsewhere. We need to ensure that there is consensus and acceptance not only from those who use greenways but from those who accommodate them when they go through or run adjacent to their property. Consensus and accommodation are obtained not through confrontation but through consultation and engagement.

In conclusion, I welcome the opportunity to have contributed to today's debate, and I look forward to seeing improvements being made to my local greenway.

Ms Bunting: At this point, I feel as though I should declare my interest as a member of the Policing Board. That seems to be what I do this weather [*Laughter.*] I am only joking. It has been quite the justice week.

I am grateful to my colleague Robin for securing the Adjournment debate. There can be no question about the benefits of greenways for physical health and undoubtedly for mental health. The value of time spent with friends or family, relaxing, winding down, seeing some animals, having a good laugh and getting some exercise while we are at it cannot be overstated.

Without reliving all our yesterdays, as my colleague Michelle McIlveen said, many a time, on one of our various health kicks, we cycled from Comber, right down the Comber greenway, right down the Connswater greenway and over to Carrick. Obviously, the benefits of that are cake and ice cream, and neither of us will deny that. Sometimes, you need a bit of an incentive, and that certainly worked for us.

The truth about the Comber greenway, as it currently stands, is that, if you mistime your cycle, you are in pitch black, you are potentially riding through dog mess, you are scared of running over animals rather than seeing them and you have no idea about who else is around. Therefore, there are safety issues and health concerns. Perhaps the Comber greenway is not being used to its maximum potential on the basis of some of those issues, which could be resolved to make the greenway a bit more like the Connswater greenway.

As my colleagues have mentioned, the Connswater greenway has become an international model of best practice. The folks from Connswater have travelled around the world, extolling the benefits of their greenway, and they have received numerous awards for

the successes that they have achieved, not the least of which is flood alleviation. The Connswater greenway has enormous use and is of spectacular value to East Belfast and beyond. The thing with the Comber greenway is that it always feels as though it is the bridesmaid to the Connswater bride.

That is not to say that there has not been investment: there has. There has been significant improvement in the past number of years. I remember a couple of years ago — on my birthday, actually — going down because a number of organisations such as Sustrans, the Department, Belfast City Council and Lisburn and Castlereagh City Council had made significant investment, as Robin mentioned, installing the connectivity for lights — albeit that there are no lights there — widening the path and resurfacing. Then we have Lisburn's investment at the Billy Neill centre, which Chris Lyttle referred to. There has been ongoing work, and there is no question about the potential. There is so much potential for connectivity at the Comber greenway, and the difference that lights would make to use and safety would be immense.

Other colleagues have referred — there is no point in repeating it — to the benefits to the economy, local businesses, housing and safety, especially with regard to health and getting children to set down their gadgets and be outside in the fresh air with their parents, enjoying their young lives and their energy while they still have it. A lot of us wish we still did. The only thing I would say to the Minister is this: perhaps, it is time for Cinderella to become a princess.

Mr Harvey: Why would we want to invest in the Comber greenway? Is it because it is seven miles of the most wonderful, tranquil green corridor in the UK? It is classified as being easy, making it ideal for most, whether leisure walking or cycling. It takes in views of Stormont, Scrabo Tower, the two Harland and Wolff cranes, the CS Lewis statue and the Titanic centre. It is an ideal length of seven miles and takes approximately one hour to complete, and the bonus is that it is traffic-free. It is one of the most popular greenways in the UK, and I would welcome any future improvements or upgrades to this popular and well-used walkway that promotes health and well-being among all its users.

Mr Deputy Speaker (Mr Beggs): Some interest has been expressed beyond the immediate area, and I now invite Philip McGuigan to comment on investment in the Comber greenway.

Mr McGuigan: I accept that I am not from the constituency, but, as everybody should know, I have an interest in cycling, so I will never pass up an opportunity to promote cycling and investment in cycling. I have cycled on the Comber greenway on a couple of occasions, and I concur that it is a great asset. I would support further investment in the Comber greenway and further investment in other greenways. I want the ambitious target of 1,000 kilometres, as detailed in the North's greenway strategy, to become a reality.

I take the opportunity to commend Jonathan Hobbs for the work that he has done in this field in promoting, pushing and cajoling the greenways strategy and cycling in general. I also want to mention the contact that I have had over the years with Andrew Grieve in the cycling department and thank him for his help to me in promoting cycling. I thank my party colleague Chris Hazzard, who introduced the greenways strategy in 2016.

