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Northern Ireland Assembly

Monday 3 June 2024

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

Members observed two minutes' silence.

Assembly Business

Fiachra Ó'Faoláin

Mr Speaker: I wish to say that we will all, I think, have noted the tragic death of Fiachra Ó'Faoláin over the weekend. We wish to express our sympathies to the Gildernew family, including former Member Michelle and current Member Colm. Let it be known by the family that, as Speaker, my thoughts and prayers and, I am sure, those of many in the Chamber are with them at this time.

Ministerial Appointment: Mr Nesbitt

Mr Speaker: I advise the Assembly that Mr Mike Nesbitt accepted the nomination to be the Minister of Health and affirmed the Pledge of Office, as set out in schedule 4 to the Northern Ireland Act 1998, in my presence and that of the Director of Legal, Governance and Research Services on Wednesday 29 May 2024. I wish him success in the role.

We move now to Members' statements, and the usual rules apply.

Members' Statements

Fiachra Ó'Faoláin

Mrs Dillon: I thank the Speaker for his kind comments about the tragedy that happened at the weekend. It was an immeasurable tragedy for Fiachra's mummy and daddy, Fiona and Shane, and his brothers and sisters, Dearbhla, Roisín, Méabh, Dáithí and Dualtách. Our thoughts and prayers are with them all and the entire family circle of the Gildernew and Ó'Faoláin families. No words can express the devastation that was visited on the family this past weekend, but I am certain that they will appreciate the gesture by the Speaker in the House today. Go raibh míle maith agat, a Cheann Comhairle. *[Translation: Thank you very much, Mr Speaker]*

Police Service of Northern Ireland: Ormeau Road Incident

Mr Brett: I rise to formally welcome the clearing on Friday of the two PSNI officers who had faced disciplinary proceedings after investigating a potential breach of COVID regulations in February 2021. Belfast High Court deemed the decision to suspend one of the officers and reposition the other to be unlawful and a response to political interference in the Police Service by Sinn Féin. Bizarrely, despite that ruling, the PSNI pressed ahead with the misconduct charge against the suspended officer. The officer appealed that decision and received written notification on Friday that their appeal had been upheld.

The striking words of the Police Federation must be read into the record. Its chair, Liam Kelly, stated that "misinformation" and "irrational conjecture" had been circulated since the original incident took place. He said:

"We collectively have been appalled by the amount of misinformation, baseless rumours and irrational conjecture around this incident"

aimed at those brave PSNI officers. Mr Kelly stated:

"I am more confident following the acceptance of Mr Justice Scofield's related judgement that the Senior Management in PSNI will in future properly and fairly apply the public interest test ... The misconduct exoneration for the second officer is most welcome by him and his colleagues and allows for this sorry episode to be finally put behind them."

The time has come for those who engaged in that misinformation and baseless rumour to apologise for their actions. The now First Minister accused the officers of "Unjustified heavy handed tactics" and of damaging confidence in policing. The MP for South Down described the officers as "vindictive" and "cowardly". Those comments have been disproven, not only by the courts but by the Police Ombudsman. The time has come for the First Minister to set the record straight, apologise for those remarks and apologise to the police officers so that we can restore confidence in our Police Service, which serves all communities in Northern Ireland without fear or favour.

Education: Pay and Grading Review

Mr Mathison: First, I welcome the news that the planned strike action by non-teaching staff unions is not going ahead today and that two unions have agreed to suspend action planned for Tuesday. That is welcome as a temporary reprieve, and it will bring relief to many parents and to students who are concerned about sitting examinations. Hopefully, it offers us a window of opportunity to resolve the long-running dispute over the pay and grading review.

The review was agreed with the employer — the Education Authority (EA) — back in 2019, and it is unacceptable that, in 2024, staff still await its implementation. It remains unclear to me why the EA's business case sat with the Department of Education from February 2023 until December of that year, before receiving sign-off by that Department and being passed to Finance. As far as I can tell, that was a delay that, ultimately, led to it not being included in the financial package to restore the institutions. Staff, rightly, feel let down by how the process has been handled over many years. Support staff in our schools, often working for low pay as classroom assistants, in transport and in kitchens, provide vital services to keep the

system running. They should be paid fairly, and they should sit within a grading system that promotes career development and makes the roles viable, long-term options for the staff who carry them out. There is a workforce crisis in education, and the pay and grading review is essential to addressing that.

The dispute sits in a slightly odd context in which the employer — the EA — has no financial levers to resolve the issue: it does not have the resource that it requires to deliver the pay and grading review. The matter sits under the responsibility of the Education Minister, and I welcome the announcement that engagement with the unions is under way. I urge the Minister and the unions to enter into meaningful negotiations to find a way to resolve the issue. Staff rightly feel let down by years of inaction, but, in our current financial context, a resolution must be found that is affordable to the Executive and can be accepted by the workers who are impacted. It will not be resolved by the Minister making unrealistic bids in the next monitoring round. Sensible, pragmatic politics will be required by all stakeholders to find a resolution to the dispute.

Our education system faces acute pressures on a range of fronts, and the pay and grading review is critical to tackling some of those, including, as I have mentioned, workforce issues and, particularly, special educational needs (SEN) reform, and to ensuring that schools do not face a protracted period of closure and disruption.

I call on all stakeholders involved in the dispute to use the short window of time available to find a solution.

Budget 2024-25: Health and Social Care

Mr Swann: Last week, the Assembly passed a Budget. It was warned at that stage that it would have catastrophic impacts on the Health and Social Care (HSC) system across Northern Ireland. Some said that that was scaremongering, while others said that it was untrue. Unusually, the six chairs of our health and social care trusts have come out vocally this morning to warn about the impact that the Budget that was passed last Tuesday will have on the service. I quote from their statement:

"It is our duty to warn of the very real potential for avoidable and serious harm being caused to people in our community who require our help, as a result of inadequate budgetary provision."

They go on to say:

"The reality is that without significant additional funding this year and longer-term financial security, the Health Service will be further destabilised and the public will bear the brunt."

The key line in the statement is the call for additional funding this year. That lies within the power of the Assembly. I ask those in the Chamber and the members of the current Executive that, when it comes to the monitoring round later this month, they reflect on the decisions that they took last week. They have the opportunity to correct them when it comes to the monitoring round.

Lilian Seenoi-Barr

Ms McLaughlin: I am delighted to mark a historic day for Northern Ireland. Tonight, my friend and colleague Lilian Seenoi-Barr becomes the first black mayor in Northern Ireland. Lilian's appointment is first and foremost a mark of her personal tenacity and resilience. Anyone who has met her knows that she is simply relentless. Lilian and I entered politics at the same time, and, in that time, I have seen at first hand how she has been a dedicated campaigner for her community and an unstoppable advocate for Foyle side and all the people across Derry. She has already made an enormous impact as a councillor and campaigner, and I know that she will make a remarkable mayor for Derry city and Strabane. She will truly speak up for everyone across the city and district.

Lilian's personal story is nothing short of extraordinary. She came here as a refugee and sought protection in Northern Ireland. The fact that she will now become our mayor is a sign of the possibility that exists for all people from all backgrounds. The barriers that Lilian has broken down are more evidence of the opportunity that exists for anyone who thinks that they may not be able to go as far as their talents will take them. There are now possibilities.

I am also proud that my party nominated her because she is someone who embodies our vision of a peaceful, prosperous, anti-sectarian future here based on difference and diversity. Lilian's appointment as our city's first citizen is also a mark of how far we have come as a society. It reflects a changing place and is a symbol of the diverse and pluralist community that we in Northern Ireland now all share.

It is no secret that Lilian's nomination has been met with intense and sustained online abuse. That should be a cause for all of us to unite and to denounce the cowards who hide behind screens and faceless profiles on social media. In a week in which we will debate hate crime, it is right that we say loudly and clearly to those voices that they do not represent us and certainly do not represent the people of my city. My city is one of protest and progress. Our people have always spoken up and fought for social justice. The fact that it will be Derry that nominates the first black mayor in Northern Ireland is deeply fitting and is a sign of our city taking another step on that march for equality and civil rights.

Lilian, congratulations. I wish you all the best in the year ahead as mayor.

12.15 pm

Athfhorbairt Pháirc Mhic Ásmaint

Miss Reilly: Déanfar an ráiteas seo as Gaeilge.

I gceann níos lú ná coiscise cuirfear tús le Craobhchomórtas Peile na hEorpain Munich — ag caitheamh spotsolas domhanda ar gach rud atá le tairiscint ag an Ghearmáin do chuirteoirí agus ag cur borradh mór eacnamaíochta faoi ghnólachtaí agus pobail áitiúla. Ar ndóighe, beidh deis ag Béal Feirste tairbhe a bhaint as a leithéid de bhuntáistí i gceann ceithre eile bliain le Euro 2028.

Is é príomhthátál na tuairisce is déanaí a choimisiúnaigh Cumann Luthchleas Gaeil Uladh go bhféadfaí breis agus £100 milliún a ghiniúint don gheilleagar áitiúil trí chluichí Euro 2028 a óstáil i bPáirc Mhic Easmaint. Is deis é sin nach cóir ligean dul tharainn. Is deis ar leith é. Ba cheart dúinn an deis sin a thapú. Tá an ceart tuillte againn na cluichí seo a óstáil. Anois caithfidh a chinntiú go bhfuil áiseanna den chéad scoth againn i bPáirc Mhic Easmaint.

Tá an t-am ag imeacht uainn agus tá na tairbhí eacnamaíochta féideartha rómhór chun ligean do thuilleadh moille iad a chur i mbaol. Is deis iontach é seo le scoth na n-oileán s'againn a léiriú ar stáitse an domhain. Féadann na tairbhí fadtréimhseacha athrú ó bhun a dhéanamh agus, mar dhuine a raibh an onóir mhór aici bheith ag imirt i bPáirc Mhic Easmaint, tá a fhios agam go bhféadfaidh sé oidhreacht spóirt agus chultúir thar a bheith dearfach do na glúinte atá le teacht.

I gceann aon lá dhéag amháin, beidh súile an domhain ar an Ghearmáin. Ach ba cheart gurb í an bhliain 2028 an bhliain s'againn. Ba cheart go mbeimis ag tapú na deise. Ba chóir dúinn bheith ag éascú comórtas a mbainfidh ár bpobal tairbhe as i bhfad i ndiaidh dóibh an féadóg dheireanach a chluinstin. Táthar ag súil le hathfhorbairt Phairc Mhic Easmaoint le fada an lá. Mar phríomhthionscadal feidhmiúcháin, tá sé i bhfad thar am. Tá sé thar am Páirc Mhic Ásmaint a thógáil.

Casement Park Redevelopment

[Translation: This statement will be made in Irish.]

In less than a fortnight's time, the European Football Championship will kick off in Munich — shining a global spotlight on all that Germany has to offer visitors and providing a massive economic boost to local businesses and communities. Belfast, of course, has a chance to enjoy similar benefits four years later with Euro 2028.

The latest report commissioned by Ulster GAA concludes that hosting Euro 2028 games at Casement could generate over £100 million to the local economy. This should be unmissable. It is a unique opportunity. We should be grabbing it with both hands. We have secured the right to host these games. Now we need to ensure that we have first-class facilities in place at Casement.

Time is of the essence. The potential economic benefits are too great to risk any further delay. This will be an epic opportunity to showcase the best of our islands on the world stage. The long-term benefits are transformational, and, as someone who has had the honour of playing at Casement, I know that it will leave a hugely positive sporting and cultural legacy for generations to come.

In 11 days' time, the eyes of the world will be on Germany. However, 2028 should be our time to shine. We should grasp the opportunity. We should facilitate a tournament that will reap dividends for all our people long after the final whistle blows. The redevelopment of Casement Park is long-awaited. As an Executive flagship project, it is long overdue. It is high time that we get Casement built.]

Limavady Town Centre Fire, May 2024

Mr Robinson: I pay tribute today to the Northern Ireland Fire and Rescue Service,

which, on Thursday night and into the early hours of Friday morning, bravely fought a huge fire in Limavady town centre. It was the largest fire in living memory in the town, and it was in an area of Limavady that I know very well. My office, which I share with an outgoing Member of Parliament, and which has served the people of the Roe valley for 20 years, sits on the same street on which the fire raged. I grew up just around the corner from that street, so it saddens me to see the damage that has been caused to that corner of our town centre. When I arrived on Thursday evening and saw the centre of Limavady ablaze, with black smoke billowing across the stunning Roe valley, it brought back memories of terrorist campaigns, the hallmark of which were town-centre explosions, of the 1970s and 1980s. Had it not been for the quick action of the fire service, several very popular businesses would be blackened shells today.

Although buildings can be replaced, people cannot. Therefore, I offer my personal thanks to the emergency services, particularly the dozens of firefighters who fought into the early hours to prevent that blaze spreading. The fact that lays bare the danger of that fire is that, 60 feet from the blaze, there is a fuel station. Had that been impacted on, we would have been looking at an entirely different outcome. I hope that the damage can be speedily repaired, but the town that I was born and bred in is open for business. Please come to Limavady and support our traders in their hour of need. You will not receive a better welcome than in the home of the 'Londonderry Air'.

Cancer Survivors Day

Mr Dickson: Yesterday marked National Cancer Survivors Day, which is a day to celebrate and reflect. Over the past three decades, we have seen progress being made in extending cancer survival. The risk of dying from cancer has steadily declined, and people with cancer are living many years beyond their initial diagnosis. However, cancer incidence is on the rise. In Northern Ireland, almost 10,000 people are diagnosed with cancer each year. That is more than 26 every day. The average number of cancer cases per year increases by 8%. Those increases are largely due to the ageing population. Although cancer survival is improving, with 56% of patients surviving for five years or more, survival in Northern Ireland still lags behind comparable countries around the world.

On top of that, more people are being diagnosed with cancer younger. That means

that more cancer survivors now have a longer life expectancy in which to deal with all of the difficulties that come along with cancer survivorship. As many cancer survivors will tell you, the effects of cancer do not end when the treatment ends. Cancer survivors face ongoing, and sometimes lifelong, hardships because of their disease. In addition to battling a serious illness, cancer survivors may have to contend with the after-effects of chemotherapy, radiotherapy and surgery; the denial of health insurance and life insurance coverage; difficulty in finding or keeping jobs; an increased risk of developing secondary cancers and other health conditions; economic burdens due to lost wages and reduced productivity; mental and emotional struggles; strains on personal relationships; and the profound fear of cancer returning. That is why I, as a cancer survivor, know that we must continue to advocate for more resources, research and survivor-friendly legislation to improve the quality of life of cancer survivors during and after cancer treatment. That is why I urge everyone who takes part in Cancer Survivors Day celebrations not only to recognise those who are living with a history of cancer but to raise awareness of the challenges that cancer survivors face beyond treatment.

Cancer Survivors Day is a celebration for all who have been diagnosed with cancer and who, following treatment, have been given the all-clear. I was diagnosed with oesophageal cancer on 11 July 2019, nearly four and a half years ago. I look forward to 9 December this year, when I will celebrate the 5th anniversary of my surgery and final treatment. Cancer Survivors Day, which was celebrated around the world yesterday, is a chance to reflect on what cancer patients endure and the effect of that on their families. It is an opportunity to say a huge thank you to all who have made cancer survival possible: our doctors; researchers; nurses; hospital staff; fundraisers; and donors. Cancer Survivors Day provides a heartfelt occasion on which to honour and celebrate the resilience of cancer survivors.

Bloomfield Football Club

Mr Brooks: I rise to mark 30 years of Bloomfield Football Club, the history of which can be traced back further still, having evolved from the 24th Old Boys, which came out of Bloomfield Presbyterian Church and played in the first division of the Old Boys League that was established in 1958.

Many will know that the Old Boys teams were associated with Boys' Brigade (BB) companies

and their respective churches. As the number of players in the 24th Old Boys with links to the church and the BB fell, it was decided to formally end that association. It was then, 30 years ago this year, that Bloomfield Football Club was born. Unable to continue in the Old Boys League, it joined the Northern Amateur Football League, in which its senior men continue to play today from its base at Houston Park, part of what is known to most locally as Orangefield Park. Today, Bloomfield Football Club is more than just one team. Indeed, in player participation, it is the largest community football club in east Belfast and one of the biggest in Northern Ireland, with 37 junior teams alongside four senior teams, which now include a women's team, and there are plans to add further female teams this year.

I attended the club's annual junior fun day and awards ceremony at Orangefield on Saturday. The park was full, with hundreds of children and their families relaxing and picnicking in the sun and having fun on the inflatables. The day typified the community and family focus of that wonderful club. I congratulate the committee members, coaches, players, parents and volunteers, past and present, on this landmark. I look forward to working with them on their big plans for the future and, indeed, celebrating with them this Saturday evening.

Mr Speaker: For a moment, I thought that you said "Linfield", but clearly not.

Rob Burrow

Mr Butler: I will start by associating myself with your comments, Mr Speaker, and those of Mrs Linda Dillon in expressing my and my party's condolences to the wider Gildernew family on the tragic death of 21-year-old Fiachra — if that is how you pronounce his name; I am trying my best. Our thoughts are with his family.

Sadly, at the weekend, there was another death that many of us will have found out about from the news. Rob Burrow, the former rugby league player, passed away at Pinderfields Hospital near his home. He was surrounded by his loving family in his last moments. Rob was diagnosed with motor neurone disease (MND) in 2019. His final days, and those throughout his illness, were marked by the compassion and care of the hospital staff, for which, I know, the Burrow family are very thankful. In fact, the family issued a statement shortly after his death in which they said:

"The outpouring of love and support that Rob and the whole Burrow family have

received over the last four and a half years meant so much to Rob ... the rugby league family and the MND community have rallied around Rob to inspire him, thank you for your support."

Anyone who has followed Rob's journey, from his diagnosis to this point, cannot help but be inspired by how he faced into the terminal illness that he was diagnosed with. He fought with every fibre of his body. He was described on the news as being one of the smallest rugby players, but he was almost certainly one of the biggest fighters and one of the biggest men that rugby has ever produced. Rob Burrow's determination and spirit in facing motor neurone disease were emblematic of his character.

He never accepted limitations, and Rob found ways to excel well beyond expectations, continually inspiring those around him, right up to his death. In a world full of adversity, Rob's legacy reminds us all to dare to dream. Rest in peace, Rob. Your impact endures.

Health Service

Mr McNulty: I offer my sincere condolences to all who knew Fiachra Ó'Faoláin. My thoughts and condolences are with his family, friends and community. I measc na naomh go raibh sé. *[Translation: I hope he is in heaven.]* I rise today against the backdrop of a series of chilling warnings that have been issued by all six health and social care trusts across the North. Our health trusts have not beaten about the bush on their financial outlook. They have made it clear that catastrophic impacts loom large in our very near future. They have spoken of the near inevitability that more hospital beds will be closed and that outpatient care, operating lists and domiciliary care packages will be cut. At a constituency level, I have witnessed at first hand, as have other Members, what that means in real terms: degrading and dignity-stripping corridor care becoming the norm; patients waiting for days to receive appropriate treatment; poor souls waiting for months for cancer intervention, knowing that their disease is spreading; and families at their wits' end fighting to secure care packages that increasingly do not exist.

It is a scandal that we are at this juncture. It is a scandal that our dysfunctional politics, collapsing Executives, false promises and brazenly mediocre leadership have led us to the point where people may die unnecessarily because of our health service having been starved of resources and deprived of leadership. I think today of what the average

person must think of this place in light of the damning commentary from our health trusts. Do they feel angry, frightened, betrayed or exasperated with a sense of utter despair? Is it a combination of all those emotions?

In the lead-up to the last Assembly election, parties jockeying for power committed themselves forcefully to rescuing the health service. Ambitious and noble plans were a dime a dozen. Amidst assurances that it was time for change and that they would work for all, we were promised an extra £1 billion for Health. At the first hurdle, they fell. One billion pounds extra for Health? Not even close. Such was the weakness of their financial commitment to Health that the Health Minister could not, in good faith, back their Budget.

What has changed between April 2022 and June 2024? It cannot be Tory austerity. The Tories have been on the austerity wagon for more than a decade. It cannot be that they overestimated the money that Stormont had at its disposal, because those parties have been managing Stormont's books for a generation. Mere words are not enough to pull our health service back from the brink. We do not need any more catchy slogans. I am asking for nothing that has not already been promised. All that I ask is for Executive leaders to be true to what they said on paper. We need all promises made to be promises kept. Executive parties must be held to their word.

Mr Speaker: The Member's time is up.

Mr McNulty: People's lives hang in the balance.

Road Racing: Michael Dunlop

Mr Dunne: I congratulate our very own road racing legend, Mr Michael Dunlop, on winning his twenty-sixth TT race on the Isle of Man on Saturday, equalling the long-held record of his iconic uncle, the late, great Joey Dunlop. Joey, who was voted Northern Ireland's greatest-ever sports star, won his last TT in 2000. It is so very fitting that, 24 years later, it is his nephew Michael who equals that magnificent record of success. It is an incredible achievement, one worthy of celebration and proper recognition for a local sporting hero from our wee country.

We have a proud legacy and heritage in Northern Ireland of punching well above our weight in so many sports, something that we can all be so proud of. That success continues to this day. The Dunlop family name in motorcycle road racing is truly world-famous

and iconic through the success of Joey; Michael's late dad, Robert; and his late brother, William, all of whom are sadly no longer with us but have left an incredible legacy of success, humility and, importantly, triumph through adversity. Despite many personal trials and tragedy, Michael continues to excel, and to win 26 races at the Isle of Man TT, which is, no doubt, one of the most iconic, dangerous and competitive motor sport competitions in the world, is truly a phenomenal achievement.

Michael was set to win his twenty-seventh TT as recently as yesterday, only for a very unfortunate technical issue occurring with his helmet whilst he was leading the race. He still managed to finish an incredible fourth, despite having to pull in to fix his helmet.

12.30 pm

I have no doubt that Michael Dunlop will go on to break even more records this week and create even more history for Northern Ireland. We can be very proud of that, and he will gain more wins and records in the years ahead. I wish all the competitors very safe races in those that are ahead of them this week on the Isle of Man.

Kevin Bell Repatriation Trust

Mr McCrossan: In 2013, following the death of young Kevin Bell, who sadly passed away in New York, the community came together, rallied with the Bell family to support them and raised significant funds to bring Kevin's remains home to Ireland. As a result of that and to build on a tremendous legacy, Kevin's father, Colin Bell, established the Kevin Bell Repatriation Trust. As of today, 11 years on, 1,800 families have benefited from the support of the trust. The impact that it has at a difficult and tragic time for many families is huge and significant, and many are grateful for the huge amount of work and support that the Kevin Bell Repatriation Trust provides to those families in those difficult circumstances.

Indeed, this week, in my constituency, I have witnessed first-hand the huge benefit and relief that the Kevin Bell Repatriation Trust has brought to a family that is suffering tremendous loss and pain. On 3 May, young Jamie Sandhu passed away in Australia in difficult and sad circumstances. It was a great shock to his family and friends across Strabane who knew and loved him. He came from a loving and caring close family who are rooted in education and in the Strabane community. Immediately, without hesitation, Colin Bell and his trust came

to that family's aid and brought their son, brother and grandchild home to his family. I can tell you, Mr Speaker, and I will put it firmly on the record that the gratitude of that family to the Kevin Bell Repatriation Trust is beyond words.

The entire community, in the face of the deeply devastating news, rallied to the aid of the Doherty family in the last few days and, within three days, raised £20,000 for the Kevin Bell Repatriation Trust. In our community, we are so fortunate to have pillars such as the Kevin Bell Repatriation Trust that are upholding all of us in difficult times. It goes without saying that the Doherty, Callaghan and Sandhu family are deeply appreciative of that support, as are the other 1,800 families who have had loved ones returned to Ireland and, indeed, to other areas.

In the House today, on behalf of all Members, we say this firmly on the record: thank you to Colin Bell and his family for what they have done. Our thoughts are with the family of Jamie Sandhu, who are suffering the deep pain of loss this week.

Mr Speaker: That brings to a conclusion Members' statements. There was quite a demand this morning. If Members who did not get in are in their place tomorrow morning, we will try to pick some of them up then.

Assembly Business

Committee Membership

Resolved:

That Mr Stephen Dunne replace Mr Jonathan Buckley as a member of the Windsor Framework Democratic Scrutiny Committee. — [Mr Brooks.]

Northern Ireland Assembly Commission Budget: 2024-25 Financial Year

Ms Ennis: I beg to move

That this Assembly notes the report of the Audit Committee [NIA 17/22-27] on the scrutiny of the Assembly Commission's budget for the financial year 2024-25, as laid before the Assembly on 9 April 2024; and agrees the Assembly Commission's budget for 2024-25.

Mr Speaker: The Business Committee has agreed to allocate one hour to the debate. The proposers of the motion will have 10 minutes to move and 10 minutes to make a winding-up speech. All other contributors will have five minutes. Please open the debate on the motion.

Ms Ennis: Go raibh maith agat, a Cheann Comhairle. *[Translation: Thank you, Mr Speaker.]* The Commission has a statutory duty, under section 40 of the Northern Ireland Act, to provide the Assembly with, or ensure that the Assembly is provided with, the property, staff and services required for the Assembly's purposes. The Commission develops a draft budget for each year to ensure that it can deliver all the services required by the Assembly. That draft budget is then scrutinised by the Audit Committee, which includes input from the Department of Finance to help to inform the Committee's scrutiny. The House agreed the Commission's three-year budget for 2022-25 on 23 February 2022. However, due to the significant changes in the planning context and economic climate since then, the Commission has updated its budget requirements for 2024-25. Those have been scrutinised and reported on by the Audit Committee, with the Committee's report being laid before the Assembly on 9 April 2024. That report informs today's debate.

(Madam Principal Deputy Speaker [Ms Ní Chuilín] in the Chair)

The motion and subsequent vote will enable the Assembly to determine the resources that the Commission will be given to enable the Assembly to carry out its legislative functions. Once agreed, the budget is notified to the Department of Finance for inclusion in any Budget presented by the Minister of Finance. Ordinarily, the Assembly will consider and approve the Commission's budget in advance of the Executive's expenditure proposals being considered and agreed. However, the timing of the Executive's 2024-25 Budget-setting process meant that that was not possible.

Turning to the figures in the Commission's draft 2024-25 budget, the total budget for 2024-25 is £58.453 million of resource departmental expenditure limit (DEL), which is an increase of £6.103 million from the original budget position; and £3.203 million for capital DEL, which is an increase of £2.198 million from the original budget position. The first category that is included in the Commission's budget is income. Next year, the Commission expects to receive income of £709,000. Of that, approximately £602,000 relates to the recovery of the cost of ministerial salaries from the Departments. The remainder relates to the recovery of salary costs for staff who were seconded to other public-sector entities. The second category is salaries and expenses paid to Members. That covers a range of areas, including Members' salaries, constituency office and support staff costs, travel and all other costs associated with Members. The total cost for Members for 2024-25 is £20.105 million. Salaries payable to Members, Ministers, Committee Chairs and members of the Commission were set by the independent financial review panel, otherwise known as IFRP, in the 2016 determination. The forecast for 2024-25 is £6.984 million. The Commission has not made any attempt to predict how Members' salaries might be impacted by the formation of a future remuneration board, as Members' salaries are not a matter for the Commission.

The amounts that Members can recover to meet the costs of running a constituency office, including the cost of rent, rates and support staff, is expected to total £12.708 million. The level of expenses recoverable for constituency office running costs has not been changed since 2016. The Assembly Commission proposes to publish a further determination later this year to make inflationary increases to those. The Commission also proposes to make additional constituency office staffing support available to Members who have a baby. While some provision for security-related costs is provided in the current determination, the budget includes additional funding specifically

for security-related costs, totalling £360,000, given the security risks faced by Members and their staff working in constituency offices. Payments to Members in respect of travel costs are forecast to be £323,000 in 2024-25, including an inflationary increase, as those have not increased since 2016. Members' other costs include winding-up, resettlement and any ill-health retirement expenses that might occur. Those have been budgeted at £90,000.

The third major category in the Commission's budget covers salary payments for Commission staff and the administrative costs incurred to deliver the full range of services needed by the Assembly. Commission staff salary costs are forecast to be £23.867 million. That includes a modest increase of five staff related to an information systems scholarship programme and support for an internal project to replace legacy computer systems. The budget has been updated to reflect changes in pay scales to reflect the actual pay awards that have been implemented in each of the financial years since the original 2024-25 budget was agreed. An increase in employer's pension contributions for staff, as notified by Civil Service Pensions, is also included. That equates to £455,000. Administrative costs are forecast to be £10.214 million. Administration costs cover a wide range of expenditure items, including Committee expenses, the cost of drafting private Members' Bills, building rates, utility costs, repairs and maintenance costs, and third-party support for business-critical IT systems in areas such as broadcasting, catering and research.

The Commission is seeking to invest in updating and replacing a number of key systems, such as core financial and HR systems and Bill-drafting software. Those investment plans, along with a number of capital investment plans, reflect the fact that the Commission is relying on aging and legacy technology. Those investments will ensure that the Assembly is provided with and supported by robust, modern and secure systems.

As Members will be aware, a number of issues with water ingress in Parliament Buildings relate to the roof replacement project, which was completed in 2015. The Commission has issued legal proceedings against those who were contracted to undertake that work and is seeking recovery of the full costs of repair. Until recently, the Commission had refrained from undertaking the necessary remedial works on the basis of advice that that could prejudice its legal position. However, the legal position has now changed, and the Commission has commenced planning for remedial works to be taken forward. While the exact costs and timing

of the repairs are still to be determined, an estimate of £1.8 million has been included in the 2024-25 budget proposals on the basis of prudence, although some of the costs may, in fact, fall into the subsequent year. The Commission also awaits an up-to-date estimate of those costs.

The next category is payments to parties under the financial assistance for political parties (FAPP) scheme 2016. The new FAPP scheme has been developed to reflect the recommendations of the Assembly and Executive Review Committee's report on the review of the settlement of entitlements for an official Opposition, which was agreed by the Assembly in the previous mandate. The new FAPP scheme has been laid in the Assembly, and a motion will be brought to the House tomorrow to approve it. The new scheme will provide additional funding to parties that enter Opposition, as well as making an inflationary increase to the overall funding that is provided under the scheme. The 2024-25 budget for the FAPP scheme is £1.028 million.

The penultimate category relates to depreciation charges, which are forecast at £3.948 million. That reflects the expenditure on capital in each of the preceding years and is mostly due to the depreciation charge on the value of Parliament Buildings.

Finally, I turn to capital expenditure. The Commission has identified the need for a number of capital projects to be delivered in the 2024-25 year at a cost of £3.203 million. Some of the expenditure relates to projects that were originally budgeted for in earlier years, but that, for a number of business reasons, were deferred. The capital plan includes a project to deliver partial electronic access control, which will enhance security controls in Parliament Buildings, and a project to replace the existing legislation-drafting software, which is coming to the end of its useful life. That software is critical to supporting and delivering the legislative programme of the Assembly. Also included is expenditure to refresh the IT network and to replace the secure remote access, which allows Members and staff to connect to the Commission's network when they are away from Parliament Buildings. Work is planned on the internal Assembly information database, AIMS, which is pivotal in many procedural areas of work. That work will ensure that it continues to properly support the work of the Assembly.

On behalf of the Commission, I take the opportunity to record my sincere thanks to the Commission staff for the considerable efforts

that they have made over recent months to facilitate the return of normal Assembly business at very short notice. There have been many challenges to deal with, and the staff should be recognised for their energy, commitment, resilience and dedication. With that, I commend the Commission's budget proposals for 2024-25 to the House.

Mr Chambers (The Chairperson of the Audit Committee): Normally, the Audit Committee produces a full report outlining its deliberations on the draft budgets for the Assembly Commission, Audit Office and Public Services Ombudsman, but because of the tight time frame for the 2024-25 Budget process, the Committee reported by way of a letter that was sent to the Minister of Finance. It is that letter that is referenced in the motion.

12.45 pm

Before I give some detail on the Committee's limited scrutiny of the Commission's budget, I want to outline the background to the Committee's approach. The Committee followed the approach of the predecessor Audit Committee. To reflect the constitutional independence of the Assembly from the Executive, a methodology was introduced in 2016 similar to that adopted by the Audit Committee in agreeing the Main Estimates for the Audit Office and the Public Services Ombudsman. The intention is that that additional Committee function will be codified before the end of the current mandate.

The Committee commenced its scrutiny of the Commission's indicative budget at its first meeting of the mandate on 6 March 2024. Obviously, that was not an ideal way to start the Committee's work, but the timescales for this year's Budget are tight. As Members will be aware, the Commission has a legal requirement to meet all costs associated with Members, including salaries, allowances, expenses, Members' staffing costs and pension contributions. Those budget elements are determination-driven and are not under the Commission's control. Officials advised the Committee that the Commission intends to bring forward new legislation to establish an independent remuneration board to determine Members' salaries to replace the former IFRP. Members should note that the budget for 2024-25 does not estimate the impact of future determinations once the board is established.

During the March evidence session with Commission officials, Committee members covered all aspects of the indicative budget for

2024-25. However, certain issues were explored in more detail, such as the cost of enhanced scrutiny, including the introduction of the new Windsor Framework Democratic Scrutiny Committee; Members' security, both personal and in constituency offices; the ongoing corporate systems review project; new software for drafting Bills; and the ongoing potential financial impact of roof repairs to Parliament Buildings.

The increase in resource DEL was, as predicted, mainly due to MLA constituency costs and party allowances. It also included an increase for secretariat staff salaries to reflect pay progression and ongoing recruitment. The increase in capital DEL was partly attributed to the replacement of the specialised legislative drafting software, as well as the replacement project for the IT support network. Members heard that other planned capital works are needed to address underinvestment in the fabric of the Building in previous years and viewed them as being necessary to face the challenge of a fully functioning Assembly. Works include the continuing enhancements to the Senate Chamber, the Long Gallery and the Blue Flax and visitors' restaurants. The Committee welcomes those projects and looks forward to seeing them being progressed as quickly as possible. The Committee was given further information from the Commission on the ongoing issues in relation to the remedial work that was required for the roof of Parliament Buildings. Members will be aware that that issue is now in litigation, and the Committee will seek updates about the potential impact on future budgets in due course.

In coming to its conclusion, the Committee was mindful of the wider public expenditure position but also of the need, now more than ever, for a well-resourced and fully functioning Assembly, as set out in its letter to the Minister of Finance. The Commission has a resource DEL budget of £58.4 million and a capital DEL budget of £3.2 million, and the Committee looks forward to working with it for the rest of the mandate.

Madam Principal Deputy Speaker: I call Robbie Butler to make his winding-up speech on the motion. Robbie, you have 10 minutes.

Mr Butler: Thank you, Madam Principal Deputy Speaker. I thank the proposer of the motion and the Member from the Audit Committee for their contributions. Given the recent debate on the Executive's expenditure proposals for 2024-25 and in the context of the significant wider public-sector budget constraints, it is crucial that the Assembly debates the Assembly Commission's budget today. That is because

the resources that are made available to the Assembly Commission will be used to provide services to the Assembly and all its Members.

The provision of all the services that are required to carry out the Assembly's legislative, scrutiny and representative functions will remain the Assembly Commission's overarching objective. While the House agreed the Commission's three-year budget for 2022-25 on 23 February 2022, the significant changes in the planning context and the economic climate since then have to be recognised. It also has to be recognised that, in the absence of normal Assembly business during 2022-23 and most of 2023-24, investment by the Commission was indeed limited. The budget proposals presented today therefore reflect that, with significant investment planned to ensure that the Assembly is effectively and efficiently supported and is provided with robust, innovative, modern and secure systems in a modern working environment.

The Assembly Commission considers the budget for the year to be a reasonable estimate of the financial requirements needed to support the Assembly fully and to deliver the required services to its Members. The budget will enable the Assembly Commission to meet the necessary costs that will arise from staff costs, the running costs of the Building, the costs of delivering effective constituency services for our communities and the costs of investing in systems and infrastructure to ensure that they continue to meet the Assembly's needs. The budget also provides for the costs of repairing the roof of Parliament Buildings, but, as Ms Ennis has advised, the Commission has issued legal proceedings against those previously contracted to undertake roof replacement work and is seeking recovery of the full cost of repairs.

I will now briefly respond to the contribution made by the Chair of the Audit Committee, Mr Alan Chambers. He spoke about the compressed time frames. Those have had an added effect across all our Departments, and it is the same for the Commission. Perhaps a lack of detail was evident, and that is not normally the case. That places a pressure on scrutiny, and there was a need to ensure that we had the motion debated in today's plenary sitting.

The Commission has considered its requirement for the 2024-25 year, recognising that a significant element of its budget is non-discretionary. It relates to payments to Members, which are set out by the independent financial review panel or through a

determination published by the Assembly Commission. The Commission is grateful to the Audit Committee for its work on scrutinising the Commission's budget for the period. The Commission seeks the Assembly's agreement to the budget amounts for resource DEL and capital DEL, as set out in the motion. I commend those amounts to the House.

Question put and agreed to.

Resolved:

That this Assembly notes the report of the Audit Committee [NIA 17/22-27] on the scrutiny of the Assembly Commission's budget for the financial year 2024-25, as laid before the Assembly on 9 April 2024; and agrees the Assembly Commission's budget for 2024-25.

Madam Principal Deputy Speaker: Members, please take your ease while we change the personnel at the top Table.

(Mr Deputy Speaker [Dr Aiken] in the Chair)

Ministerial Statements

North/South Ministerial Council: Education

Mr Deputy Speaker (Dr Aiken): I have received notice from the Minister of Education that he wishes to make a statement. Before I call the Minister, I remind Members that they must be concise in asking their questions. This is not an opportunity for debate, and long introductions will not be allowed.

Mr Givan (The Minister of Education): In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the meeting of the North/South Ministerial Council (NSMC) in education sector format that was held on Wednesday 22 May 2024. The meeting took place in the Department of Education's Marlborough Street offices in Dublin and was chaired by Norma Foley TD, the Minister for Education for the Republic of Ireland. I attended the meeting along with Caoimhe Archibald, the Minister of Finance, who attended as the accompanying Minister, and Hildegarde Naughton TD, Minister of State at the Department of the Taoiseach. Caoimhe Archibald, the Minister of Finance, has agreed the statement and agreed for me to make it on our behalf.

The meeting was cordial and productive, and progress was made on a number of key issues, including the review of the work programme; special educational needs (SEN); school, youth and teacher exchanges; cooperation between education inspectorates; educational underachievement; and addressing climate change and loss of biodiversity in the education sector. The Council noted that officials from both Administrations have conducted a review of the work programme for the NSMC education sector. Ministers noted the outcome of the review and agreed the revised work programme for the sector.

Stephen Douthart, chief executive officer of Middletown Centre for Autism (MCA), and Rosemary Steen, vice-chair, provided Ministers with an overview of the work of the centre. Ministers welcomed the overall achievements of the MCA since 2021 and commended the valuable contribution that its range of services has made to the education of children with autism and to young people in both jurisdictions. Ministers welcomed Stephen Douthart, the new CEO, and Sheila Darling, the new chair. They thanked Jim Lennon, the previous interim CEO, and Rosemary Steen,

the previous chair, for their work in supporting the centre. The Council noted the work being carried out by both Departments and the MCA to develop, extend and enhance the services of the centre across the island. Ministers welcomed the fact that both Departments and the centre were scoping the potential for expansion of the services at Middletown to meet emergent needs in both jurisdictions.

The Council noted the activity on pupil, youth, student and teacher exchanges on a North/South basis and the valuable experience that it has provided to those involved. Ministers welcomed the approval of funding under the PEACE PLUS programme under the Shared Learning Together heading, including for North/South school civic exchanges and under the youth mental health and well-being area. Ministers welcomed the proposals made by the two Education Departments and Mary Immaculate College, Limerick, to extend development and delivery of the teacher research exchange (T-REX) across both jurisdictions. The Council noted the work undertaken by the North/South Education and Training Standards Committee on endorsing undergraduate and postgraduate youth work programmes. The Council noted the work of the North/South youth work sector practice development hub in strengthening and developing sustainable North/South youth work sector relationships and enhancing the quality of the learning experience of young people participating in youth services across the island.

Ministers also welcomed the continuing collaborative work of the two education inspectorates and noted an update on inspection cooperation and engagement since 2021. They agreed that the respective inspectorates, along with their commissioning Departments, should explore the potential for funding to enable either or both inspectorates to be commissioned as the evaluators of choice or preferred evaluators and to provide a complete monitoring and quality assurance evaluation service to relevant projects and programmes.

Ministers welcomed the agreement in principle to commence a pilot cooperation programme in 2024 and 2025 to address educational disadvantage, supported by an allocation of €24 million from the Government of Ireland's Shared Island Fund, which is around £20 million. Ministers agreed that updates on the programme would be provided at future meetings. Ministers also welcomed the focus on addressing educational disadvantage included in the design of the new PEACE PLUS Shared Learning Together programme, related calls for which were published in 2023, and welcomed

the recent positive funding announcements worth €13.3 million that have been made to date in respect of the programme.

The Council noted the climate change obligations in place in both jurisdictions. Ministers confirmed the Council's commitment to ongoing collaboration between jurisdictions involving curriculum development, shared teacher professional learning opportunities and shared resources that emphasise sustainability and environmental stewardship. Ministers agreed that that collaboration could extend to sharing knowledge and experience on improvements in the school estate and transportation fleet.

My officials and I look forward to continuing to work in the education sector.

Mr O'Toole: Minister, I welcome the statement. I note that, on educational underachievement, the pilot cooperation programme is due to begin in 2024 and 2025 with €24 million from the Irish Government's Shared Island unit and that further details will be provided in due course. With respect, we are in 2024 already. When do you expect to be able to come forward with more detail on how that will be deployed on a cross-border basis and how schools on the northern side of the border and, indeed, the sector can engage with that fund?

Mr Givan: The funding is exclusively for Northern Ireland. I provided the detail in a written ministerial statement. I have already announced it. It was launched last week, and the details are in that. We are standing the programme up. There will be programme boards in every council area, and I would just refer the Minister to the written ministerial statement for an answer to his question.

Mr Sheehan: I welcome the positive engagement that is taking place on an all-island basis, particularly on education. Tackling educational underachievement has to be a priority. Did the Minister have discussions with his Southern counterparts with regard to the Delivering Equality of Opportunity In Schools (DEIS) school model, and does he believe that it could be a template in the North to tackle educational disadvantage?

1.00 pm

Mr Givan: I thank the Member for his comments. Where learning can be gained from either jurisdiction, we need to make sure that we share it. Where there is opportunity to look at educational underachievement and

disadvantage, I am very much up for doing that. The programme that we announced last week is significant in how it builds on the 'A Fair Start' report. Now that we have officially announced the programme, we will continue to develop the criteria for and outworkings of it. It will make a very real impact. It is about a whole-community response with not only schools but other organisations, which could be churches or youth organisations. It is about supporting parents as well. I am pleased to be able to roll the programme out, but it will partly be for the programme boards in each area to work through the exact details of how it will operate in order to ensure that it makes the kind of impact that we want. Where we can learn from other jurisdictions, we should do so.

Mr Brooks: I welcome the Minister's focus on educational disadvantage and underattainment. I know that he plans to visit EastSide Learning in my constituency, which does so much great work in that area. Will the Minister provide further detail on how relevant organisations will be able to apply for and engage with the programme?