What are greenways? Greenways create economic activity, improve cycling and walking opportunities, improve health through active living, enhance community identity and improve tourism opportunities. In my view, cycling and walking are vital to all the above. You can then throw in climate change. The more people we can get cycling and walking and being involved in active transport, the greater the saving it will produce for our health service. We can see the importance of all of this.

I hope that the Minister is able to invest in greenways to ensure that momentum is not lost. As I said, I want to see the 1,000 kilometres and much more come to fruition, particularly the two greenways in my constituency. The glens of Antrim greenway is proposed to run from Ballymena to Cushendall. I know that there is good work going on, particularly out round Glenravel, but I want to see that become a proper greenway in totality. I also want to see the Ballycastle to Ballymoney greenway opening up opportunities beyond the city.

I understand that the argument for moving people in cities is greater than, perhaps, it is in rural constituencies, but rural communities need to be able to obtain the same benefits from greenways as urban dwellers.

4.45 pm

I will wholeheartedly support any investment that the Minister can provide. In June 2019, in

the South, €40 million was announced for 10 new greenways. The advanced state of the greenway infrastructure there is already over and above what it is in the North. I understand that, in 2019, we did not have a Minister, but only £3 million was allocated to all cycling and walking infrastructure, not even mentioning greenways. The 2015 bicycle strategy suggested an investment of £12.5 million per annum over five years, and £18 million per annum within 10 years to build a comprehensive cycling network across the North.

I am enthusiastic about cycling. I am delighted that I am able to cycle. In my view, cycling is a wonder drug that can cure many of the ills of society, climate change, and the individual. My physical and mental health has certainly improved since I took up cycling. Not everyone accepts that: not everyone is open yet to the wonder drug that is cycling. I am a great fan of the film 'Field of Dreams'. I often use the phrase:

"If you build it, they will come."

If you can build the infrastructure, people will come. The North, as a society, and all its citizens will benefit.

Mr Deputy Speaker (Mr Beggs): I remind Members not to walk in front of another Member when he is speaking.

Mr Durkan: Like the previous contributor, I might be a bit more geographically removed from the Comber greenway. I was certainly impressed by the very intricate knowledge of it that has been demonstrated by some of the East Belfast Members. Chris Lyttle knows every square inch of that greenway. I think of him now as Crocodile Dundonald. *[Laughter.]* I am not a complete stranger to the greenway, however. I recall, on occasions during my time as a Minister, I had my driver leave me six or seven miles out the road or along the greenway in the mornings, and I ran here. I experienced many of the benefits that Members mentioned. It was a great way to clear the head and prepare for the day ahead, and I probably got here more quickly, although that is more a reflection on Billy's driving than on my running, to be honest. The virtues of the greenway, and greenways in general, have been stated. The Comber greenway is clearly held very dear by the people of East Belfast, and true affinity with and affection for the greenway can be heard in the comments of the elected Members.

It is vital that we do what we can to expand the greenway network. I am heartened by statements from the Minister so far. Her presence in the Chamber demonstrates her commitment to improve the greenway infrastructure. The benefits are manifold. The environmental ones are clear and obvious: they are there in the name "greenway". Then there are the economic benefits, which are not always as immediately obvious, although some Members on the opposite Benches have mentioned them. I have certainly seen them in other areas. I was fortunate enough to spend a couple of holidays in France, just outside Bordeaux, where there is over 100 kilometres of —

Mr Newton: Will the Member give way?

Mr Durkan: Certainly.

Mr Newton: I am struck by the fact that the Member was prepared to run five or six miles to get to the Building. Perhaps I should have mentioned some of the statistics, which match the Member's approach. Sixty per cent of people who could have used a car to get to work instead chose to make their journeys on foot or by bicycle. A total of 245,422 people made trips on the route in 2012. There has been a significant increase since then, with 86% of people who have used the route saying that it helped them, just as you said, to increase their level of activity.

Mr Deputy Speaker (Mr Beggs): The Member has an extra minute.

Mr Durkan: I thank the Member for the intervention and for demonstrating just how well-used the Comber greenway is. I think that it is fair to assume that use increases on all our greenways year-on-year.