Mr Givan: The primary focus is on educational underachievement. There is also an element to do with the teacher research exchange, or T-REX, that I talked about. In that scheme, there is a programme called Bringing Live Arts to Students and Teachers (BLAST), which takes a type of creative industry approach. It is about asking how we can increase creative and performing arts in schools.

The scheme is being taken forward now. In every local government area, there will be a scheme somewhere. There are 15 specific areas. Every parliamentary constituency in Belfast is covered, and, in that respect, East Belfast is included. I look forward to meeting representatives from EastSide Learning in due course to see how it can be part of the programmes that we want to take forward in the constituency of East Belfast.

Mr Deputy Speaker (Dr Aiken): Before I call Robbie Butler, I advise the Members who came in late that they will be called after the other Members. I do not want them to think that they are being excluded for any particular reason. They will be called.

Mr Butler: I thank the Minister for his very welcome update. Minister, will you give us a bit more detail on the PEACE PLUS funds for the Shared Learning Together programme and the cross-border element? Will you also give us an

update on the quantum of money available for shared education projects in Northern Ireland?

Mr Givan: Out of the elements of PEACE PLUS funding that the Department of Education continues to take forward, the key one is reducing educational disadvantage. It is now called the RAISE programme. It is about raising levels of achievement for individuals, schools and communities. It will build on what was contained in the 'A Fair Start' report. It has been welcomed by those who were involved in that. That is one of the key funding issues from which we have been getting support.

I mentioned Middletown Centre for Autism in my statement, which is a centre of excellence. It provides support in Northern Ireland and the Republic of Ireland. What more could Middletown do, particularly around special needs and supporting other schools? There is real opportunity in that area, and it is one where, if we can do it across both countries, we should do so.

Mrs Mason: It is very welcome that the Minister is engaging so positively with his counterparts in the South. I especially welcome the announcement about the Shared Island Fund. I am concerned that nowhere in South Down has been included in the RAISE programme. What criteria were used to inform decisions on locations for the project?

Mr Givan: The criteria that were used are there and will be robust when it comes to questions about which areas were included. The programme includes 15 areas in Northern Ireland. We wanted to make sure that there was a geographical spread, and every local government authority is included. It may not extend to every parliamentary constituency in Northern Ireland, but there is a geographic spread. Educational underachievement is the key measurement that was used to identify areas that need the greatest amount of support because the programme is targeted at reducing educational underachievement. There were criteria to identify the number of areas in which work will be taken forward. There has to be a cut-off point. Not everywhere will benefit from the programme, but I ensured that every part of Northern Ireland had schemes in communities. Every local authority will be involved.

Mr Allister: Minister, on North/South programmes, I read in the statement about common work programmes, teacher and pupil exchanges, pilot programmes, collaboration on inspectorates and funded programmes. When one looks at east-west programmes, one finds

in your pretty threadbare 'Safeguarding the Union' document two lines about twinning arrangements between schools in Northern Ireland and GB. That is not much of a match, is it, Minister?

Mr Givan: The Member, I know, will be pleased that I have been engaging east-west, and he will welcome that. Before the general election was called, I had met the UK Secretary of State for Education, Gillian Keegan, and the Schools Minister. Indeed, before the election was called, there was to have been a meeting of the Scottish, Welsh and English Ministers of Education and me, which I would have hosted here in Northern Ireland. The Member is right that we need to learn from all the jurisdictions that can help children here. Where I can get information from the Republic of Ireland, I absolutely will do so; equally, I want to make sure that we are supported in developing our education system by learning from Great Britain. I have been engaging on that, and I know that the Member will welcome my engagements on the east-west dimension.

Mr McGrath: I welcome the appointment of Sheila Darling as the chair of the Middletown centre. I worked with her on the board of governors of a school of which she was the principal. I know that she will deliver and help to support an expert service there.

Will there be specific support for groups to help them participate in the North/South youth exchange programmes? Having delivered programmes for 10 years on that front, I know that they are beneficial for communities in the North and in the South.

Mr Givan: Let me give a more detailed answer to the Member on what support is available for exchanges, because best practice, shared learning and shared experiences benefit everybody who is involved in them. I will write to the Member specifically on what support there is for youth engagement.

Mr Mathison: I thank the Minister for his statement, which is a welcome announcement. He will be aware that all research into best practice for place-based interventions shows that they work best when there is collaboration between Departments and the community and voluntary sector. How will the Minister ensure that he collaborates with Executive colleagues, the community and voluntary sector and other sources of funding to ensure that the interventions have maximum impact?

Mr Givan: The Chairman of the Education Committee raises an important point about collaboration in the Executive and in Departments. We have been doing that and have been getting support from Executive colleagues. As the programme boards are stood up, they take a whole-community approach. We need to make sure that key stakeholders in Departments are involved in that, because it is not solely about education. Making sure that we provide support for education in communities also has benefits for health and the criminal justice system, particularly where we are working in areas of disadvantage. The announcement was made last week, but it did not get covered. It may get covered now that the issue has been aired. It is a significant announcement of £20 million and of programmes that will be established across Northern Ireland that will benefit people, particularly where there is educational underachievement and disadvantage in our communities. That is to be welcomed.

Ms Nicholl: The Minister will be aware of the alarming figures for school attendance. I am curious to know how the RAISE programme will address attendance rates.

Mr Givan: Absenteeism levels, particularly after COVID, have been a challenge across every sector. They are part of the reason why it is important that we keep schools open, because absenteeism is at its highest level since pre COVID. It got worse after COVID because of the lockdown measures that were put in place. I am concerned about absenteeism levels. We are working to address that, but we are living with a legacy of not having had schools open. We need to make sure that we can keep our schools open. Part of the reason why I welcomed the suspension of industrial action is that we were able to keep schools open today. That is vital, particularly for making sure that our special schools can stay open for our most vulnerable. Hopefully, I will have more to say on that at Question Time later this afternoon.

We need to address absenteeism. School principals do incredible work. Some go to houses, driving their own vehicles, in order to try to find out how they can help children come to school. Absenteeism is particularly acute where there is disadvantage. That is why reducing educational underachievement through the RAISE programme, with its whole-community response that is aimed at getting people into school, will also have a benefit. If you are not in school or in the right setting — what other settings are there that can be useful in trying to encourage young people to engage

in educational programmes? — you are not getting educated.

Mr Baker: I thank the Minister for his statement and for the continued positive working relationships between the Education Departments in the North and the South.

How exactly will children with special educational needs benefit from the introduction of the RAISE programme?

Mr Givan: Where the programmes operate in communities, all the schools in those communities will be able to participate to varying degrees. Let us get the programme boards set up. A coordinator will be appointed in each area, and that will be an important role that will be co-designed in the communities. Templates can be followed, but, ultimately, we need local communities to take some ownership of the programme so that they can be part of it. It is about a whole-community response. In that respect, if a scheme is operating in an area, all the school settings should be able to participate in it.

Ms Ennis: Given the budgetary challenges that we face due to the persistent underfunding of our public services by successive British Governments, does the Minister expect there to be other opportunities for additional funding through the Shared Island unit to help to support the education system and its priorities?

Mr Givan: We are significantly funded through the Treasury because of Northern Ireland's place in the United Kingdom, which is something that I welcome. Could we have more? Yes, we could. We are making that case, and ministerial colleagues have made it, to the Treasury. The interim fiscal framework helped with additional funding. As Minister, I still need to get on with the job with the resources that I have available to me, as challenging as that is. It will be difficult. Where there can be additional sources of funding that will benefit the children and young people of Northern Ireland, we should avail ourselves of them. If, as in this case, that comes from the Shared Island Fund, let us take that funding. The Government in the Republic of Ireland did not ask for any strings to be attached to the funding and did not ask to be part of the design of the programme; it was left entirely to the Department of Education and this Government to do that. If the Republic of Ireland's Government are able to support that, I welcome that. If there are opportunities for further support from the Republic of Ireland and through seeking to get the proper funding formula in place in the United Kingdom context,

we need to do that and make sure that we properly resource our public services.

Mr Deputy Speaker (Dr Aiken): Thank you very much. I note that Justin McNulty has come into the Chamber. Unfortunately, Justin, you were not here for most of the statement and the rest of it, so I do not think that it would be fair to call you at this point.

That concludes questions to the Minister of Education. As we are running considerably ahead of time, by leave of the Assembly, I will suspend the sitting for approximately 15 minutes until 1.30 pm in order to allow the Health Minister to get himself ready and get the appropriate information to Members.

The sitting was suspended at 1.14 pm and resumed at 1.30 pm.

Health: Vision Statement

Mr Deputy Speaker (Dr Aiken): I have received notice from the Minister of Health that he wishes to make a statement. I want to say, however, that Standing Orders require Ministers to provide written copies of their statement at least 30 minutes in advance of its being made. Standing Order 18A(2) states:

"Where this has not been possible he ... shall state to the Assembly the reason."

Mr Nesbitt (The Minister of Health): I begin by apologising for the tardy release of the statement. As you know, Mr Deputy Speaker, the Order Paper indicated that I would not be on my feet until 4.00 pm. I was in a series of meetings, culminating in one with the Finance Minister, and I was unaware of the supreme efficiency with which the Chamber was discharging its business since it first sat earlier today.

Before I get into the subject of the Department of Health and health and social care, I offer my profound condolences to our colleague Colm Gildernew, who has so tragically lost his nephew. A very good friend of mine drowned 25 years ago this year, and it never leaves you. My thoughts are very much with Colm.

I am grateful to be able to come to the House at the earliest opportunity to offer Members a sense of my vision as Minister of Health. I assure Members that, having served in this place for 13 years, I am happy to affirm that the House is the ultimate authority and decision-making body of devolution, and I commit to giving it its place. As a minor example, I

decided to make these remarks in the Chamber before speaking in any detail to the media, and I look forward to forging good relationships with the Health Committee, albeit my first act was to bring the Chamber to a standstill for a quarter of an hour.

I begin by offering profound thanks to my immediate predecessor, Robin Swann, who not once but twice stepped forward to undertake the enormous and multiple challenges of being Northern Ireland's Health Minister and providing stalwart leadership. I also acknowledge all those who came before Robin: Bairbre de Brún, who, like Robin, served two spells in office; Michael McGimpsey; Edwin Poots; Jim Wells; Simon Hamilton; and our current First Minister, Michelle O'Neill.

From the start, I state that I have no intention of engaging in criticism of any previous Health Minister, because I do not see how such criticism improves the prospects of a single patient. I am sure also that each and every one of them had at the forefront of their mind, as I will, improving patient outcomes, along with promoting and advancing a respectful, positive working environment for each and every member of the Health and Social Care (HSC) family.

I refuse to accept the fatalistic narrative coming from some that the National Health Service is spiralling towards inevitable failure. In three short words, my ambition is this: for better outcomes. Obstacles to better outcomes include short-term challenges, the current unprecedented funding shortfall, excessive waiting times and damage to public confidence, as well as a workforce that has suffered much too much from the regular absence of supportive leadership coming from this place.

Then comes my longer-term ambition, or what David Trimble famously called "the vision thing." In his speech accepting the Nobel Peace Prize with John Hume, David said:

"Some critics complain that I lack 'the vision thing'. But vision in its pure meaning is clear sight. That does not mean I have no dreams. I do."

So do I, and my "vision thing" goes like this: I invite Members to close their eyes, virtually, and imagine a blank map of Northern Ireland. Imagine that there is no health service. Imagine that there are no hospitals, GP surgeries or ambulances. The health map is blank. Now ask yourself a series of questions. First, do you want a health service? I am pretty sure that it is a yes to that from everybody. The next question

is a little more challenging, and it is this: why do you want a health service? There are at least two answers to that: to heal the sick, and to keep healthy people healthy. Both of those are, of course, valid aspirations. Neither are they mutually exclusive. It is not one or the other; it is, of course, both. Immediately, however, we have introduced the question of balance. Balance will inevitably lead to a debate, a judgement call and an element of subjectivity. Even in an ideal world, in which we had limitless budgets and resources to keep people healthy, others would still get sick, so we would still need healthcare professionals, who would need facilities, equipment and medicines. I want to populate that blank map with the best projection of the ideal health service for today and tomorrow, including the people, the resources and, yes, the budget required to keep as many people healthy for as long as possible and offer whatever care and support they require. If we were to superimpose today's map of health provision, it is certain that you would not have a match. The long-term challenge is to figure out how to get from A to B in manageable and affordable steps. That is my "vision thing". That is my direction.

I say from the get-go that reform means many different things to many people, but it is primarily about securing better outcomes for our population by changing the way in which Health and Social Care works and meeting the needs of our population better. There are, of course, key enablers, such as developing the full range of roles in our workforce and using digital technology to improve the safety, quality and capacity of our system. It is not primarily about cutting costs or saving money, but if that is the by-product — in some cases, it should be — that is all well and good. Cutting costs is not the primary objective. In addition, I make it absolutely clear that it is not about closing hospitals.

Meanwhile, there is the here and now, which is my second great challenge. I have been asking myself a couple of key questions. Is the health and social care system in Northern Ireland the best that it can be in respect of the service that it delivers and its value for money? Are the people who are the health service — the doctors, nurses, social care staff, allied health professionals and the multitude of important support staff — as respected and rewarded as they should be? On the first point, the current 2024-25 Budget assessment, which was published last week, clearly indicates that the answer is no, in the service that is delivered. I shall return to the Budget in a moment. On the latter point, I promise that I shall value every single member of the HSC family who is

working to deliver good outcomes for patients. Everybody working in our health service has a place, and every place should be valued. I want them to feel that they are making a positive difference and that they are appreciated and valued. I understand from my initial meetings with senior HSC figures and a number of the royal colleges that workforce planning and workforce remuneration are issues that continue to need urgent attention. I intend to build on Robin Swann's transformational work in that area.

For me, the job of Health Minister, which I am honoured and humbled to hold, is personal. My life, like those of so many others, has been bookended by health challenges that have been met by great people in good jobs in our health service. As a young man, I had significant breathing difficulties. I remember many sessions at the Ulster Hospital, trying to unblock my lungs. I hope that you accept that it is not a boast but a testament to the sheer brilliance of the health professionals who helped me that I left school with an Irish international athletics vest. OK, it is a boast.

In recent years, I developed a heart condition. I do not think that I am being melodramatic in stating that it was my GP who started a process that may well have saved my life. I stand here today with two stents, a pacemaker and a defibrillator, so some could call me the bionic Minister. My mother passed away in March 2020 in the Ulster Hospital after a short illness, from which I gained a huge insight into the professionals who are the health service. I saw a young doctor who perched herself on the edge of my mother's bed, took her hand and, with beautiful professionalism, made sure that Mum knew that she was not going to recover from her condition. What I did not see was the staff member who came back on rota after a week off and burst into tears when she saw how badly my mother had deteriorated in the intervening days. Those are two very different roles — a doctor and a member of catering staff — but both of them were totally committed to performing their roles in what they clearly and rightly define as "good jobs".

I have to say that I am glad that my mother passed away before I made one of the worst decisions of my life — the decision to disregard COVID regulations. I can only continue to repeat the apology that I offered at the time. As I said last week, it is a stain on my record that I cannot wash away.

As indicated, I have begun my conversations and consultations on the future of the health service in Northern Ireland. I have three years

to make a difference. My key areas of focus should not be a surprise to those who know me. The most stubborn challenges are these: delivering reform; tackling waiting lists; investing in social care; addressing mental health; and confronting persistent health inequalities. Of course, those are not mutually exclusive categories, and they will need primary care and social care as much as they will need secondary care.

We have detailed plans in place for waiting lists, and where those have been funded, the proof is there that they work. I will continue to drive through those improvements forcefully, wherever and whenever possible. That includes reform, and reform needs funding that yields a long-term, irreversible impact. That needs, frankly, parallel funding to reduce lists and to ensure that they do not grow again by addressing the fundamental issue of closing the gap in demand versus capacity.

Sadly, the impact of cancer on our fellow citizens is growing, not least because people are living longer. It is projected that, by 2040, rates of cancer will rise by 45% among men and by 58% among women. I will pause for a moment to allow the House to think about how many family members, friends and constituents will be affected by that.

When I started campaigning for better mental health and well-being provision after first being elected in 2011, the response was, frankly, underwhelming. Some MLAs were not entirely convinced; many others simply did not get it. My motion to appoint a mental health champion was defeated in the House. I am happy to acknowledge that that has changed. The battle for awareness has been won. Now we need to fund the action plan to make a difference. Having spoken recently to the mental health champion, Professor Siobhán O'Neill, I know that the budget meets only one eighth of this year's delivery plan. Mental health is also a personal issue for me. My wife endured an episode of clinical depression many years ago. The answer was not merely pills and tablets; human engagement with skilled professionals was critical to her recovery.

Both as a broadcast journalist and when I served as a Commissioner for Victims and Survivors of the Troubles, I saw the horrific impact of poor mental health as a legacy of what we so euphemistically call "the Troubles". Again, if you take a map of the hotspots of the conflict, measured by bombings, shootings and murders, and you superimpose a contemporaneous map of hotspots for mental health issues, measured by attempted and

completed suicides and by drink and drug addictions, you will see a match. It is no accident that those hotspots are often areas of deprivation, where health inequalities are most pronounced. I am therefore working to develop an initiative that I expect to be able to announce in the very near future.

For me, health inequalities represent the overarching issue for so many of the critical challenges facing Health and Social Care. I do not want a two-tier system where timely access to treatments is the preserve of those who can afford to go private. I do not want to live in a society where those who live in deprived areas have such pronounced lower life expectancy, greater health struggles and worse outcomes. That, of course, is a challenge for all parts of government. I want to work with my ministerial colleagues and the resources that I have to develop a plan to do more to address health inequalities at a community level. I will bring back more detailed plans in due course.

In conclusion, I must return to the Budget. The main parties of the Assembly have all argued, with some success, that the UK Government should review our block grant and fund us based on need, rather than on population.

It is a matter of regret that, when it comes to the Department of Health's budget, need is not mentioned. The argument becomes, "But, sure, you are getting over half of the total funds."

1.45 pm

We need to remember that health and social care is about the service to the public, not the party designation of the Health Minister. I knew, coming into the role, that the financial outlook was dire, but I have been stunned by the budget briefings that I have received. I encourage MLAs to engage with their respective trusts; the chief executives would welcome that.

I fear that the House or parts of it may not fully understand the consequences for healthcare. The stark reality is that, if I implement the current budget, the consequence will be that many patients will suffer harm. Indeed, I note the joint letter from the collective HSC chairs in which they state that the potential that some cutbacks:

"would impact damagingly on the whole community in Northern Ireland, particularly the most vulnerable."

I am afraid that I have added an unwelcome phrase to my lexicon in the last few days: joining the assessment of cuts with low, medium or high impact come cuts whose impact will be "catastrophic". Again, those are not my words or the words of my party: that is how our health trusts have categorised them.

In my first few days, I have met senior trust and departmental officials and have heard at first hand about the rigorous, ongoing work to deliver hundreds of millions of pounds' worth of savings that will have a low or medium impact. Of course, we will continue to strive to do more, but those savings are at an unprecedented level. They will be challenging to deliver and will have some impact on patients and service users. I warn MLAs that some will not be without significant controversy. Even then, my Department calculates a very significant gap once those savings are made, and the only way that the gap can be closed is to deliver a break-even budget through taking the high- and catastrophic- impact decisions. That is the reality of the Budget that the House passed less than a week ago. Those decisions would require reductions in acute beds, home care hours and care home beds, all having significant and sustained consequences for elective care, hospital discharges, patient flow, emergency department overcrowding and ambulance handover times. In short, catastrophic cuts will simply make the situation worse. Pressures on services and staff, already at severe levels, will be significantly intensified. It also means that, as we stand, there is no feasible route to affording pay awards.

I recognise that I must play my part, alongside all Executive colleagues, to help deliver a hugely challenging Budget, but, for that to work, they and the Members of the House also need to be willing to look at the real challenges facing Health and Social Care and, therefore, the most vulnerable in our society. Let me be clear: cuts with catastrophic impacts? Not on my watch.

Meanwhile, I am also actively planning for reform, building on the work already done, and will bring forward more detailed proposals as soon as I can. I have a dual purpose: to offer Members a realistic assessment of the challenges but to try to meet those challenges by working with them. The situation is far from ideal for my Department or that of any other Minister. As the novelist, Ivan Turgenev, puts it:

"If we wait for the moment when everything, absolutely everything is ready, we shall never begin."

Deputy Speaker, I have begun.

Mr McGrath: I thank the Minister for his statement. I welcome him to his post and wish him well. As the Opposition, we continue our offer to work constructively with the Minister in his work.

The trusts are under serious pressure. As mentioned, the chief executive officers have today warned of catastrophic impacts with potential impacts on bed closures, operating lists, domiciliary care and nursing care packages. Is a plan being devised by the Minister, with his Executive colleagues, to deliver the finance that is needed to make sure that our trusts are fit for purpose going forward?

Mr Nesbitt: I thank the Member for his question and for his welcome, and I very much look forward to working with the Health Committee.

The Member asked about discussions that I have had with the Executive. He will understand that I have been in post for less than a week. I have met just one other Minister, and that was the Minister of Finance, whom I met earlier today. I impressed on her the fact that I want to work in a collective manner to deliver both for Health and a full Programme for Government. I have always been a fan of the idea of a results-based Programme for Government, and, in order to do that, we have to get out of departmental silos and think about cross-departmental working.

The one area that I discussed, albeit briefly, with the Minister of Finance this morning was the role of Health in trying to boost the economy. I think particularly of people who are economically inactive. As the Member will know, our rates of economic inactivity are shocking, at 26%-plus. There are a number of factors for that, one of which is the lack of accessible, affordable childcare, but top of the list of inhibitors for people being in a position where they are neither in nor seeking work is health issues, both physical and mental.