I was touching on the economic benefits and on what I had seen in France, but you do not have to go that far afield to see it. You had cafes and coffee shops and so forth sprouting up along the route of the greenway. I was there for a couple of weeks, and I used the greenway daily to go and do shopping. It was a lot safer than trying to get used to driving on the right-hand side of the road. In County Mayo too, we have a great greenway network that has delivered a real economic dividend for that area. Many tourists come from far and wide to visit it. I believe that investing more in our greenways and marketing them better is why more people are using them, including our local people. Often these greenways are among our best-kept secrets, and I think that we have to market

them better. Whenever we are marketing individual constituencies or the North in general as a tourist destination, we should be putting them in the foreground. There is a big market for it, and I think that we should become known more for our cycle paths than our psychopaths.

I will now get onto my own constituency, where we are blessed with a good greenway infrastructure, despite our many hills that make cycling not that easy. The Minister has pledged to deliver on EAPCs, which might make it a bit easier for some. We hope to expand that greenway infrastructure that we are blessed with in the near future. There are a couple of cross-border projects funded through Europe, with greenways running into Buncrana and Muff in Donegal. The Minister would be extremely disappointed, I am sure, if I were not to mention the Strathfoyle greenway —

Mr Deputy Speaker (Mr Beggs): We are straying a long way from the Comber greenway.

Mr Durkan: — on which her officials have been working hard in the absence of Ministers, I have to say. It would be remiss of us not to mention that the absence of an Assembly for three years has cost us a lot of opportunities with our greenway infrastructure.

Ms Mallon (The Minister for Infrastructure): I thank Mr Newton for instigating this debate on investment in the Comber greenway and for his acknowledgement of the commitment and the work that has gone into trying to progress the Comber greenway from the previous and the current permanent secretary. It is appreciated.

This is not the first time that Mr Newton has brought a debate to the Assembly on the Comber greenway, and I think it is testimony to his commitment that he has again brought an Adjournment debate so early on in our re-establishment. I thank him for his comments and for all Members' comments. It is very clear that all share a passion for active travel, for better-connected communities and for creating green safe space where we can enhance our physical and mental health.

On a general note, since I have been appointed Minister, I have made it clear that my focus is on doing what I can to improve the life of everyone living right across Northern Ireland. As an important part of that focus, I want to increase the proportion of everyday journeys made by walking and cycling across the North. As Mr Newton so elegantly quoted, greenways provide a "rural escape from urban bustle".

The benefits of developing greenways are many, and the health and lifestyle benefits are well-understood and have been articulated by everyone in the Chamber this evening. In addition, there are social and economic benefits for communities, in particular in building dynamic local communities and vibrant economies. Walking and cycling are key elements of thriving towns and cities. In addition, more walking and cycling, especially for the shorter journeys that make up one third of all journeys that we make every day, will help to create a cleaner environment and ensure that all of us play our part in tackling the climate crisis.

I recognise that greenways can help to give people the freedom and confidence to walk, to start to cycle or to cycle more, all in a safe, traffic-free and pleasant environment, whether for commuting, travelling to and from school or going about their everyday business. Greenways provide opportunities for walking groups, for older people and, as Ms Bunting articulated, for people of all ages to get active and have fun moments of friendship.

It is clear from experience with the Comber greenway that, in the urban environment, greenways have the significant benefit of improving off-road routes for commuting to and from work and places of education.

Data from counters on the Comber greenway indicates that in the order of 300,000 journeys are made on the greenway each year. In recent years, a total of £1.5 million has been invested in the Comber greenway route by my Department and other stakeholders. As Ms Bunting referenced, the investment included around £500,000 on widening the greenway from 3 metres to 4 metres — that was done in association with the Department for Communities — and around £500,000 on improving access points at the Grahamsbridge Road junction and a new walking and cycling bridge at the Dundonald International Ice Bowl, which was a Lisburn and Castlereagh City Council project supported by my Department.

I assure Members that I share their passion, and I am keen to consider carefully how the development of greenways generally can deliver projects that have the potential to improve people's lives and connect communities. I want to work collaboratively with Ministers, councils and other stakeholders to develop the Comber greenway and our other assets to make a real difference for our communities and to people's lives.

Once the Budget process provides clarity on the resources available to me, I will be able to firm up my objectives for cycling and active travel. I can, however, give Members my firm commitment that delivering more ways for the public to access active travel will be part of my focus over the next two years.