I look forward to early engagement with not only Minister Murphy but other Executive colleagues to look at what our priorities will be and at how we can all input our resources, thoughts and energies to make these things happen so that we can finish the mandate with Northern Ireland and its people in a better place than they were when we began it.

Ms Kimmins: I welcome the Minister to his role and congratulate him. I look forward to working with you, Minister. I welcome the statement. Despite the difficult picture, there is a lot in the

statement that is definitely encouraging, and I am keen to work with you on that in the time ahead.

Everyone is affected by this — our families, friends, neighbours and constituents — so it is in all our interests to get the best outcome. Your key priorities are positive, Minister. They are certainly what we would like to see done, but everything is underpinned by workforce. Can the Minister advise when we can expect to see a plan around workforce to bring those priorities forward?

Mr Nesbitt: I thank the Chair of the Committee. I enjoyed our engagement earlier today, and I very much welcome your good wishes, Chair.

On your specific question, I cannot give you a time frame, but I can certainly commit to trying to establish a time frame. I assure you that it is a priority for me. I have already met some of the trust chiefs and their financial directors, and it is clear to me that there are some really intractable problems with workforce. I think particularly of the Southern Trust and the Western Trust, which are closest to the border, the impact of Sláintecare and the fact that there are consultants, for example, who can easily migrate not a huge distance and certainly without spending an awful lot of time travelling to find themselves in a good post on the other side of the border earning considerably more money. It is not just about attracting the workforce; it is about making the environment attractive to people and making sure that the remuneration is as good as it can be. I want everyone who works in the health and social care sector to be as well paid as they can be.

There has been a debate in the Economy Committee and the Department about what constitutes a "good job". I was fearful that there might be a kind of elitist definition of that. I do not think that there will be, by the way. From my point of view, a good job is a job that means that, when you wake up, you look forward to going to work to do your shift, you feel valued, your terms and conditions are good and you feel that your job is worthwhile. That is a broad definition of what I would want every job to be for everybody working in the HSC in Northern Ireland. That needs a strategy, and, as I said, it will be a priority for me. I look forward to bringing it to the Committee in due course.

Mr Brett: I congratulate Mr Nesbitt on his appointment. I also congratulate him on his vision and positivity. Across Northern Ireland, people want to hear from our Ministers about what they can deliver and not constantly about what they cannot deliver.

With that in mind, the Member will be aware that the Northern Ireland Children's Hospice is particularly close to my heart and the hearts of my constituents across North Belfast. The previous Health Minister refused to put in a bid for additional funding for that amazing charity, despite requests from the Finance Minister. Can the Health Minister give a commitment in the Chamber that he will look at exhausting all options to give the Northern Ireland Children's Hospice the funding that it needs?

Mr Nesbitt: I thank the Member for those comments and look forward to working with him in the remainder of the mandate. As I said, I came here because I wanted to give the House its place before engaging in any substantive way with the media. However, I hope that Members will understand that, as this is day five of my being in post, I am not down into the weeds and the great detail. I am still receiving pretty high-level briefings. It will be a short number of weeks before I am across the fine detail, so I am reluctant to make any substantive decisions. However, I understand that the Member asks me simply to commit to looking at it, rather than to come to a conclusion, and, on that basis, I am absolutely more than happy to make that commitment.

Mr Donnelly: I thank the Minister for his statement. It is good to hear about his priorities for the rest of his tenure. We all want better outcomes, but everyone in the House knows that many serious issues require urgent attention.

I welcome the Minister's comments, particularly about avoiding the two-tier health system in Northern Ireland, but the reality is that that already exists. Many people across Northern Ireland, including my constituency of East Antrim, languish on waiting lists for years, while those who can afford to pay — some of them may be using huge amounts of their life savings or even borrowed money — are able to get timely treatment. That is a sad state of affairs and one that we should work to rectify.

The Minister will be aware of the workforce pressures and the ongoing industrial action, especially the upcoming second strike by junior doctors. I hope that the Minister will meet that group of workers urgently to try to avert that.

Mr Deputy Speaker (Dr Aiken): Will the Member come to his question, please?

Mr Donnelly: What is the Minister doing about community pharmacies? Twelve community

pharmacies have closed in the past year due to financial pressures. It is vital that people are able to receive medication across Northern Ireland. I would like to hear the Minister's plans for community pharmacies, but I appreciate that he is only in the role a couple of days. As a Member of the Health Committee, I look forward to working with him.

Mr Nesbitt: I do not want to frustrate the Member by again saying that it is a little early for me to lay out a definitive plan, but, during the short period building up to taking over the Ministry, I visited a community pharmacy in Killyleagh, which is in my constituency, and got a good briefing from a practitioner on the issues and some suggestions for potential solutions.

With regard to what the Member said about tackling health inequalities, I am passionate about that subject. When people want a health service, we tend to go to that service: to a GP surgery, a hospital or some other facility. I am starting to pose this question to colleagues: to what extent can we reverse that direction of travel and take the facilities and resources to the community? Members will probably be aware that, during the COVID crisis, at times, the uptake of vaccinations was quite low, and people had to go to the likes of a GP surgery. When vaccinations were taken into the heart of the community, the uptake rate went up. There are precedents for what I am thinking about. I do not think that I am reinventing the wheel; it is more a question of emphasis. It is about making sure that people, particularly in communities that are perceived to be in areas of deprivation, get the services as close to where they live as possible and that those services are as accessible to them as possible. I suspect that that will make a real difference.

Mr Deputy Speaker (Dr Aiken): Questions on the Minister of Health's statement will continue after the question for urgent oral answer. I ask Members to take their ease. The next Member to speak on the Minister of Health's statement will be Mrs Dillon.

(Madam Principal Deputy Speaker [Ms Ní Chuilín] in the Chair)

2.00 pm

Oral Answers to Questions

Economy

Madam Principal Deputy Speaker: It is time for questions to the Minister for the Economy. We will start with listed questions. Questions 1, 2, 4 and 8 have been withdrawn.

Energy Efficiency Capital Grant

3. **Mr McGuigan** asked the Minister for the Economy whether the eligibility criteria for the energy efficiency capital grant (EECG) will be kept under review. (AQO 497/22-27)

Mr C Murphy (The Minister for the Economy): The energy efficiency capital grant was announced in early May and is open for applications across a wide range of businesses. The grant is aimed at helping businesses to reduce emissions and lower their energy demands through the installation of energy efficiency measures and renewable technologies. The application process is managed through an online digital portal that facilitates live tracking of enquiries and applications. Invest NI will report monthly on the scheme to my Department to help us to understand how delivery is progressing against policy objectives. Additionally, in the spirit of continual improvement, formal reviews of the scheme's progress after the first six months and at 12-month intervals thereafter have been built into the approval process, whereby all aspects of the enquiry, eligibility and application process will be reviewed and evaluated.

Mr McGuigan: Ar a chéad dul síos, fáilte ar ais.

[Translation: First of all, welcome back.]

Minister, how will you ensure that the scheme will promote and advance regional balance?

Mr C Murphy: I thank the Member. I want to record my gratitude to my colleague Deirdre Hargey for stepping up in my absence and keeping momentum going in the Department.

On the question of regional balance for this scheme in particular, Invest NI will use the portal and closely monitor the enquiries and applications that are being received and approved across the region. That includes capturing and tracking live data on the geographical spread by council area and industry group. That data is fundamental for my Department to monitor and ensure that there is

a better spatial and functional distribution of the grant across the region. Furthermore, Invest NI has a dedicated marketing plan for the EECG that can be tailored to meet local business needs, with a built-in flexible approach that will address any regional imbalances. A range of social media activities alongside continued engagement with key stakeholders will be monitored, and the marketing approach will be adapted to ensure that all business groups are informed of the opportunities that the grant presents.

Madam Principal Deputy Speaker: As question 4 has been withdrawn, I call Liz Kimmins.

Flood Compensation Payments: Update

5. **Ms Kimmins** asked the Minister for the Economy for an update on the flood compensation payments. (AQO 499/22-27)

Mr C Murphy: Local councils are responsible for making payments under the flood relief schemes funded by the Department for the Economy. There were 108 applications to the enhanced flood scheme across two councils. As of 3 June, the councils have issued letters of offer to 27 businesses, with a value of £1.601 million. To date, payments of £310,000 have been made to 22 businesses. Further payments will be made to businesses on receipt of a signed letter of offer and any required documentation to evidence costs.

There was a total of 82 applications to the flood hardship scheme across four councils. As of 3 June, hardship grants totalling £135,000 had been paid to 39 businesses.

Ms Kimmins: I thank the Minister for his answer. I am delighted to see him back in his place after his absence.

We have heard of the delays in councils getting some of the funding out. To date, how much funding has the Department released to councils to fund the flood grant scheme?

Mr C Murphy: Like the Member, I represent one of the areas where flooding occurred, so I know of the urgency of getting funding out to businesses. I hope that councils can make every effort to ensure that that happens quickly. I understand that there is a complex process of assessment and verification and a need to protect public funds. Ten million pounds was set aside for support. We hope to see as much

of that as possible distributed within a short time. If there is anything left over, we will certainly examine ways in which we can continue to support businesses in the affected areas.

Mr McMurray: My question has been answered, so I will withdraw it.

I would just like to welcome the Minister back. It is good to see him.

Mr McNulty: Minister, it is great to see you back on your feet. I am sure that your recent health scare was a big fright for you and your family.

I want to ask about issues around the distribution of flood grants by councils. Loretta Gallagher of Lorsha Design got an initial payment from the council, but it is now trying to get that back off her because not all of her business is on the ground floor. How can such issues on the distribution of the payments be resolved?

Mr C Murphy: Of course, councils have a responsibility to protect public funding and make sure that funds are distributed appropriately. I would also like to ensure, however, that there is a degree of flexibility. At the outset of our engagement with the councils, we asked them to apply a degree of flexibility to ensure that they understand the real challenges that businesses have suffered as a consequence of the flooding incidents in Newry, Downpatrick and other places last October and that they approach the matter in a can-do way to make sure that they support businesses as best they can.

There is a requirement on businesses to provide evidence of loss and damage, and I hope that they can quickly get down to that. We want to see support getting out as quickly as possible to all the businesses that were affected.

14-19 Landscape: Success

6. **Mr Mathison** asked the Minister for the Economy, further to the framework 'Developing a more strategic approach to 14-19 Education and Training', when will the agreed measures of success for the 14-19 landscape be published. (AQO 500/22-27)

Mr C Murphy: The 14-19 framework is a joint endeavour between my Department and the Department of Education. The Minister of Education and I have met to discuss our

approach to the work and our shared priorities, taking account of the current education and skills environment. As a first step, we have prioritised careers as a priority area for delivery and have tasked officials from our Departments to produce a joint programme of work. That indicates our commitment to collaboration in the interests of young people. On the wider framework, the Minister of Education and I will be considering how best to prioritise the other elements of the framework, building on that collaborative approach and using insights from stakeholders on the ground.

Mr Mathison: I thank the Minister for his answer. He will be aware that a joint Economy and Education Committee met last week, at which officials from both Departments were clear that no action plan would be published in relation to the strand of work on careers advice that the Minister referred to. How can the Assembly hold your Department to account if there are no targets, benchmarks or outcomes against which to measure your work?

Mr C Murphy: A report was published, I believe, when the Assembly was down, from which flowed an implementation plan. I think that that is what the Member is referring to. That was used for internal guidance for officials on how they brought that work forward. I understand that there were no plans to publish that, but I am sure, given that the officials came before both Committees, that they are keen to engage and to ensure that the Committees and, indeed, the Ministers who have tasked them with that area of joint responsibility are kept up to date on the progress that they are making.

We have been clear that we want to begin with careers. We want to ensure that careers advice is available to all young people in a consistent manner. We want that to be, if you like, a pathfinder to get that joint area of work up and running between the two Departments, which will be essential for young people. We are keen to develop that early and to push on with the rest of that agenda. We will be happy to keep you and the Committees updated on any progress.

Madam Principal Deputy Speaker: I call Colin McGrath. No? OK.

I call Diane Dodds.

Climate Change Targets

7. **Mrs Dodds** asked the Minister for the Economy to outline what schemes are being

made available to assist businesses to meet climate change targets. (AQO 501/22-27)

Mr C Murphy: I recognise the need to assist businesses to meet our climate change targets. My Department is working with Invest NI to deliver financial support for businesses through a new scaled phase of its energy and resource efficiency programme. The main part of that programme is the energy efficiency capital grant scheme, which was announced in early May and is open for applications across a wide range of businesses that meet the scheme criteria. I have committed £40 million to the scheme, which will run until 2030, providing essential support for businesses to reduce emissions while also creating economic opportunities in the green economy.

Mrs Dodds: I thank the Minister. It is really important that, in this aspect of the economy, Northern Ireland does not lose its competitive edge. It is equally important that consumers are not left to pay for climate change targets that are set in the House. What new programmes has the Minister bid for, and what bids have been accepted in relation to climate change targets?

Mr C Murphy: As I said, the primary focus of that programme is the energy efficiency support grant. In the region of 600 applications have been received, a couple of hundred of which have already been processed. That scheme only opened in May, so you can see that there is a wide range of interest in it.

We also are engaging with the British Government on the investment zone, and we have already indicated that we would like to see the £150 million earmarked for that spent on green technology and green industry. We have an opportunity, if we harness it correctly, not only to create jobs and support innovation, thus creating new and better jobs, but to work on the areas of renewable energy. We live in a country that is high in wind resource and other sources of renewable energy, so we need to make sure that we get to a situation in which that can benefit business consumers and household consumers, thereby reducing our energy costs and the necessity to rely on fossil fuels and on an insecure demand, which tends to fluctuate.

Our opportunity to promote renewable electricity and renewable heat will benefit consumers and businesses alike. We have identified the £40 million that I have dedicated out of the Department and that £150 million, and we will continue to work on other areas, including the use of financial transactions

capital (FTC) to support the net zero accelerator fund. We will work on all those areas to make sure not only that we create and improve jobs but that we reduce the costs to consumers and businesses.

Miss Brogan: I welcome the Minister back to his position.

Given the funding constraints imposed on us, can the Minister explain what he is doing to leverage alternative sources of funding for climate change schemes?

Mr C Murphy: As I mentioned, we are working with Invest NI and the Strategic Investment Board (SIB) to develop the net zero accelerator fund. It is intended to be a catalyst for attracting and complementing private investment in the green economy. We are also working with the Department for Levelling Up, Housing and Communities (DLUHC) to establish the enhanced investment zone, which, as I said, is a fund of £150 million. We are in the process of co-designing that project for the North alongside the Department in London. Other available funding sources include the Industrial Energy Transformation Fund (IETF), PEACE PLUS and the Shared Island Fund (SIF), and it is important that businesses leverage that broader funding landscape, with a focus on reducing emissions and growing the green economy.

Mr McGrath: I also welcome the Minister back to his post. Climate change is delivering adverse weather events, such as the floods that we saw in Downpatrick. Is the Minister open to applications from the council to help promote and support footfall, which has been obliterated since that event last year?

Mr C Murphy: The high street task force, which is responsible for a lot of those matters, is led by another Department, and the Department for the Economy makes a contribution to it. We are keen to work with all Departments to help the high street, particularly in areas that have been unexpectedly damaged. High streets are struggling in general with the economic conditions that we have, and Newry and Downpatrick in particular received a serious blow last autumn. While my primary focus is to make sure that councils deliver funding support for those affected by flooding, on the work of the high street task force in a broader sense, all Departments have a duty to try to understand the challenges facing our high streets and to provide cross-departmental support wherever we can.

Third-level Qualifications

9. **Mr Brooks** asked the Minister for the Economy to outline the work that her Department is carrying out to ensure universities and further education colleges work together to offer qualifications that are not competitive but complementary to each other. (AQO 503/22-27)

Mr C Murphy: I agree that our universities and colleges should work collaboratively to deliver the best outcomes for learners. It is also important to recognise that schools and community-based providers play an important role in ensuring a joined-up and effective education sector. In order to ensure that colleges and universities in particular work together in a complementary and not competitive manner, the tertiary education senior leaders' forum has been established. It provides a place for senior leaders from my Department, the Department of Education, further education colleges and higher education institutions to come together to consider strategic matters of common interest, including qualifications. The forum's core purpose is to foster greater collaboration among all those involved in education post compulsory school age and to help move towards a more coherent tertiary education sector.

Mr Brooks: I thank the Minister for his answer. I was glad to hear more about that at the concurrent Committee of the Committee for the Economy and Committee for Education last week. Will he agree that it is important that, while they offer a range of excellent courses, by making incursions into courses that have traditionally been served by our colleges, our universities do not undermine our excellent FE sector, which is vital for our economy?

2.15 pm

Mr C Murphy: There may be a perception that universities are moving into that space at the expense of colleges. I think that work has been done to establish that that is not necessarily the case. We need to make sure, in a system in which we have very little money to spend — that is why the work between ourselves and the Department of Education across all these matters is important — that we use the resources that we have as best as we possibly can. The responsibility on us as Executive Ministers is to make sure that the system works for education for not just young people but, in terms of the public finances needed to run it, as seamlessly as possible so that we do not get duplication or contradiction but the most

complementary system possible. That is why a forum such as this, and the joint work by both Departments, is important.

There is a drop-off. I am advised that we have the lowest numbers of that age cohort since the 1950s. That could explain some of the drop-off in college numbers. Nevertheless, we have a very good college estate and further education sector, and I want to see them fully utilised. We have a real challenge in getting people and skills into the workforce. The college sector is vital in delivering that. I have had discussions with it about that, and I want to make sure, in our joint work with the Education Department and that forum, that the entire system works in a complementary fashion rather than in a competitive one.

Mr Honeyford: I welcome the Minister back and wish him good health going forward. Will the Minister give us an update on the reform of the delivery of further education?

Mr C Murphy: The first priority when I came into office was to get the lecturers' pay issues resolved. I am glad that we were able to get that done. I have had a meeting with the principals of the colleges, and we will continue to bring that reform work forward. We want to make sure that we have a system that recognises the unique product of each college, their autonomy and the communities that they serve in a regional way across the North. We also want to make sure that it is coherent and cohesive and tackles some of the big issues that we have identified as problems within the economy, primarily skills and getting young people into education, offering pathways to people who have been out of the education or training system. The colleges are uniquely placed to do that. As I said in a previous answer, they have a good estate and a very good system, and we want to make sure that they are fully utilised. Currently, they are not fully utilised, so any reform that we bring to the fore will be about how we fully utilise those and make sure that colleges act most efficiently and deliver for the economy and for society.

Mr Brett: On behalf of myself and the Committee, I welcome you back to office, Minister. I welcome your commitment to the FE sector and highlight your point that it is important that the sector and its campuses serve the communities in which they are located. In his recent discussion with college principals, did the Minister raise the importance of the Castlereagh campus of Belfast Met, something that my East Belfast colleagues continue to champion?

Mr C Murphy: At the joint meeting that I had with them, we did not get down to individual campuses, but I have had discussions. I met the Member's party leader in relation to the Castlereagh campus. I have had correspondence and issues raised with me by other elected representatives. I had the pleasure of visiting the college in the Member's constituency and chatting to the principal and senior staff there. We want to make sure that the system works well. There is a good offering there. There are very good facilities that are well located. We have resolved, and I hope that we continue to work to enhance, the role of and support for the people who work in that system, in the delivery of teaching but also throughout the system, to make sure, if you like, that we have a happy campus, and then to focus on the areas that we have outlined as priorities for the Department for the Economy, particularly in the areas of skills and training.

I have no doubt that there will be individual issues arising among Members about pieces of the estate within various colleges. We want to work through that, but we need a cohesive forum and support for the colleges themselves to get forward with the work that they are doing. I am happy to talk to them about individual areas around some parts of the campuses that have question marks.

Mr Mathison: When will the Minister respond to the recommendations from the independent review of education in relation to FE and HE?

Mr C Murphy: Across nearly all Departments, when Ministers came into office, our primary focus was to ensure that we resolved public-sector pay issues. With the exception of the Department of Education — I understand, however, that there will be, hopefully, some progress with the schools this week — those issues, by and large, have been resolved.

I met representatives from the colleges and talked to them about the issue of reform and the report on them that was done. We intend to bring that work forward now, but we want to ensure that it is not an individual or isolated piece of work. We have an education system in which we have joint responsibility for the 14- to 19-year-old cohort, but we have a responsibility on either side of that as well. I want to make sure that our system is as coherent and cohesive as possible and that it serves all of the community as well as our economic needs in the time ahead.

Tuition Fees

10. **Mr Beattie** asked the Minister for the Economy to outline what consideration she has given to reviewing tuition fees (AQO 504/22-27)

Mr C Murphy: I have no intention of increasing tuition fees, given that our students already face considerable cost-of-living pressures and that many take on significant debt to access higher education. I am committed to working with the higher education sector to embed sustainable funding arrangements that enable the sector to thrive and create more opportunities for our students.

Mr Beattie: Thank you, Minister. I am glad that you have made a recovery and are back with us today. University application numbers are due to rise by 20% by 2030. What is the plan to increase student places?

Mr C Murphy: We want to see an increase; I have stated that as a desired outcome. The simple answer of placing the burden of the cost of that on students is unfair, because we are in a cost-of-living crisis and are putting thousands and thousands of young people into significant debt just so they can go through higher education. I have committed to working with our institutions to try to see whether we can increase numbers without placing the burden directly on students. Of course, had we more money in the system and a better settlement for our public finances, there would be more opportunities to support more places. My focus is on trying to find ways to work creatively with the educational institutions to grow student numbers. Although there are people who want to leave these shores to go to other places for their university experience, we want to make sure that the many young people who want to stay here have the ability to do so.

Mr Delargy: Will the Minister ensure that the maximum student number (MaSN) cap will not impact the expansion of the Magee campus?

Mr C Murphy: The Executive parties made a commitment in the New Decade, New Approach agreement to get the numbers at the Magee campus up to 10,000. I intend to operate to that plan. I discussed with representatives from the universities and, since coming back very recently, with officials the ways in which we can work to ensure that the numbers are increased. It clearly will be a focus. It was an Executive commitment, but it is my responsibility to deliver on it. That is what I intend to do.

Ms Mulholland: Welcome back, Minister. Will you give us a timeline for the review of student support? When will it be completed, and when will recommendations be made?

Mr C Murphy: We have just got our budgets. We have to analyse what we have. We recognise that we do not have as much as we wanted. Every Department is in the same position. I am sure that you have heard that from other Ministers already today. We do not have the amount of funding that we would like, but, nonetheless, we will continue to provide support for students. We managed to find funding in-year to supplement that support. I am analysing how I can spread my limited budget throughout the various areas of my Department and equality-testing that as well. Once I have done that, I will be able to make announcement about how much support can go towards student support. Following that, there will be some advice on how people can access it.

Mr O'Toole: Minister, it is good to have you back. I agree that we do not want to see any extra burdens on our hard-pressed students. It is also the case that we export an entire university's worth of young people from these shores every year. Many of them want to go, but too many do not want to go, and they do not come back. It is a structural problem in our economy. We have heard a lot about task forces and study groups, but will there be specific actions in the Programme for Government (PFG) on how we will increase student places in our society? Will that be in the PFG?

Mr C Murphy: The easiest way to do that is to have more money. If the Member agrees with me that it is unfair to place that burden on young people, who get themselves in significant debt just to have the benefit of accessing higher education, the easiest thing to do is to increase the funding available to support them. Of course, that is a different conversation to have with the Government in London. I look forward to seeing the Programme for Government being delivered very soon. I am not of the view that purdah should apply in the way that it has been applied to many things. I would like to see the Programme for Government advanced more quickly than that. The Executive have a collective commitment to growing the economy; increasing the number of people who access further and higher education institutions and skills and who remain here is surely a strong way to continue to grow our economy.

Ulster University Magee Taskforce

Ms Ferguson: Question 8 — or, rather, 11.

Madam Principal Deputy Speaker: It is definitely question 11. Minister.

Mr C Murphy: I would rather answer question 8. *[Laughter.]*

11. **Ms Ferguson** asked the Minister for the Economy for an update on the Ulster University Magee taskforce. (AQO 505/22-27)

Mr C Murphy: I established the independent task force in March under the leadership of Stephen Kelly and Nicola Skelly. The group has met twice, receiving presentations from Ulster University (UU) and Derry City and Strabane District Council. Local business leaders also led a task force discussion on future skills needs in the north-west. The next task force meeting will take place this Wednesday and will be attended by representatives of the local community and by the special envoy for economic affairs, Joe Kennedy. The expansion of the Magee campus to 10,000 students was a commitment in 'New Decade, New Approach' and is key to promoting regional balance, in line with my economic plans. As Minister, I intend to see that commitment delivered.

Ms Ferguson: I thank the Minister for his answer. What additional funding has the Department allocated to Magee for expansion in 2024-25?

Mr C Murphy: A total funding package of £152 million has been committed for the expansion of Magee. That includes previously announced funding of £38 million from the Shared Island Fund for a new teaching block, city deals and a future fund as well as investment from the university's reserves. For the next financial year, the Department includes up to £4.1 million resource and up to £14.7 million capital for Magee expansion activities.

Ms McLaughlin: The task force will produce a paper in September. The funds that are in place do not take into consideration recommendations that may come from the task force. Minister, are you confident that you will have money to put towards the expansion?

Mr C Murphy: That will require us to engage with UU. The task force will have oversight of and input to a more detailed plan on the allocation of that funding. It will be made available in the financial year to take forward opportunities to expand the Magee campus by developing the infrastructure and increasing

student numbers. As the Member rightly said, the task force will come forward with a plan in September. It is aware of the figures that we have been talking about. If it has a different approach, I am happy to listen to that and to try to secure the additional funding. The Member will recognise, as, I am sure, will members of the Committee, the limitations on the funding that we had. Nonetheless, the commitment remains for the expansion of Magee. I see that as an Executive priority, and it is my duty to deliver on it.

Childcare Sector: Support

12. **Mr T Buchanan** asked the Minister for the Economy to outline what level of business support her Department will provide to the childcare sector. (AQO 506/22-27)

Mr C Murphy: Provision of high-quality, affordable childcare is a priority for the Executive. On 23 May, the Education Minister outlined a package of measures for early learning and childcare that has been agreed by the Executive. One element of the package is a targeted business support scheme for childcare providers to assist those in financial difficulty and in areas where the demand for childcare exceeds supply. The Executive have initially earmarked £2 million for that purpose. Invest NI has nominated an official to work with my officials and the Department of Education on the design of the scheme. The involvement of my Department and Invest NI will be important to ensure alignment with other business support interventions and compliance with state subsidy requirements.

Mr T Buchanan: I thank the Minister for his response. He will know the importance of the childcare sector in our communities. Will the business support scheme be a one-off or will it be on a recurrent basis?

Madam Principal Deputy Speaker: A quick response, Minister.

Mr C Murphy: The Executive's clear intention is to provide affordable childcare. That is of benefit not only to families, individuals and communities but to the economy, because it allows people to return to work. The Executive have therefore made not a one-off commitment but a commitment over the years, and I sincerely hope that, once we get the schemes started, we will follow them through with the funding necessary to make sure that people can continue to avail themselves of affordable childcare.

Madam Principal Deputy Speaker: Perfect timing. That ends the period for listed questions. We will now move to 15 minutes of topical questions. Questions 2 and 10 have been withdrawn.

2.30 pm

Subregional Economic Action Plan

T1. **Ms McLaughlin** asked the Minister, given that the Assembly is looking forward to scrutinising the subregional economic action plan to be published in September, whether he will ensure that the objectives and actions of the plan do not relate solely to Invest NI. (AQT 331/22-27)

Mr C Murphy: The intention behind the subregional action plan is to ensure that we get all the actors in each area to come together to identify the needs of that area. Some of that may be Invest NI work, some of it may be for the Department for the Economy and some of it may be for other Departments. We want to ensure that local areas get some resource, get the necessary structures in place and find their voice in order that they can represent the economic interests of those regions to the centre. I anticipate that the centre will respond accordingly to the needs that have been identified. That work is clearly about democratising local economic impact and ensuring that those voices are clearly heard and that there is resource to match the requirements in each area.

Ms McLaughlin: I thank the Minister for that answer. I know that he appreciates that a functioning Invest NI alone does not represent regional balance and that it has a much wider remit than that and is about not just his Department, as other Departments have to come in beside him to commit money and resources with him in order to really deliver deep and meaningful regional balance that will have good outcomes. I welcome the Minister's commitment to that. Rather than ask another question, I will say that I know that this is an ongoing issue that needs to be resolved quickly in this mandate.

NEETs: Newry and Armagh

T3. **Mr Irwin** asked the Minister what measures he will take to reduce the number of young people in Newry and Armagh who are not in education, employment or training (NEET). (AQT 333/22-27)

Mr C Murphy: I recognise that one of the greatest challenges that we have is getting people who have fallen through the cracks in the system back into training and education. Previously, support for those programmes — I am sure that the Member is aware, as I am, of many groups that work effectively on that in our constituency — came through European funding. That funding ended with Brexit and was not replaced by the Government in London. The Department has been trying to find ways to supplement that funding. Some of those groups received funding through the Levelling Up Fund or Shared Prosperity Fund, but those will also come to a cliff edge in the near future.

We want to ensure that the groups that assist young people to come back into the education system, achieve necessary skills or, indeed, achieve confidence in themselves in going out to work are supported to do that. That is a challenge, because the funding has been lost to us. We will, however, continue to work with the Departments in London to ensure that we get better, more reliable access to some of the funding from the Shared Prosperity Fund and the Levelling Up Fund so that we can give certainty to those groups and to all the young people who are in need of support in education and training.

Mr Irwin: I thank the Minister for his response. Does he accept that the recent figures showing that 14,000 16-to-24-year-olds in Northern Ireland are not in employment, training or education are too high?

Mr C Murphy: Yes, they are. Many of us who have been here for many years, as the Member and I have been, pride ourselves on having a world-class education system. It is world-class for those it works for, but, unfortunately, there are far too many people it does not work for. In the situation that we are in, with almost full employment but a high level of economic inactivity, that is clearly an area that, we have to ensure, gets some attention. I would like to see that number reduced and young people, particularly from areas of deprivation, be they rural or urban, having opportunities to upskill, get education, find their way in the workforce and get decently paid jobs and a sense of fulfilment out of the work that they get so that they can live better lives. It is a challenge for all of us to support not just the economy but those young people.

Further and Higher Education: Part-time Learners

T4. **Ms Egan** asked the Minister, having welcomed him back to the Chamber, what work his Department is doing to support part-time learners in further and higher education. (AQT 334/22-27)

Mr C Murphy: There is a range of support packages in those areas. We have to take our lead from the colleges and universities on the numbers. As with all such anticipatory programmes, it is hard to see what the needs will be over the course of the year. We generally manage to supplement the funding for them. A month or two ago, we were able to announce additional money for student hardship support schemes to try to ensure that people can access them. It is a little like the issue with jobs, training and skills in that we have to make part-time courses and part-time entry into the workforce available, because it is a big challenge for people to go immediately from being completely reliant on a benefits or welfare system back into education or from being in a caring role with complete responsibility for children or others in their home back into full-time training or education.

We all have to understand the accessibility issues. Part-time courses need to be available and accessible to people, and people need to be supported in entering them. Similarly, in the world of work, we need to ensure that employers operate part-time, accessible entry levels. While we are working out what our budget will allow us to do in the year ahead, it is something that we provide support for, and we will provide as much as we can.

Ms Egan: Thank you, Minister. I am conscious that you mentioned this in your answer, but what support in accessing part-time learning courses can your Department provide specifically for people with disabilities, caring responsibilities or long-term illnesses?

Mr C Murphy: I am happy to work with the colleges and universities to ensure that they do all that they can to allow people to come into education. They design some of their facilities around the courses that they operate, but they have to be conscious that the people who are furthest from our education system and employment are people who suffer from illnesses or disabilities. They are often the people who end up with the worst elements or conditions of work, and I intend to introduce a good jobs Bill in this mandate to try to address some of those issues. I absolutely accept that, in the first instance, people require access to training. I will continue to work with the colleges

and universities to ensure that they understand that they need to make learning as accessible as possible.

RHI Scheme: Closure

T5. **Miss Brogan** asked the Minister for the Economy for an update on the closure of the renewable heat incentive (RHI) scheme, as agreed as part of the New Decade, New Approach agreement. (AQT 335/22-27)

Mr C Murphy: I have been attempting to secure Executive agreement on the future of the RHI scheme since 4 April. However, to date, it has not been allowed on to the Executive agenda. That is delaying participants' receipt of an uplift in their tariff. It also puts at risk the orderly closure of the scheme, as Ofgem has provided a final termination notice. Ofgem will continue to administer delivery of the scheme only until its absolute backstop of 30 April 2026. I hope that the Executive are allowed to discuss and decide on those issues so that participants can receive appropriate payments and we can close the scheme in an orderly manner, in line with the agreed Executive priority.

Miss Brogan: Thank you, Minister, for that answer. In closing the scheme, will you ensure that participants are fairly compensated?

Mr C Murphy: That is the plan. From the court rulings, there was a sense that the court wanted to ensure that people were treated fairly. Many people entered the scheme on the basis of a genuine attempt to avail themselves of a support that was there for them. We have to ensure that people are treated fairly, but we first have to get to a stage at which the Executive agree on what we are going to do about this. This is not a problem that I created; it is a problem that I inherited. I am trying to bring, as was agreed, some degree of closure to it. It is frustrating for me that we cannot even have a discussion of it in the Executive. I urge those who have been holding us up to allow the Executive to deal with the problem so that we can move on in line with the views of the court.

Invest NI: Aerospace, Defence and Space

T6. **Dr Aiken** asked the Minister for the Economy, after welcoming him back to his rightful place and declaring an interest as the incoming chair of the all-party group on aerospace, defence and space, which Members will agree is a good title, to state, given the

challenges that he is aware that the growing aerospace sector in Northern Ireland faces, not least in the skills agenda, what priority he expects Invest NI to give to the aerospace, defence and space sectors, bearing in mind their likely growth in the next couple of years. (AQT 336/22-27)

Mr C Murphy: It is incumbent on Invest and the Department to identify areas of priority, particularly clusters. The Member is quite right: there is a growing cluster with some big players, but a lot of small and medium enterprises are involved in advancing the sector. Aerospace touches on the areas of good jobs and productivity, in that there is a lot of innovation and growth in the sector, and it is in line with the priorities that I have set in the Department. Also, with quite a lot of the firms scattered across the North, it offers regional balance. We all operate within a limited budgetary framework, including Invest NI, but we have tried to identify sectors with opportunities for growth. I concur with the Member's view that there are clear opportunities for growth in the sector.

Dr Aiken: I thank the Minister for his answer. Will the Minister, therefore, when he looks at his diary, commit to coming to the Farnborough International Airshow, where Northern Ireland will highlight its wares at a series of events? It would be excellent if the Minister were able to find himself there.

Mr C Murphy: I am invited to a lot of events, as the Member will be aware. It is a question of juggling the diary to make sure that I can go to as many as I possibly can while retaining a focus on the work that I need to do in the Department. I am always content to consider any invitations that come to me to make sure that I do my best to support all our businesses across the North.

Social Enterprise Co-design Group

T7. **Ms Á Murphy** asked the Minister for the Economy for an update on the first meeting of the social enterprise task force. (AQT 337/22-27)

Mr C Murphy: The first meeting of the social enterprise co-design group was on 31 May. I was able to attend the meeting briefly, which I was pleased to do. The group is highly motivated to see strategic support for the sector and used the first meeting as an opportunity to share its experience and wealth of knowledge. There was an understanding that the focus should be on trading, scaling and supply chain

collaboration. The objectives will work towards making social enterprises more sustainable without relying on funding and allowing the sector to meet the expectations of social value.

It was noted that work is already being done to support the sector but that it is fragmented, making it difficult for social enterprises to access. The next step will be to identify potential barriers and what current supports are available. That exercise will show gaps in areas where we can implement short-term actions and ensure that there is no duplication. Officials agreed to bring a draft paper to the next meeting, which is on 27 June.

Ms Á Murphy: I thank the Minister for his answer. Minister, will you provide information on the group set up by the Department to develop the credit union movement?

Mr C Murphy: A meeting of that group took place a few weeks ago when my colleague Deirdre Hargey was at the helm of the Department for the Economy. It was important to come together to see the opportunities that the credit union has to support our economic plans to support regional balance, create good jobs, increase productivity and tackle issues around net zero. The Irish League of Credit Unions has a manifesto, and, in many ways, that sets the context for the working group, but the Department's work does not need to be limited to that. My colleague requested that officials provide regular updates from the working group that has been established, and I will follow through on that.

Madam Principal Deputy Speaker: Robin Swann is not in his place. I call John Blair.

Green Energy Skills Industry Reference Group

T9. **Mr Blair** asked the Minister, after welcoming him back and wishing him well, for an update on the work of the green energy skills industry reference group. (AQT 339/22-27)

Mr C Murphy: As we have said many times here, the issue of skills is huge. The big attraction, particularly for foreign investors, is our people and their skills. The biggest challenge that we currently have is how to do that. There is a range of engagement across a lot of sectors by, for example, the Skills Council and the reference group, and there is a report from Matrix on the current and future skills that are required. We continue to engage across the

Department and with the various institutions that work to provide support, including businesses. The challenge is the lack of funding to support skills programmes, but we intend to work as best we can with all those advocates to provide the necessary level for our people.

Mr Blair: Will the September 2024 deadline for the green skills action plan be brought forward, given the urgent nature of the plan and the issue?

2.45 pm

Madam Principal Deputy Speaker: Minister, a very quick response.

Mr C Murphy: We have had several reports from different groups, and we have had a lot of engagement on the matter. Our big challenge is trying to find the resource from the Department to match the ambition that exists, but there have been examples of good practice. For instance, the manufacturing sector in the mid-Ulster cluster engages with the colleges and schools to ensure that their focus is there. We need to ensure that everybody in the area of skills — schools, colleges, the Department of Education, the private sector and all those who have an interest, such as the groups that get funded through the various programmes for assisting young people — is complementing each other rather than focusing on the same area, tripping over each other and stepping on each other's toes. We want to make sure that the limited amount of money that we have goes as far as it possibly can to try to support that area of work.

Madam Principal Deputy Speaker: That ends questions to the Minister for the Economy. Please take your ease for one moment.

(Mr Speaker in the Chair)

Education

Mr Speaker: Questions 10, 12 and 15 have been withdrawn.

Integrated Education: Demand

1. **Ms McLaughlin** asked the Minister of Education to outline his plans to meet the growing demand for integrated education places. (AQO 510/22-27)

Mr Givan (The Minister of Education): Education in Northern Ireland is based on the

key and guiding principle, established in our law, that children are educated, as far as possible, in accordance with the wishes of their parents. Diversity and choice are a strength, not a weakness, of our education system. Every child, every school and every sector is important and valued in our education system. Integrated education, which provides opportunities for children and young people from different community backgrounds to learn together, has an important role to play in that process. The number of pupils accessing integrated education continues to grow. Over 27,000 pupils in Northern Ireland are enrolled in 71 integrated schools. Over 6,000 additional places have been created in the past 10 years.

To measure, assess and aim to meet demand for integrated education, my Department will include societal-level questions on demand and the factors that parents consider when making school-admission decisions in the annual Northern Ireland life and times survey; assess and monitor parental demand for integrated education, as expressed through school admission preferences via the Education Authority's (EA) school admissions portal; use the EA's school admissions portal to obtain permission from parents to be surveyed regarding their school admission preferences; and, annually, carry out a Northern Ireland-wide survey of such parents to assess and monitor demand for integrated education. The Department will also carry out ad hoc local surveys of parents to further assess and monitor demand, as required; consider the outcomes of parental ballots for transformation carried out by Electoral Reform Services; and consider any other relevant survey data available.

Where demand is identified through that structured and systematic analysis, I will ensure that the Northern Ireland Council for Integrated Education (NICIE) and the EA, as the arm's-length bodies that are charged with promoting integrated education and providing sufficient places to meet parental preference respectively, work with their partners across the education sector to meet that demand.

Ms McLaughlin: Thank you, Minister, for your answer. Your Department's implementation strategy for integrated education does not set any targets for the growth of integrated education or tell us how much money you are going to spend. However, your actions have told us that you are not serious about integrated education, because you have taken away £150 million of capital spend on integrated education. Will you explain how we can reach realistic

targets if we are not setting them in the strategy?

Mr Givan: I have been successful in identifying £150 million for the Strule campus in Omagh. The Member may wish to take the issue up with Mr McCrossan, who has advocated very well for his constituency to ensure that six new schools are developed in that area as part of a shared educational programme. I was also successful in placing into my conventional capital programme the integrated schools that were part of the Fresh Start programme. Last week, I announced that Bangor Central Integrated Primary School and Millennium Integrated Primary School were moving forward and getting funding. I am not sure where the Member gets her information from, but those are the facts. I am treating all sectors equitably. No one sector will get preferential treatment over another: I will treat them all fairly.

Some Members: Hear, hear.

Mr T Buchanan: Will the Minister explain the level of capital spend on integrated schools over the past five years and how it compares with the percentage of children who attend integrated schools?

Mr Givan: There has been significant spend over the past five years, amounting to £92.7 million. That represents approximately 22% of all major works expenditure across the schools' estate in that period, and I am sure that the Member will agree that, with only 8% of pupils attending an integrated school, that highlights the significant additional investment that integrated schools have received compared with other school sectors.

Ms Mulholland: Clause 9 of the Integrated Education Act 2022 states that the integrated education strategy action plan must include "targets" and "measurable benchmarks". Can we get a justification for why the Department has moved away from that and towards an outcomes-based approach instead?

Mr Givan: I am happy to provide precise detail to that question, but what I say to Members is this: I have visited schools from various sectors, and, although some may not have "integrated" officially in their title, there are controlled schools that are more integrated than some that are officially designated as being integrated.

Some Members: Hear, hear.

Mr Givan: I have said this before, but the inference drawn that somehow other school sectors do not provide an integrated form of education is not right and is disrespectful to those schools.

I was at a school in Upper Bann with my colleague Diane Dodds. There are over 21 newcomers in that school environment. I was at another school where there are 18 different nationalities, all within the controlled sector. Those are integrated and diverse schools, but they do not have the word "integrated" in their official title.

Members, particularly in the Alliance Party, need to get off the particular issue of wanting preferential treatment for one sector. If you want to be a community for all, try including everybody.

Some Members: Hear, hear.

Seaview Primary School: Capital Works

2. **Mr Brett** asked the Minister of Education for an update on the major capital works scheme at Seaview Primary School, North Belfast. (AQO 511/22-27)

Mr Givan: The Seaview Primary School project is in the early stages of development, with an integrated consultant team (ICT) having been appointed for the project in November 2023. The ICT is undertaking a technical feasibility study to explore options and costs for providing suitable accommodation for the school, and it is anticipated that a report will be submitted to the Department for consideration in the coming months. Once the technical feasibility study report has been examined and approved by the Department, a business case will be completed that will identify the preferred option to be taken forward.

Mr Brett: Delivering the new school at Seaview will be vital for the local community. Just as important as our school buildings, however, are those who work in them. I particularly think of our non-teaching support staff. I know that the Minister shares my commitment to ensuring that they receive the pay and grading review that they need. Will he provide an update on his work to secure those vital funds for the sector?