With budget pressures and environmental challenges, we need to think big and think boldly about how we can deliver radical change. Enhancing health and improving well-being are key to connecting communities and tackling the climate crisis. With improving lives as our focus, we can and will deliver more. Creative use of our spaces, such as the development of greenways, will help us to achieve that vision, and I look forward to working in partnership to build on the successes already realised and deliver action on active travel.

Members raised specific points during the debate. Mr Newton pointed out that some lighting infrastructure has been put in place and ducting installed. I recognise the importance of lighting. As other Members said, lighting is key to enhancing greenways and to making people feel safe.

I assure Members that I want to see what more I can do to remove the barriers for people who want to walk and cycle more. When the budget settlement becomes clear, it is an area that I want to focus on, but it is important to say that I want to work in partnership with councils on delivery.

Mr Newton, Mr Lyttle and others mentioned trying to improve the attractiveness of our greenway as a community facility. Yes, that includes lighting, but it also includes the provision of other facilities such as seating. I am keen to investigate the possibilities through working with the councils. As Members will know, councils have wider powers for community facilities — powers that my Department does not have — and it appears that they have scope to develop the greenway as the linear park that Members expressed support for. I agree with Members that this is important for delivering on the physical and mental health and well-being outcomes in our Programme for Government, so I am keen to work with Members and the three named councils as we try to move this forward.

There is also a need, as Members said, to better connect our greenways, and I need to back that commitment with money.

I understand that, and I agree with the vision and approach that was articulated by Mr McGuigan:

"If you build it, they will come".

Once the budget has been set, I want to see what I can do to deliver on my vision for the greenways.

5.00 pm

I take on board the points that were raised by Miss McIlveen, the Chair of the Infrastructure Committee. She has been on fact-finding missions, she has been a Minister and she understands. I am aware of the grant support programme that she had, and I am positively looking at that. I am also mindful that we need to learn the lessons about consultation and communication that she referred to. She is right: we need to build consensus and accommodation among those who use our greenways and those who neighbour them. I want to ensure that that lesson is learned going forward.

I also want to thank other Members who spoke. Mr McGuigan and Mr Durkan spoke about the importance of greenways and referred, with your indulgence, to issues in their constituencies. I am happy to try to pick those up, because I want to have a proactive and positive overarching approach to our greenways.

To sum up, Members are right: the evidence is there — we know that it is there — that greenways increase levels of walking and cycling, address flood alleviation, enhance biodiversity and grow local businesses. They also bring joy to children, be they Mr Allen's three children or Oisín, who Mr Lyttle referred to. As Miss McIlveen and Ms Bunting said, they are places where you can go to begin or to continue a health kick or where you can go with your friends to spend time and relax and enjoy each other's company.

I want to do what I can. I believe that the best way to do it is in partnership with others. Key to that will be a proactive partnership between my Department and the Department for Communities, but councils and communities also have a key role to play. Great progress could be made in the further development of the Comber greenway through better partnership working between my Department — I am willing to play my part in that — and the three councils that are particularly relevant to this case. As Mr Lyttle said, a steering group has been set up by

my Department, and I have asked officials to re-engage in that and step that process up a gear.

I recognise the importance of the Comber greenway. I again want to thank Mr Newton for bringing the issue to the Floor. I also want to thank all Members who spoke so passionately about the Comber greenway and the need for more greenways across the North. I want to work with you and in partnership with others so that we can see that ambition for a greener, more sustainable, more environmentally friendly and connected society delivered on the ground. Thank you, Members.

Adjourned at 5.02 pm.

Suggested amendments or corrections that arrive no later than two weeks after the publication of each report will be considered by the Editor of Debates.

They should be sent to:

✉ **Editor of Debates, Room 248, Parliament Buildings, BELFAST BT4 3XX**

☎ **028 9052 1135**

✉ **simon.burrowes@niassembly.gov.uk**

Hansard reports can be made available in a range of alternative formats, including large print, Braille etc. For more information, please contact:

✉ **Hansard Admin Unit, Room 251, Parliament Buildings, BELFAST BT4 3XX**

☎ **028 9052 1463**

✉ **hansard@niassembly.gov.uk**

The Official Report (Hansard) is licensed under the Open Northern Ireland Assembly Licence, which can be accessed here: [Open Data Licence](#)

[To receive an alert each time an updated plenary report is published, you can follow @NIAHansard on Twitter](#)