Mr Givan: I can update the House on the progress that has been made. Last week, I engaged with the unions directly. I spent a number of hours with the team and stood up

officials from my Department, and we made progress over the weekend. I engaged directly with the Finance Minister, and we identified a way forward that, I believe, can lead to a successful resolution.

The unions decided not to proceed with their industrial action today. It was important to have schools open, particularly special schools, where children and young people with complex needs require a regular form of access to the school environment. Strike action is particularly disruptive to the most vulnerable. We also had students sitting GCSE maths today, and there was concern that we would not be able to have that exam proceed for everybody. Everyone in the House will agree that for those young people who have worked so hard not to have the opportunity to sit that exam would have been unacceptable. I am therefore pleased that we did not have strike action today.

I can update the House further that we engaged this morning with the unions. It was a very positive meeting, and the Education Authority is contacting schools to advise them that strike action should not be taking place tomorrow, but the unions are still going through their official processes. We are, however, now operating on the assumption that schools will be able to open as normal tomorrow.

We will continue to work on the finer details. Support staff in our classrooms, in our catering teams and who drive our buses are incredibly important. I deeply value the work that they do. It is vital that the pay and grading dispute is resolved and that we engage with Treasury, but also look to our own resources in the Assembly, to find a way forward. I will continue to work constructively with the unions until we get to a permanent solution.

Ms Nicholl: Minister, my son was delighted that the boss of all schools visited his nursery last week. When does the Minister hope that building work will begin at Millennium Integrated Primary School, which was part of the capital builds announcement for 2024-25?

Mr Givan: The capital builds announcement last week was positive. It demonstrates that the Executive can work together, even with the difficult financial constraints within which we operate. Eight new school builds — seven primary and one post-primary — were announced, of which Millennium Integrated Primary School was one. That allows us to move to securing a tendering process, which will lead to contract. Millennium Integrated Primary School is at a very advanced stage. There is no further obstacle in our moving

forward to construction. I cannot give the Member the precise date on which a digger will arrive on site, but we are taking that forward.

I know that that announcement was particularly welcomed by those schools. Millennium Integrated Primary School was one that was unfairly caught in the Treasury process around Fresh Start. I am pleased that we were able to step in and take that forward.

Bullying in Schools

3. **Mr Chambers** asked the Minister of Education whether his Department collects data from schools in relation to bullying. (AQO 512/22-27)

6. **Ms Egan** asked the Minister of Education to outline his plans to commission research into bullying in schools. (AQO 515/22-27)

Mr Givan: Mr Speaker, with your permission, I will answer questions 3 and 6 together.

The Addressing Bullying in Schools Act 2016 came into operation on 1 September 2021. The Act has three core parts: it provides a common definition of "bullying"; establishes a new duty for schools to record all incidents of bullying, including their motivation and outcome; and requires boards of governors to take responsibility for the development, implementation, monitoring and periodic review of their schools' anti-bullying policies. Concerns were raised during the public consultation on the legislative proposals that led to the Act that any such data that was held by the Department of Education or the Education Authority would be subject to the Freedom of Information Act 2000 and therefore could potentially allow external organisations to create bullying league tables. The then Education Minister subsequently stated that there were no plans to collect or publish any information in relation to bullying incidents. The Department has therefore not directly collated data from schools in relation to bullying incidents.

Following initial information and training offers, the Department established the addressing bullying in schools implementation team (ABSIT) in September 2022. The data is held by ABSIT within EA in its response to referrals. Between September 2022 and March 2024, ABSIT responded to 577 referrals relating to bullying-type behaviour. The team has provided specific support to schools with regard to 185 significant bullying-type cases and delivered training to 147 school leadership teams and bespoke training to 110 school governors.

Since its launch in January 2024, level 1 foundation training on the Act has been completed by 3,848 educationalists.

Mr Chambers: Minister, thank you for that answer. Does the Minister anticipate the data being used to develop a universal approach across all schools to tackling bullying, or does he believe that a tailored solution in individual schools is the best way forward?

Mr Givan: We need to make sure that, where there is best practice, we disseminate it. That is something that, of course, we will want to do and facilitate. I have outlined how we have been making efforts to address those issues. Often, schools are best placed, with the right kind of support, which needs to be consistent across Northern Ireland, to resolve those issues. However, where we can identify best practice, it is important that we disseminate that information.

Ms Egan: Minister, research from Cara-Friend shows that 68% of pupils in secondary school who are LGBTQ+ are bullied due to their sexual orientation or gender identity. What plans do you and your Department have to tackle homophobic and transphobic bullying in schools?

3.00 pm

Mr Givan: All forms of bullying are wrong. Bullying in respect of one's sexual orientation is wrong. It is important that schools address that issue alongside other forms of bullying that take place. Of course, my Department will continue, with the Education Authority, to support schools when it comes to addressing bullying behaviour, which is unacceptable in our school system.

Mr Dunne: I thank the Minister for his commitment to tackling bullying. Is there best practice in other jurisdictions that we can learn from, particularly on the ever-increasing rise of cyberbullying, which impacts on children and young people so much more, given that it can take place beyond school opening hours?

Mr Givan: The Department will collect data from other jurisdictions and further research will be carried out on the issue. Where we identify alternative methods that we are not already using to address the issues, we will learn from them. Data on bullying experiences among children and young people has been gathered by Governments in England, Wales and Scotland through a range of health, well-being and crime surveys. However, our

understanding is that data on bullying-type behaviour is an issue just to disseminate.

The answer is yes. We will carry out further research to identify other international approaches to managing the problem.

Mr McNulty: Minister, in relation to your answer to the previous question, further research will not cut it in addressing bullying in schools, specifically on social media platforms. We know that children are dying because of bullying behaviours on those platforms. What communications have you and your Department had with those companies to outline their responsibilities, given that their platforms are havens for bullies and bullying behaviours, which are having a devastating impact on the children and young people who are on the receiving end?

Mr Givan: It is about actions and further research to make sure that, where the actions that we are taking can be improved, they are improved. It is not an either/or. We are doing far more than just doing research on the issue. I outlined the measures and the impacts that we have already had in trying to support schools.

The Member raises an important issue about online social media abuse. Children, in particular, given their sensitive age, are much more vulnerable to that than adults, and it can be devastating for adults as well. It is vital that we support schools as they manage the issues around online communication and social media posts. All of that can be difficult to do. What I can do to support schools I will do. Where we can have research to provide better-informed practices, we will do that to help inform how we address those issues.

School Uniform Grant

4. **Mr Blair** asked the Minister of Education whether he plans to increase the school uniform grant for 2024-25. (AQO 513/22-27)

Mr Givan: The school uniform grant is available to offer financial support to low-income families as a contribution towards the costs of school uniforms. The Education Authority was able to uplift its school uniform grant rate by 20% in 2022-23 following an additional allocation of funding by the previous Minister of Education. Severe budgetary pressures mean that it has not been possible to allocate additional funding to the Education Authority to implement a further rise in the rate of the uniform grant for the 2024-25 academic year.

I recognise that higher rates of uniform grant are available in other parts of the United Kingdom. I would obviously like to be able to allocate additional funding to the Education Authority that would enable a rise in the uniform grant. However, that can only be done when the funding is available to do so. While recognising that the rate of the uniform grant is one way to reduce the impact of uniform costs on low-income families, I believe that schools seeking to minimise the costs of their uniform can potentially be of even greater benefit. Schools should therefore endeavour to align their school uniform requirements with the Department's guidance circular that encourages them to keep school uniform costs to a minimum.

Mr Blair: I thank the Minister for his answer. He almost referred to the fact that it is disappointing news.

Given that addressing the extortionate costs of school uniforms was identified as a key priority when the Minister took up office and that, I understand, officials had previously worked on fairly detailed proposals, why has it taken so long to bring forward a consultation on the issue?

Mr Givan: The Member rightly raises my desire to address the issue. On the matter of placing the current guidance on a statutory footing, I have engaged with schools through letters to principals reminding them of the circular and appealing to them to follow it. The overwhelming majority of schools follow that guidance, but we need all schools to follow it. A public consultation will be launched within weeks, before the end of this period of the Assembly's timetable — before it breaks for the recess. That will seek the public's views on placing it on a statutory footing. As part of that, we will also seek views on a cost cap.

Mr O'Toole: Minister, three months ago, the Assembly debated a motion that called for many of the actions that you are now talking about. Can you be specific? You said that the consultation will be launched, hopefully, before recess. Can you give a timeline for when you want the guidance to be put into statute? Will it be by the end of this year or the end of the mandate? When, precisely?

Mr Givan: Obviously, I will not be able to have the guidance placed on a statutory footing for this September. Many schools have already engaged with retailers and the supply chain. We will not, therefore, be able to do that. However, I was able to remind schools to follow the guidance, and the overwhelming majority

are doing that. I want to have it on a statutory footing for the commencement of the following academic year, so that there is a statutory basis for it. Of course, we need to work out how to monitor that and what role, potentially, the inspectorate could have in ensuring that the legislation passed by the House is given effect. It is one thing to place something on a statutory footing; it is another thing to monitor and, ultimately, enforce that. How you do that and what the sanction would be are things that need to be worked out as part of the consultation process and then the legislative process, when the Bill is introduced to the Assembly.

Mr Brooks: The Minister mentioned the rates elsewhere in the UK and said that, in some places, the rates are higher. Can he give any further details on how the rate here compares with other parts of the UK and the Republic of Ireland?

Mr Givan: On comparators, in England, many local authorities do not offer uniform grants, and, for those that do, there can be considerable variation in the level of support. It can vary from £30 to £160. In Scotland, there is a minimum level uniform grant of £120 per child at primary school and £150 per child at post-primary level. Wales has a school essentials grant that is aimed towards supporting parents with uniform costs but also costs for sports kits and IT equipment. That is £125 per pupil or £200 for pupils in post-primary.

A range of support measures exists. There is no uniform approach — pardon the pun — in how the costs are calculated and what the payments go towards. We have our own scheme. It was a DUP Education Minister who increased it by 20%. It had stood still for nearly a decade with no increase, until my predecessor, Michelle McIlveen, addressed the issue. I have indicated my desire to do more, but it requires the Department of Education to have the resources available to it for us to do more.

School Enhancement Programme

5. **Mrs Dodds** asked the Minister of Education whether he will include the school enhancement programme within his capital budget programme. (AQO 514/22-27)

Mr Givan: The Executive Budget provides the Department with a capital budget of £254 million for 2024-25, which is an increase of over £80 million on last year's opening position. That additional funding has allowed me to release seven school enhancement programmes in

addition to the major new capital bids that were announced. The school enhancement programmes include Carniny Primary School, Kilronan School, Lurgan Model Integrated Primary School, St John's Primary School in Kingsisland, St Kevin's College, St Malachy's College and St Mary's Primary School in Barr.

Budget is available to progress all other school enhancement projects through design and planning to the pre-tender stage. A decision to release those to tender and construction will then be taken, depending on budget availability at the time. Whilst the additional funding is extremely positive and welcome, the Department continues to face significant capital pressures, particularly for special educational needs (SEN) placements. Therefore, difficult decisions will continue to be required on prioritisation.

My vision is that every child is educated in a high-quality learning environment, and the school enhancement programme is key to delivering on that by providing significant improvements to a school's teaching and learning facilities. It is a high-impact and relatively low-cost programme that can make a lasting improvement to a school. I will continue to make the case for increased investment in the education estate to ensure that every child can enjoy the benefits of improved teaching and learning facilities.

Mrs Dodds: Thank you, Minister. You referenced that we recently visited some schools in Upper Bann, one of which was Carrick Primary School. You rightly talked about 21 languages being spoken in a really diverse, inclusive school. However, that school has been waiting for five years for a business case for a school enhancement programme, and that is clearly an unacceptably long wait. I know that you took —

Mr Speaker: Question, please.

Mrs Dodds: — cognisance of that. Can the Minister tell us what he can do, with the Education Authority, to shorten that time frame in order to allow schools to proceed to the point where they are eligible for funding?

Mr Givan: The Member rightly makes the point about the time that it takes for projects to go through the various stages until they are at the point of being able to move into that tender/construction phase. It is a frustration that I share and one that the principal of Carrick Primary School — the Member had me at that school — and other principals have articulated

to me. Obviously, we need to look at the processes and at how we can make going through the various stages more efficient and expediting that. Officials in my Department are looking at that work with the Education Authority, and it is ultimately for the Education Authority to plan out the school estate, particularly for controlled schools, and to make sure that the support is there. I need to support the Education Authority in discharging its responsibilities effectively for our schools.

Mr Mathison: The Education Committee recently visited the forest school at Clandeboyne and heard from a couple of primary schools about the transformative impact of quality outdoor learning provision. Are there any plans in the financial year ahead to release moneys from the Minister's capital budget to schools so that they can put in place quality outdoor learning provision?

Mr Givan: The Member, who is Chair of the Education Committee, highlights forest schools. I have been impressed by the number of schools that I have visited that have been able to incorporate some of the trees and vegetation that are in their estate. Children and young people love to be outside. They love to pick up all the bugs, beetles and different things, and they value how to protect them.

Forest schools are a good initiative, but it speaks to the issue of outdoor play. In my announcement last week about the capital programme, I announced a new curriculum-led capital programme. We have allocated £10 million to that. That is largely to focus on things around outdoor play and physical education. Where a school is not able to properly deliver its curriculum, how can we support it? That is a new capital programme that I have announced, and we have given funding to it this year. We will want to stand that up and get applications to it, but, over the next number of years, I want to build on that to make it a bigger programme. That is why I continue to make the case unapologetically or my Department to get more funding not only for its recurrent resource side but for capital expenditure.

School Bus Routes

7. **Mr McGrath** asked the Minister of Education to outline the progress his Department has made to establish a review of the Education Authority's policies regarding school bus routes and catchment areas. (AQO 516/22-27)

Mr Givan: My Department is responsible for the home-to-school transport policy, and the

Education Authority is responsible for its operation and delivery. That includes route planning and determining eligibility for transport assistance in line with the policy. The EA determines its bus routes on the basis of public demand in the area, and routes are reviewed on an ongoing basis, particularly at the start of the school year. Eligibility is assessed on an individual pupil basis using two criteria, namely distance and suitable school. It is for the EA to determine the most suitable mode of transport for eligible pupils, which may include a seat on an EA bus, a Translink bus pass or a parental payment, where a seat on a vehicle cannot be provided.

Routes and pickup points are often well-established as serving local communities around specific schools. Parents may choose which school their child attends, but where an eligible pupil bypasses closer schools to attend one further away, there may be fewer or less convenient transport options. The Education Authority is not obliged to create new routes for small numbers or individual pupils.

3.15 pm

Mr Speaker: That concludes listed questions to the Minister. We now move to topical questions.

Pay and Grading Review: Negotiations

T2. **Mr Carroll** asked the Minister of Education for an update on the progress of negotiations with the education unions on the pay and grading review, given that, for months, the new Executive told education workers that there was no money for the pay and grading review, but, now, the month before an election, lo and behold, they are told that some money may be found, with emphasis on the word "may". (AQT 342/22-27)

Mr Givan: I provided the House with an update on this issue in response to an earlier question. When I came into post, I recognised the work that our support staff carry out. I deeply value that work. I approved the business case and put it to the Finance Minister, and the Finance Minister approved the business case. The Executive agreed, within the Budget that we passed, that we need to find a way forward. That way forward was to engage with the Treasury. The Finance Minister, on behalf of the Executive, met the Chief Secretary to the Treasury and put that formally in writing. Obviously, an election has been called, which creates an issue in respect of His Majesty's

Treasury responding. I have tried to identify how, in the absence of the Treasury providing the re-profiling of future funding, we can take the issue forward through some funding in the June monitoring round. Those negotiations have been taking place with me directly and with my officials.

I am pleased that we did not have strike action today. I trust that we will not have strike action tomorrow. We want a resolution. This is an Executive. I, as Minister, and the Finance Minister, who supports me, both agree that we need to find a resolution to the issue. We believe that there is now a pathway to do that. The unions are engaging with the relevant officials, and they should be given the space to get the issue concluded. I hope that we can expedite that as soon as possible.

Mr Carroll: I thank the Minister for the answer. I am still unclear when or if the money will be released. You need to give a clear answer to the lowest-paid workers. Workers have said that they will likely resume strike action in the autumn if the money is not in their bank accounts. Will the money be in their bank accounts by the autumn?

Mr Givan: When it comes to taking decisions on this issue, we, as an Executive, have stepped up. I know that the Member sometimes does not feel that that is the case, but there are occasions when he could recognise that Ministers are genuinely, sincerely and in earnest trying to resolve issues. When the institutions were restored, the funding package provided to Stormont did not include a resolution to this issue. That was not as a consequence of any Member in the Assembly. We had to work for a resolution. We are trying to resolve this issue. I believe that we are on our way to resolving the issue around the pay and grading review.

Recruitment and retention in that area is hugely important. We need to ensure that we provide the right support for those individuals, who are vital. I want to do more. I want to provide opportunities for career progression for classroom assistants, so that they can see how there are further opportunities in investing in our education system. We have made progress. Schools are not on strike. We continue to negotiate on the issue, and I believe that there is a pathway forward that will resolve it permanently.

Book Reading: Early Learning

T3. **Mr Robinson** asked the Minister of Education whether he agrees that reading books is key to a child's early learning. (AQT 343/22-27)

Mr Givan: Yes. I agree about the importance of reading to young children and encouraging their enjoyment of books. We know from the evidence around children's early learning and development that that has a positive impact on their language, communication and social skills.

Mr Robinson: I thank the Minister for his answer. Will the Minister consider reinstating the Bookstart Baby programme?

Mr Givan: Before my first child was born, I read to my wife. Hopefully, Annie picked up some of it before she came into this world. The importance of reading cannot be overstated, because it has a hugely beneficial impact on children's development. I will therefore reinstate that important programme. Northern Ireland is the only part of the United Kingdom where the Bookstart Baby programme is not currently available. I am determined to address that inequality. I have asked BookTrust to submit a proposal to extend that important provision to Northern Ireland this year. The funding that was made available by the Executive to support the early learning and childcare strategy will enable us to put in place that vital provision for the youngest children.

Education and Training for 14- to 19-year olds

T4. **Mr Tennyson** asked the Minister whether, further to the framework on developing a more strategic approach to education and training for 14- to 19-year-olds, he will update the Assembly on when the agreed success measures for the 14-19 landscape will be published. (AQT 344/22-27)

Mr Givan: I do not have that particular detail to hand for the Member, but I am happy to provide more detail. Suffice it to say, he raises the important issue around 14- to 19-year-olds. There is collaboration between my Department and the Minister for the Economy. I met the Minister a number of weeks ago on the framework in which the two Departments operate. We will review that framework to ensure that we are collaborating effectively on schools and colleges.

Mr Tennyson: I thank the Minister for that. The Minister will be aware that the Committee for Education and the Committee for the Economy

held a concurrent meeting last week. At that meeting, Education officials said that there were currently no plans to publish the action plan for the framework for 14- to 19-year-olds' education. How does the Minister expect those Committees to scrutinise that work if the action plan is not available to measure progress against?

Mr Givan: I am not sure of the exact, precise reasons why that has not been provided. It may be an entirely internal-facing document. That could be the reason. I do not know the reason for that, but I will certainly provide a written response to the Member.

SEN Placements

T5. **Mr McReynolds** asked the Minister for an update on SEN placements for the new academic year. (AQT 345/22-27)

Mr Givan: I recognise, as all Members do, that that issue requires a resolution. When I first came into office again, the indications were that some 1,000 children needed to be placed in September. That led to action on my part to communicate to schools directly and seek indications that they would be willing to provide a place for this September. Of the more than 700 schools that responded, over 300 responded positively. We then carried out a short survey on the needs of those schools, identifying where specific pressures were across Northern Ireland and trying to ensure that it was about not just any school but the right school. It has to be the right place for children.

We are continuing to provide placements, so progress has been made. We continue to make progress. I intend to update the House more formally when we have a much clearer picture, but I can say to the Member that that figure of 1,000 has been reduced by several hundred. I want to ensure that, by September, every child has a place. Then, we need to ensure that the situation is not repeated in future years. It happened last year and is happening this year. We need to ensure that we provide proper support for children with special educational needs.

Mr McReynolds: I thank the Minister for his response. Can he outline how he will ensure that necessary capital works are delivered for the new academic year, so that all children with a specialist placement in a mainstream school or nursery are able to access their place on a full-time basis from the start of the academic year?

Mr Givan: The priority on the capital spend has been for special educational needs provision. Therefore, there will be the funding that is needed to stand up the various specialist provisions so that we can address that. We will do what we need to do to ensure that support is there. That is why I outlined a new stand-alone special educational needs capital programme that is distinct from the other capital programmes in the Department of Education. I announced the immediate commencement of plans at Knockevin Special School and Ardnashee School and College because I recognise the need that is there.

We are also looking at all 39 special schools and identifying their capacity needs. Where we can take forward school enhancement programmes, we will do so. We believe that Northern Ireland needs eight new schools, and the Education Authority, at my instruction, is already identifying potential sites for those new schools. It is important that we do that, but it is also important that there is inclusion in our education system, so we need to make sure that we provide support to mainstream schools. That is what we are doing, and we will address the issue this year. I will provide a more detailed statement on that in due course, but I recognise the importance of tackling the issue, which is why I have been tackling the issue.

School Placements: SEN-first Approach

T6. **Ms Ennis** asked the Minister of Education, as a follow-on from the previous question, whether he will consider a SEN-first approach to address the ongoing difficulties surrounding school placements for children with special educational needs. (AQT 346/22-27)

Mr Givan: The Department is taking a SEN-first approach through its capital and the prioritisation of investment. For every family that is not able to have a child placed in a school, it is a crisis. Often, I speak to parents who are already providing support for a child or a young person who needs additional support and who are already under pressure and stress. Therefore, this year, if those parents are in the position of not knowing where their child will be placed, that is not acceptable. We do have a SEN-first approach, and we are trying to address that issue.

Ms Ennis: I appreciate the Minister's response. I know that he will agree that early intervention is important in supporting children with special educational needs. Will he apply the same logic

for those children who are in need of a special educational needs place in preschool?

Mr Givan: The Executive were able to identify £25 million for the early learning childcare strategy. Within that, there is funding that will stabilise Sure Start provision, which provides really important work, before birth and then in the pre-nursery-school years. I want to see how Sure Start and similar organisations can be enhanced. We had 22 temporary Sure Start schemes in addition to the existing permanent schemes. The funding that the Executive provided will allow those 22 temporary programmes to be mainstreamed and put on a permanent footing as part of Sure Start's core work. That will be welcomed in those areas where the temporary schemes and projects were up and running.

I would like to do more. As we develop the strategy, that is something that I would like to see expanded, not just in schools but in nursery-school and preschool provision. Again, that demonstrates that, even with the difficult financial constraints that we have to operate within, the Executive are prioritising and delivering.

Mr Speaker: Mr Brett is not in his place. I call Danny Baker.

Community and Voluntary Youth Sector

T8. **Mr Baker** asked the Minister of Education whether he agrees that the community and voluntary youth sector is invaluable to youth provision across our society. (AQT 348/22-27)

Mr Givan: Like the Member, I see the work of the community and voluntary sector in my constituency. Indeed, that is why the new RAISE programme to reduce educational disadvantage — it was part of the announcement last week, but it was not picked up — speaks about a whole-community approach, not just in formal educational settings but in other community organisations and where the voluntary sector is involved.

Whether it is in Youth Service provision, which my Department has a responsibility to support, or that new programme, which is going to build upon 'A Fair Start', the community and voluntary sector adds so much value that it is important that it is properly utilised. Where it can do more, it is important that I support it to do so.

Mr Baker: Thank you for your answer. Will you confirm when the review of the priorities for youth policy will be completed?

Mr Givan: I do not have a precise date for when it will be completed. The review has been taken forward partly due to the issues that I have just outlined. We need to support community and voluntary sector youth organisations. They do incredibly important work, and it is important that the systems are supporting them. Concerns have been expressed to me that those organisations feel that the system has not been supporting them in the way that it could, or that they could be delivering services in a way that, perhaps, statutory bodies have not been able to do as effectively.

We need to make sure that the right provision is provided by the right people, but, ultimately, what is best for the young people and who is best to deliver it is the important factor in reaching those decisions.

3.30 pm

Mr Speaker: Mr Swann and Mr McGuigan are not in their place, so that brings to a conclusion topical questions to the Minister.

Question for Urgent Oral Answer

Justice

Mr Speaker: Matthew O'Toole has given notice of a question for urgent oral answer to the Minister of Justice. I remind Members that, if they wish to ask a supplementary question, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary question.

Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022

Mr O'Toole asked the Minister of Justice what action she intends to take following the High Court decision on the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022.

Mrs Long (The Minister of Justice): Legal challenges to sections 12 to 16 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022, which relate to the anonymity of persons suspected of a sexual offence, were heard in the High Court on 22 April and 23 April, and Mr Justice Humphreys delivered his judgement on 31 May. The judgement found in favour of the applicants in respect of the challenge that the provision was incompatible with article 10 of the European Convention on Human Rights (ECHR), which is the right to freedom of expression, and declared it unlawful. That was on the basis that the provision criminalised the publication of a suspect's details without recognising any public interest defence and failed to provide for a process by which media organisations may apply to the court during a suspect's lifetime to have the prohibition on publication modified or revoked on public interest grounds. The other grounds of challenge, which related to the retrospective effect of the provision and an alleged lack of procedural fairness, were not upheld. As Members will appreciate, I now wish to take time to study the detail of the judgement in conjunction with my Department's legal team before making any decisions on a way forward.

Mr O'Toole: Minister, while the intentions may have been good, it is important to recognise that this has been terrible law. Mr Justice Humphreys, in his judgement, was clear and damning. He said:

"the imposition of a criminal sanction on public interest journalism, and the chilling effect occasioned thereby, represents an interference with an article 10 right which requires the most anxious scrutiny."

Given that, over the past weeks and months, newspapers have been receiving letters telling them not to report the names of deceased offenders who have already been named in civil proceedings, can you today be clear that you will not attempt to appeal the decision? Any attempt to appeal it would, I am afraid, double down on bad law and be a waste of public money.

Mrs Long: As I have already said, it is a complex and detailed legal judgement, and it has implications not just for this particular legislation but potentially for the House. Appeal is therefore always an option. I will, however, want to consider all my available options carefully and in conjunction with the Department's legal team before arriving at a decision on the best way forward. The judgement goes beyond the reach of solely my Department to where it has a wider bearing on future functions of the Assembly. All involved will want to consider carefully whether there is the potential for unintended consequences.

Mr Allister: Considering that the Minister walked the Assembly into this folly, not least by exaggerating Lord Justice Gillen's proposal, does she accept the judicial rebuke, and how will she retrieve the situation?

Mrs Long: To be clear, I did not walk the Assembly into anything. The Assembly, in fact, scrutinised the legislation, and the Act is an Act of the Assembly. The Member who has asked the question was in the Chamber and, indeed, raised objections to other elements of the Bill but not to that provision. I will also correct him where he said that I exaggerated Sir John's position. I have it in writing from Sir John in front of me that it is not true to say that he did not recommend the new law or that I misled MLAs about his report. He did recommend the measure of anonymity, albeit not the 25-year prohibition post-death. The latter point, however, he recognised as being entirely consistent with the spirit of his report.

Mrs Dillon: Minister, can you give us a guarantee that, going forward, you will engage with victims of historical clerical abuse and historical institutional abuse? The law has a massive impact on them, and a number of them have contacted me about it.

Mrs Long: As we take this forward, we will not only engage with our legal team about the judgement itself but look at the import of that in terms of future legislation and any potential change to this law. We take the issue of victims seriously. One of the reasons why the law was introduced and was on a par with the anonymity awarded to victims was to ensure that the right of victims to anonymity could not be undermined by jigsaw identification. Victims' concerns and rights have always had primacy in the conversation and will continue to do so.

Ms Bunting: This is a concerning situation, which, unfortunately, has resulted in reputational damage for the Minister, her Department and, indeed, the House. There were significant unintended consequences that were missed, despite all our collective procedures, because, in the last mandate, this institution was rushed and sacrificed quality for quantity. Did the officials in the Departmental Solicitor's Office (DSO) not know the potential ramifications? Did they not understand, or did they mislead? Whichever way, I am sure the Minister will agree that this is not a good outcome. Moreover, how will this change the mindset of her Department with regard to how it considers and brings legislation? What are the lessons to be learned? Also, I trust that the ruling will cause the Minister and her Department to have pause over their custom of bringing policy matters at Consideration Stage rather than in the Bill as drafted, when things such as this can occur even without that risk.

Mrs Long: As the Chair has recognised, this did not happen because it was brought at Consideration Stage, so the drawing of any conclusions in that regard does not follow through in logical terms.

I welcome the opportunity to put it on the record clearly that neither I nor my officials misled the Assembly in any way — not in any way. We were clear, and I categorically refute any suggestion that that was the case. The provisions were in the Bill at its introduction. While it is factually correct that specific queries were not raised about the provisions, that should not be interpreted as misleading the Assembly. The Committee did not ask questions on the particular provisions. They were neither hidden, nor was there any failing on my part or that of the Department. Where the Committee sought clarity and additional information, that clarity and additional information were provided.

I do not accept the Member's assertion that legislation was rushed through in the last political mandate. While it was a challenging

period for all, no processes were condensed in the Committee, and we worked with Members, including members of the Justice Committee, to ensure that appropriate time was given for full scrutiny to be applied. There was no condensed passage of any Bill. I am conscious that my officials and I made ourselves available at long and short notice to provide additional information. I draw the Member's attention to the then Chair of the Committee, Mervyn Storey, who said:

"The Bill underwent extensive and detailed scrutiny and debate. The Committee Stage and the lengthy debates at Consideration Stage and Further Consideration Stage resulted in a large number of amendments being made to the Bill and the addition of a range of new provisions that have improved and strengthened the legislation to provide protections for some of the most vulnerable — the victims of sexual abuse, child exploitation, human trafficking and modern slavery. That is most welcome."

He went on to say:

"The Committee did not just scrutinise the provisions of the Bill in a full and thorough manner but actively looked at the current legislative provision and identified opportunities to improve it and deal with emerging types of offending behaviour." — [Official Report (Hansard), 15 March 2022, p18, col 1].

Mr Speaker: Time is up, Minister.

Mr Dickson: Minister, what representations were made by the media during the passage of the Bill?

Mrs Long: To the best of my knowledge, no representations were made to the Department or the Committee as the legislation passed through the House. The first representations that were made by the media in respect of the legislation came when the provisions were commenced, which was a considerable time after the passage of the Bill.

Mr Butler: I put on record my thanks to the Minister for holding a 45-minute meeting with me on the issue on the resumption of the Assembly. She recognised that I wanted to bring a private Member's Bill to achieve what Mr Justice Humphreys did on Friday.

Minister, we were in disagreement about how the victims of historical sexual crime interpreted this. I impressed on you the removal of hope

that section 12 did to them. Minister, do you accept that victims of sexual assault and sexual crime have now had that hope restored, and do you recognise that fact today in relation to how you will move forward with this?

Mrs Long: I thank the Member for coming to meet me. We had a productive and useful discussion. The grounds on which the Member objected to the particular sections of the legislation are not and are not relevant to those that were tested before the courts. There was always a concern, as was raised by other Members, about the right of victims to speak about their experience. That is why the basis for the restrictions on reporting was drafted narrowly, so that victims could retain their anonymity but also have some recourse to be able to speak. We are now in a different position from when the Member and I met. It will be for me and my officials, with the legal advice available to us, to look again at the provisions and all options available to us at this point.

Miss Hargey: The High Court has made a decision and ruled on the matter. The Minister knows that I raised concerns about the legal case in February when we met, although, granted, the legal process was ongoing at that time. In the context of the ruling and in order to give clarity to victims and survivors, will you indicate a timeline for your next steps?

Mrs Long: The parties to the proceedings will be heard again in the courts in relation to the precise form of declaratory relief. That will happen shortly. We have six weeks in which to reach a conclusion on whether to appeal the judgment. We want to take legal advance speedily on the matter ahead of that deadline to ensure that we consider all of the ruling's implications, not just for this particular legislation but for legislation passed by the House more widely.

Mr Speaker: That brings to a conclusion the question for urgent oral answer to the Minister of Justice. The next item of business is a motion to approve a statutory rule.

Apologies. We will take a breather for a minute. We will conclude the questions on the Minister of Health's statement.

Ministerial Statements

Health: Vision Statement

Business resumed.

Mrs Dillon: I apologise to the Minister, because I missed the start of his statement. Apologies for that, Minister, and congratulations on your new role. I am sure that we will work well together, as we did on the Policing Board.

I agree with you, Minister, about what constitutes a "good job". Unfortunately, many of our healthcare workers are not experiencing the vision that was outlined. Many of them feel underpaid and undervalued, yet they continue to give a high level of service. Will you outline your plans to support them and, more importantly, to provide strong leadership for a workforce that has felt unsupported and a bit leaderless?

(Mr Deputy Speaker [Dr Aiken] in the Chair)

Mr Nesbitt: I thank the Member for her question and her point, which is absolutely central. When we talk about the health service, we think about buildings, equipment and medicines; we do not think enough about the people who are the National Health Service and the Health and Social Care staff. In the first instance, I want to assure them that I have my definition of a "good job", and it includes not only terms, conditions and remuneration but how they are treated and respected and how we understand what they do. On a personal level, I go back to my dear mother's final few days in the Ulster Hospital. I mentioned the member of catering staff who had been off for a week and who came into the room where Mum was and burst into tears, because Mum had physically deteriorated significantly over the course of those seven days. To me, that sums up the commitment and care that the staff put in.

3.45 pm

There is a head of workforce planning in my Department. I was with him between being here and coming back, and we will have a meeting on Wednesday. I assure you what I assured him, which is that getting the workforce planning right and respecting the staff is absolutely up there in what I want to achieve.

I was going to say, "in the initial weeks", but over the next three years, I want to spend as much time as possible not in the Department

but out and about, meeting and greeting. In the Long Gallery, about 100 of the 360 volunteers from the South Eastern Health and Social Care Trust were having afternoon tea, just as a thank you for their efforts. It is about not just staff but volunteers; it is about everybody who helps to make the National Health Service what it is. I repeat: I do not accept the narrative that we are in some sort of fatalistic spiral downwards. My confidence in that is based primarily on the people who run it.

Ms Bradshaw: Thank you, Health Minister. Welcome to your post. I appreciate the positive tone that you delivered, and I feel that you are being sincere.

Minister, you talked about delivering reform and about the financial constraints that you are under. You will be aware that, last summer, the chief executives and others worked on work streams under the hospital reconfiguration design plan. The next stage was meant to be about going out to consult the healthcare professionals whom you have just mentioned. Where are we at with that?

Mr Nesbitt: I thank the Member for the question and the point. If I understand the question correctly, it is about a different way of looking at our hospital configuration. Traditionally, we have looked at hospitals as stand-alone entities. Of course, there are people who, in an ideal world, would want an acute hospital at the end of every street. We know that we cannot get anywhere near that, nor should we try. In my view — I think that I am in sync with my predecessor, Robin Swann — it is about saying, "Let us view our hospitals as a network". It then becomes a question of who does what where, because not every hospital will do everything. That is right, because if a hospital has a specialism in a certain service, that allows the clinical staff, the consultants, to develop their expertise. Personally, if I needed a fairly significant procedure, would I want to go to a hospital where the team performed that procedure once a week or somewhere where they performed it five or six times a day, five or six days a week? I know which one I would choose. Getting that configuration right is part of what I am looking at for reform. When I say "reform", that is just my preferred term for transformation. I hope that that answers the Member's question to some extent, if I understood it.

Mr Robinson: I thank the Minister for his statement. I certainly wish him well.

We predicted that, when one Health Minister walked out of the door and another walked in, the new Minister would have the same challenges to face up to as he walked through the door. In his statement, the Minister touched on workforce pay. Members of the House have been invited to join junior doctors who will stage a protest outside the Building on Thursday. Unfortunately, I cannot attend, but I have made my views known in the Chamber. Does the Minister intend to join the protest and speak to the junior doctors to give a fresh perspective on that negotiation?

Mr Nesbitt: I thank the Member for his question. I am aware, as, I am sure, he and the House are, that the health service is an incredibly complex organisation with so many moving parts. To do something in one area inevitably is repercussive and will have implications for another area. As I am sure the Member is aware, I spent a few weeks as my predecessor's Assembly Private Secretary. I tried to use as much of that time as I could to do some reading and thinking, as well as conducting some meetings, including with the five chief executives of the geographic hospital trusts and a number of the royal colleges. I am now keen to have a formal meeting with the chairs of all the committees of the BMA in Northern Ireland, because agreeing to something for one of them clearly has the potential to be repercussive on another, and I do not want to solve an issue in one place only to find that I have created an equal issue in another place.

In response to the Member's opening remarks, yes, I think that I have inherited my predecessor's problems. I will try to deal with those problems as positively as possible, because I think that everybody can agree that we want to inject a bit of hope into the future of the National Health Service while being realistic about the challenges, not least the budgetary challenges. I am putting a degree of store by the expectation that the budget will see some green shoots, if I may use that expression, as a result of the June monitoring rounds in a few weeks' time.

Mr McReynolds: I thank the Minister for his statement and take this opportunity to wish him well in his new role. He will no doubt be aware of the issues that face many adults in obtaining access to a potential ADHD diagnosis. I laid a petition with the Speaker on the matter on 23 April, calling on the previous Health Minister to urgently commission adult ADHD services in Northern Ireland. Unfortunately, I am yet to receive a response. The petition now has 3,882 signatures. Will the Minister agree today to

meet me and ADD-NI as a matter of urgency to tell us his plans to tackle adult ADHD in Northern Ireland?

Mr Nesbitt: I thank the Member for his comments and request. I am most certainly happy to do that. I am aware of the issues and of the fact that there are also issues with access to medicines. To some extent, those are global issues that we have relatively little control over, but that does not mean that we do not need to work hard to try to resolve them. I am aware, from family members who have learning difficulties and issues, of the service that they receive not just from the Department of Health but more generally. I am absolutely sympathetic to what the Member said. I will go away and speak to my private office to see whether we can make that happen.

Mr O'Toole: I welcome the new Health Minister to his role. I welcome the fact that he said in his statement that his ambition is "for better outcomes". What conversations has he had and what outcomes will he seek to place in a Programme for Government that will be not just aspirational but specific and clear about getting waiting lists down and all the other measurable improvements that we want to see in the health service?

Mr Nesbitt: I thank the leader of the Opposition. I have not had sight of a draft Programme for Government, so I think that the best way to answer him is to say that I am rereading Mark Friedman's book 'Trying Hard Is Not Good Enough', which was the basis of an OBA, or outcomes-based accountability, Programme for Government, although some people might prefer the term "results-based".

It seemed to me, when I arrived in the House in 2011, that, as a government, we seemed to put a lot of emphasis on inputs and on outputs. For example, in considering an area of deprivation, you might say, "We have put £x million into it, and the outputs are that we've set up training facilities here and awareness facilities there". However, we did not go to the end of the equation. What were the outcomes? What I found back then on the Economy Committee was that, if you looked at the areas of deprivation that were in the top 10 in the league table, you saw that they were still in the top 10 after 10 years. They might have gone from fifth to sixth, but that was not enough.

When it comes to a Programme for Government, therefore, I will be about trying to achieve outcomes. Following on from my statement, one outcome that will be a good test

of the Executive and of collegiate, collaborative working is tackling health inequalities, because that is not just a matter for Health. Those issues tend to arise in areas of deprivation. I believe that the Minister for the Economy and I can work well together to try to get our Departments to come up with inputs and outputs that secure actual better outcomes for people. That is just one example. I hope that the leader of the Opposition will accept that I am in the foothills, on day 6 as the Minister, but that is indicative of my thinking. It is not about the Department of Health working in a silo; it is about trying to work collaboratively with everybody else. It is not about just saying to another Minister, "Come and help me deliver". I am very conscious that we talk about educational underachievement, for example. Healthier children tend to do better in school, so there is a role for my Department in helping the Minister of Education. That is my *modus operandi*.

Mrs Dodds: Thank you, Minister. Everyone in the House, including on this side, wishes you well and wants to see really strong, good outcomes for health and our community right across Northern Ireland. However, I have been reflecting on what you said: much of it is about what you cannot do because of the budget, and there is not so much about what you can do with the budget. Across the House, we would like to know when we will see detailed spending plans from the Department for the 52% of the block grant that you already have.

On 15 April, I asked your predecessor when he would publish his plan for the reconfiguration of hospitals and services. His answer was that it would be in a "couple of weeks". I know, Minister, that you are new in post, but you have served a significant number of weeks of an apprenticeship. Will you be able to publish your plan in a couple of weeks?

Mr Deputy Speaker (Dr Aiken): Minister, there were two questions. You may choose which one you would like to answer.

Mr Nesbitt: I do not want to challenge the Deputy Speaker, and let us not quibble, but I thought that there were three. *[Laughter.]* I thank the Member. I am afraid that I do not particularly agree with her analysis — in my statement, I talked about areas where I will be doing work — but, for the avoidance of doubt, I am talking about reform. While that will be constrained by a lack of funding, as everything else and every other Minister will be, that does not mean that I am saying, "This is what I cannot do". I am saying that I will start the process of reform. At times, that may be

controversial and very difficult. It may be particularly difficult, at times, for Members representing specific constituency areas. On top of reform, I am talking about mental health; I am talking about cancer care; I am talking about waiting lists; and I am talking about tackling health inequalities. Those are concentric circles, all overlapping and playing into one another.

As for the 52%, as I said earlier, given that, over the past number of months, we consistently argued with the Northern Ireland Office, His Majesty's Treasury and the UK Government that the block grant was not fit for purpose because it was based on population rather than need, that we succeeded in that argument and that the figure is now not 100% but 124% of spending in England, based on assessed or objective need, I do not understand how, when it comes to the Health budget, the Member says not, "What is your need?", but, "You have 52%: suck it up". It may be that 52% is what we need, or it may be that we need more than that to heal the sick and keep the healthy healthy. Again, the health trusts have already come up with solid plans to save a very significant amount of money with cuts that are assessed as low- and medium-impact — that means that there will be an impact on service users and patients — but we will now have to move into higher-impact and catastrophic cuts.

Despite the apprenticeship, I am not there yet in assessing what the high-impact and catastrophic cuts are, and I do not believe that the trusts are either, although they are talking about a significant reduction in hospital beds, in care home beds, in domiciliary care and even a reduction in intensive care unit beds. If we are talking about harm in an ICU, we could be talking about the ultimate harm.

4.00 pm

Ms Mulholland: I welcome the Minister to his new role. In his children's social care services review, Professor Ray Jones put forward 53 recommendations. Some of those recommendations do not need significant resources or investment, particularly if those resources are pooled or used effectively as per the Children's Services Co-operation Act (Northern Ireland) 2015. Will the Minister direct the Department to implement those recommendations, or will he undertake another review?

Mr Nesbitt: I thank the Member for her question. I see no particular need to undertake

a new review. I would like, though, simply to quality assure the recommendations in the current publication. I am in communication with the Children's Commissioner, Chris Quinn, and I want to have an early meeting with stakeholders, not least the commissioner, to talk about how I can quality assure that the recommendations are good. I very much take the Member's point that a significant and tangible difference can sometimes be made without huge amounts of funding, resources or personnel. Let us lift our spirits. Let us say that, despite the challenges — they are severe — we can do things that make it better. Let us not have a council of despair. I am optimistic that we can do this a bit better.

Mrs Erskine: I welcome the Minister to his new role. I will be a critical friend to the Minister, and I look forward to working with him in the weeks, months and years ahead.

I represent a rural constituency, and the Minister mentioned the Western and Southern Trusts. My constituency does not even have a dual carriageway to bring patients from the South West Acute Hospital (SWAH) to the Ballygawley roundabout. It is imperative to make road improvements while we look at transformational pieces in our health system. For example, when we look at moving services, we need to make sure that patients can use public transport and incentivise that to ensure that they can get to their appointments. What work is the Minister doing on that with the Infrastructure Minister? Will he engage with Members from rural constituencies to talk about those aspects?

Mr Nesbitt: The Member for Fermanagh and South Tyrone has asked a good question. I, too, represent a rural constituency: Strangford. I take the point that it is all very well saying that we can have centres of excellence that have better services, but that is no good if you cannot get there. I have already had discussions with senior colleagues in the Department of Health on the question of transportation. I have not spoken to the Minister for Infrastructure yet. I have yet to attend an Executive meeting, so that is all ahead of me.

I assure the Member that I recognise that we need to think imaginatively and sympathetically about people who, for whatever reason, cannot easily access the transport that they need to get from A to B in order to get better outcomes. If they cannot do that, by definition, the outcomes will not be better.

I accept and welcome the Member as a critical friend. I see three of them over my right

shoulder as I speak [*Interruption*] — and here comes the next one [*Laughter*].

Mr Deputy Speaker (Dr Aiken): Not yet, Paul. I call Patsy McGlone.

Mr McGlone: With your permission, Mr Deputy Speaker, I convey my sincere sympathies to the Gildernew family on the untimely and sudden loss of Fiachra. Go ndéana Dia trócaire ar a anam. [*Translation: May God have mercy on his soul.*] First, Minister, I convey my heartiest congratulations on your appointment. Let us hope that it is a productive and fruitful one.

Returning to community pharmacy, will you pledge to look at the issue of clawback by the Department from community pharmacists? That is one issue that has been raised time and again with me by local community pharmacists as being something that is driving many of them to a financial tipping point. Already, we have heard that, in the past 18 months, 12 such community pharmacies have had to close in Northern Ireland. Minister, will you have a wee look at that, please, and see what can be done? It seems that a spin is being placed on the situation by the Department, which probably requires you giving it a critical eye to see if it can be resolved.

Mr Nesbitt: I thank Mr McGlone for his opening remarks. I repeat what I said at the beginning of my statement earlier: I extend my sympathies and condolences to our colleague Colm Gildernew and the wider family on their tragic loss.

I am aware of the issues with community pharmacies. I visited one in my constituency recently and got a briefing on such issues as clawback on the cost of some medicines versus the reimbursement, so I get that. I get some of the other issues too. I do not want to do what we have always done; I want things to be done better. I am looking at social care, primary care and GP surgeries. I think that everybody acknowledges that multidisciplinary teams work and deliver outcomes. Not only can community pharmacies do more; they stand ready to do more and want to do more. It is a question of how we facilitate that. As I said, that is all within a big jigsaw with all of the moving parts. I promise the Member that it is certainly on my radar — it will not be ignored — but the actual resolution, within the big picture, is still to be worked out.

Mr Frew: I genuinely wish the new Minister well in his brief and his challenge. I already detect a

sea change in the positivity coming from the new Minister; I appreciate that.

Given the concerns expressed by the heads of trusts and in the higher echelons of his new Department on what could happen in eight weeks' time, when they know rightly that there is a June monitoring round in six weeks' time, has the Minister seen the Department's bids for June monitoring? If so, is he satisfied with those bids?

Mr Nesbitt: I thank the Member for his question, which speaks to the last conversation that I had before I came into the Chamber. I have seen options for bids, but I have not signed off on them. However, I imagine that that will happen before 6.00 pm today. The difficulty is that, if we bid for everything that we want, there is the danger that people will say, "Oh, there they go again. They're after the entire cake rather than a slice of it". The danger in not bidding for everything is that it will seem that we are not sending out the right signal, which is, "This is everything we need to keep people safe, to keep the healthy healthy and to heal the sick". There has to be a bit of a judgement call. That includes being aware that there is not a single Minister of the Northern Ireland Executive who is getting all the finance and resources that they need. There has to be a priority.

I am conscious that my predecessor made the point that, although we might say that we allocate budgets to Departments on the basis of an analysis of risk and of which cuts might pose the greatest risk to keeping people safe — clearly, that is not just in the Health Department — he did not believe that an equal measure was being applied. He believed that Departments were using different measures. There is still a conversation to be had in that area.

All I can say is that the bids or bid, depending on whether we put in one bid or submit bids individually, will be significant and will pose another great problem for the Minister of Finance in particular. I met her earlier today. I have no doubt that, if she could, she would give everybody what they want. I am in no doubt she is doing her best to unlock the Treasury's purse strings. I assure Members that I look forward to working with her and other Executive colleagues to get the best outcomes that we can. They will not be the ideal outcomes, because we are not in that place, but my objective is to minimise harm and to do as much good as we can.

Mr McNulty: Welcome to the post, Minister. I wish you all the best with it. Go n-éirí an t-ádh leat. [*Translation: I wish you good luck.*] Your statement contains one glaring omission, and I say that in as collegial a way as possible. Synergies and better outcomes have been mentioned, but there is no mention of an all-Ireland health service. You talk about a blank map of the North. The North is not an island. Surely you have to explore opportunities on an all-island basis. All-Ireland cancer research has proven what a success it can be, as have cross-border renal facilities. The cross-border health directive needs to be reimplemented. Do you see possibilities whereby a hospital such as Daisy Hill Hospital that may previously have been seen as peripheral can now become a centre of excellence, serving its natural hinterland of the border counties of Armagh, Down, Monaghan, Louth and potentially even north-east Meath? Do you see where opportunities lie there for efficiencies and synergies?

Mr Nesbitt: I thank the Member for his question. I suggest to him gently — collegially — that just because it is not mentioned explicitly in the text does not mean that it is not implied. If you take that imaginary map that I have of Northern Ireland, it will be informed by whether there are accessible services on the other side of the border. Think about 2010 or 2011 and the breast cancer services provided at Altnagelvin Hospital in Derry/Londonderry. As I understand it, the business model included serving Donegal in the north-west of the island. For the South West Acute Hospital in Enniskillen, again, the business model stated that there would be cooperation across the border into Sligo and the west of Ireland.

If you had limitless money and were going to invest a huge amount of it in, for example, Daisy Hill Hospital in Newry, you would not do so if the Health Service Executive (HSE) in the Republic was about to do the same thing for the same services in Dundalk, nor would it be done vice versa. I have already signalled my intent, over the remainder of the mandate, to attend North/South Ministerial Council meetings in the health sectoral format. I look forward to meeting my counterpart. In short, I assure the Member that, yes, there will be times when we will look at this on an all-island basis and, at times, on an all-islands basis to ensure that we do everything that we can to achieve better outcomes.

Mr Deputy Speaker (Dr Aiken): I thank the Minister for his answers and all Members for their questions. That concludes questions on the statement.

Executive Committee Business

Human Medicines (Amendment Relating to Original Pack Dispensing) Regulations (Northern Ireland) 2024

Mr Nesbitt (The Minister of Health): I beg to move

That the draft Human Medicines (Amendment Relating to Original Pack Dispensing) Regulations (Northern Ireland) 2024 be approved.

Mr Deputy Speaker (Dr Aiken): The Business Committee has agreed that there should be no time limit on the debate.

Mr Nesbitt: I seek the Assembly's approval for the making of this set of draft regulations, which will amend the Human Medicines Regulations 2012 or, as they are commonly known, the "HMRs". The regulations will enable original pack dispensing of medicines and will require whole-pack dispensing of medicines containing valproate in Northern Ireland.

The HMRs are a set of UK laws that regulate the use of medicinal products for human use. They set out a comprehensive regime for the authorisation of products; for their manufacture, import and distribution; for sale and supply of the products; for their labelling and advertising; and for pharmacovigilance.

4.15 pm

The statutory rule creates a specific requirement for medicines containing all forms of valproate to always be dispensed in their original manufacturer's packaging. That is to ensure that girls and women receive warnings regarding the risks of taking these medicines when pregnant. The manufacturer's original packs include specific warnings and unique pictograms on the label. They include a patient card, along with a statutory patient information leaflet, and an additional patient booklet highlighting the risks of taking the medicine while pregnant.

Medicines containing valproate are used in the treatment of epilepsy and bipolar disorder. There are known risks that are associated with medicines containing valproate, including

significant risks to children of mothers who took medicine containing valproate during pregnancy. Exposure of an unborn baby to valproate during pregnancy is associated with a high risk of congenital malformations and neurodevelopmental disorders, which may lead to permanent disability. The aim of the amendment is to require manufacturers' original full packaging dispensing of those medicines and to further decrease the number of babies who are exposed to valproate in pregnancy. That having been said, pharmacists will be able to make an exception to whole pack dispensing on an individual patient basis, where a risk assessment is in place that refers to the need for different packaging, and where processes are in place to ensure the supply of patient information leaflets.

The statutory rule will also introduce original pack dispensing (OPD) to allow pharmacists in Northern Ireland the flexibility to dispense up to 10% more or 10% less of a medicine compared to the quantity prescribed. That happens if it means that pharmacists can dispense the medicine in its original manufacturer's packaging. That will, again, support increased patient safety by improving patient access to safety information that is included in a medicine's original packaging. These provisions will also help community pharmacies to streamline how they manage workload by enabling greater use of automation in the dispensing process and releasing capacity in pharmacy teams to undertake patient-centred services that meet population health needs and support HSC transformation.

The amendments are being made following the completion of a UK-wide consultation that took place in 2021. There were 84 responses to that consultation across the UK, five of which were from Northern Ireland. Although the majority of respondents were extremely supportive of the proposals generally, some respondents suggested that exceptions needed to be built in to support patients who have specific individually identified dispensing needs, such as patients who receive their medication in daily dosage packaging, such as a monitored dosage system to aid compliance. Further to the consultation responses, an exception is now included in these amending regulations whereby pharmacists will be able to make an exception to the whole pack dispensing of medicines containing valproate on an individual patient basis, where a risk assessment is in place that refers to the need for different packaging, such as a monitored dosage system, and where processes are in place to ensure the supply of patient information leaflets.

Amendments to the HMRs for original pack dispensing will enable pharmacists, or pharmacy staff under their supervision, to dispense 10% more or less of the medicine compared to the quantity prescribed if it means that they can dispense the medicine in the manufacturer's original packaging. However, judgement by the responsible pharmacist will remain a critical part of the process. For instance, there are some prescriptions, such as a course of steroids or antibiotics, where a decision may need to be made to supply the exact quantity prescribed.

It is important to note that original pack dispensing will not apply to controlled drugs, which are medicines that have further legal controls on top of those that apply to all prescription-only medicines. That is because they may cause serious problems, such as dependency and harm, if they are not taken as intended by the prescriber, or if they are diverted for other uses.

As a whole, the amendments will directly contribute to the overarching objective of safeguarding public health by improving patient safety in Northern Ireland. Ensuring that patients receive the necessary information included in and on the manufacturer's original packaging will support them taking their medicine safely and effectively.

The HMRs have a UK-wide territorial application and must be amended using powers set out in the Medicines and Medical Devices Act 2021. Subsequently, any amendments would normally be made jointly by my Department and the Secretary of State for Health and Social Care using the draft affirmative procedure, meaning that they would be debated and approved via the draft affirmative procedure in both the Houses of Parliament and here in the Northern Ireland Assembly. As Northern Ireland had no sitting Assembly until recently, the UK Government made the decision to proceed with the laying of a draft amendment statutory instrument that applies only in Great Britain. That statutory instrument was debated in the UK Parliament on 20 September 2023 and came into operation in Great Britain on 11 October 2023.

In the absence of a Minister to bring forward those legislative amendments to the Assembly for application in Northern Ireland at that time, my Department issued a chief professional letter in relation to full-packaging dispensing of valproate-containing medicines to highlight that the Medicines and Healthcare products Regulatory Agency (MHRA) guidance relating to valproate-containing medicines should be

considered as good practice in Northern Ireland until such times as similar legislative amendments to that which had taken place in Great Britain could be taken forward in Northern Ireland.

The draft regulations that I bring before the Assembly therefore replicate the provisions already made for Great Britain. If these regulations are approved by the Assembly today, the respective legislative provisions will then extend to and apply in Northern Ireland in the same way that they currently apply in the rest of the United Kingdom.

My officials attended the Health Committee at its meeting on 2 May to outline the policy intent of this draft statutory rule. I am pleased to confirm that the Committee raised no issues on the content of the draft regulations. It is with the Committee's support that I now bring this statutory rule before the wider Assembly and its Members. I therefore commend the motion to the Assembly.

Ms Kimmins (The Chairperson of the Committee for Health): Before I speak on the motion, I, again, congratulate the Minister on his recent appointment. I do not underestimate the challenging portfolio of work that he is responsible for. I want to reassure him that the Committee will work with him and his officials in a positive and collaborative way in their efforts in the time ahead, as we said in the previous discussion.

I now turn to the SR. I welcome the opportunity to confirm the Health Committee's support for the motion that the Minister of Health moved in the House today. As the Minister outlined, the statutory rule amends the Human Medicines Regulations 2012 that govern the arrangements for the licensing, manufacture, wholesale dealing and sale or supply of medicines for human use.

The Committee was briefed by departmental officials on the proposed SR on 2 May. At that briefing, officials advised the Committee that the proposed SR would create a requirement for medicines containing valproate to always be dispensed in their original manufacturer's packaging. The purpose of that is to ensure that women and girls receive warnings regarding the risks of taking such medicines when pregnant. The officials also advised the Committee that the proposed SR would introduce flexibilities for pharmacists in the dispensing of medicines to ensure that original packaging safety information was provided to patients. The Committee fully endorsed the policy merits of the proposed SR, which aims to improve patient

safety, and confirmed that again on 30 May, when we considered the SR and agreed to recommend that it be approved by the Assembly.

Mr Deputy Speaker (Dr Aiken): Members, the Question is that the draft Human Medicines (Amendment Relating to Original Pack Dispensing) Regulations (Northern Ireland) —. My apologies, Minister. I should have asked you to wind up the motion. Thank you for keeping me right, Clerk. That is excellent.

Mr Nesbitt: Thank you very much, Mr Deputy Speaker. Thanks also to the Chair. On the broad point of working with the Committee, I repeat that, although I have only been in this role for six days, I have worked here for more than 13 years, in the Chamber and in Committees, so I feel a great sense of loyalty to that. If we get the relationships right, a lot of things are possible. I really look forward to working with the Chair and her colleagues on the Health Committee. I thank the Committee members for supporting the legislation.

I will close by taking the opportunity to acknowledge the work of Dr Jim Morrow, a now retired consultant neurologist from the Belfast Health and Social Care Trust. His work in the field of epilepsy medicines in pregnancy has had a global impact. I declare that I have known Dr Morrow for a very long time, since school days. Dr Morrow founded the UK epilepsy and pregnancy register. His work has been absolutely key — instrumental — in highlighting the safety issues of valproate in pregnancy and in learning more about the safer alternatives for treating epilepsy in pregnancy. We all owe Dr Morrow a huge debt of gratitude. With that, I conclude.

Mr Deputy Speaker (Dr Aiken): I apologise to the House for almost pre-empting what were fine remarks from the Minister.

Question put and agreed to.

Resolved:

That the draft Human Medicines (Amendment Relating to Original Pack Dispensing) Regulations (Northern Ireland) 2024 be approved.

Standing Orders 10(2) to 10(4): Suspension

Resolved (with cross-community support):

That Standing Orders 10(2) to 10(4) be suspended for Monday 3 June 2024. — [Mr Lyons (The Minister for Communities).]

Mr Deputy Speaker (Dr Aiken): Members, please take your ease for a moment.

(Mr Speaker [Mr Poots] in the Chair)

Defective Premises Bill: Accelerated Passage

Mr Lyons (The Minister for Communities): I beg to move

That the Defective Premises Bill proceed under the accelerated passage procedure.

Mr Speaker: The Business Committee has agreed that there should be no time limit on the debate.

Before I call the Minister to open the debate on the motion, I inform Members that an appeal regarding a decision of the High Court on the Victoria Square development has been listed for hearing in December 2024. As a consequence, proceedings regarding the matter are now active for the purposes of the Contempt of Court Act 1981 and consequently fall within the Assembly's sub judice rule, as set out in Standing Order 73. The fact that there are active legal proceedings regarding the Victoria Square development should not prevent debate on the proposed accelerated passage of the Defective Premises Bill. That is clear from Standing Order 73(3), which provides:

"Nothing in this order shall prevent the Assembly from considering legislation."

The Defective Premises Bill is clearly legislation to which Standing Order 73(3) applies. Members should, therefore, undertake scrutiny of the accelerated passage motion as normal, whilst remaining cognisant of the importance of not prejudicing ongoing legal proceedings.

4.30 pm

Mr Lyons: I will begin by putting on record my sincere condolences and sympathies to the Chairperson of the Committee and his family

following the tragic passing of his nephew. On behalf of my party and the Department, I assure him and his family of our prayers at this time of unimaginable loss.

I seek the Assembly's approval to take forward the Defective Premises Bill using the accelerated passage procedure. I confirm that Executive approval was sought and granted for the use of the procedure. The Bill amends the Defective Premises (Northern Ireland) Order 1975 and the Limitation (Northern Ireland) Order 1989 to extend the limitation period for which actions may be taken when defects occur in dwellings or in buildings that contain dwellings. I thank Executive colleagues for the collegial approach that they have taken to allow the Bill to progress to the Assembly and for their agreement to the motion.

When I met Ministers Archibald and Muir just over 10 weeks ago, we all recognised the urgent need to address the disparity that exists between Northern Ireland and England and Wales on the issue. For that reason, I undertook to introduce at the earliest possible opportunity legislation that would place Northern Ireland's homeowners on an equal footing with their counterparts in those other jurisdictions. While that meeting in March was precipitated by the High Court's decision to dismiss the case brought by the residents of Victoria Square against its developers, that case is not the reason why I seek accelerated passage. Rather, the case shone a light on the burden, both emotional and financial, that is faced by residents who, through no fault of their own, may be left with a home that has been rendered valueless while they still have to pay mortgages and other costs associated with it. Those could be starter homes owned by people taking their first steps on the property ladder or homes that people have bought when entering retirement. All that arises from Northern Ireland not keeping pace with the changes introduced in England and Wales in 2022 by the new Building Safety Act.

Since taking on responsibility for residential building safety in January this year, my officials have been working on developing new policy and legislation that will ensure that all citizens are afforded similar protections to those in place in other jurisdictions. However, that is a substantial piece of work, and it is unlikely that any legislation that arises out of it will be introduced to the Assembly during the current mandate. Given the impact that that disparity is having, as evidenced by the recent High Court case, and the possibility of further cases over the next few years, I feel that there is an urgent need to rectify the matter that justifies the use

of the accelerated passage procedure. Should Members not agree to accelerated passage, the stark reality is that homeowners in Northern Ireland will remain disadvantaged should their homes be rendered uninhabitable due to defects arising from construction or from building work that has been carried out to their property. As we have already seen, that can come with a considerable financial and emotional cost to our citizens.

I did not come to the decision to request accelerated passage lightly. I recognise and fully respect the important role that Committees play in the legislative process by ensuring that every Bill gets the proper degree of scrutiny. I would not have suggested the use of the accelerated passage process had I not considered that it was important to address, as a matter of urgency, the disadvantage that homeowners in Northern Ireland face under the existing legislation, should defects in their dwellings render them uninhabitable. Therefore, I commend the motion to the Assembly and ask that it agrees to process the Defective Premises Bill under the accelerated passage procedure.

Ms Ferguson (The Deputy Chairperson of the Committee for Communities): On 16 May, departmental officials briefed the Committee on the Bill. The session provided the Committee with an overview of the Bill's four clauses, covering its intent and provisions. The Committee had heard about a new Bill via media reports and had written to the Minister seeking information about the scope of the Bill and a timeline for bringing it forward, as we were undertaking a planning session and were keen to have clarity on the number of Bills the Committee would receive for scrutiny.

In March and April, the Committee began to receive correspondence from interested stakeholders. At the meeting on 16 May, we also heard directly from representatives of the Royal Society of Ulster Architects (RSUA). They voiced concerns about the Bill, particularly regarding the potential unintended consequences of a couple of clauses in the absence of a broader programme of reforms similar to those enacted in England and Wales via the Building Safety Act 2022.

Members had a series of concerns and unanswered questions about the Bill that became more apparent as accelerated passage was discussed as the Minister's preferred option. Concerns about the accelerated passage process included the reduction in scrutiny, as the accelerated passage process removes the Committee Stage, significantly limiting the opportunity for thorough

consultation with relevant stakeholders and making considered recommendations for amendments. The Committee acknowledges that that reduction in scrutiny could lead to oversights in the legislation. The Committee heard that compressing the timelines between the remaining stages of the Bill, curtailing the opportunity to consider and develop amendments, is particularly concerning for complex and technical Bills, where detailed examination is crucial.

The Committee also heard concerns about transparency. Given the reduced scrutiny inherent in the accelerated passage process, maintaining transparency in the remaining legislative stages is vital. The limited engagement with stakeholders due to the accelerated process may result in insufficient understanding of the Bill's impact and application, potentially overlooking significant technical issues and concerns raised by those directly affected. On that, we should acknowledge that additional requests to brief Committee and individual correspondence submitted in last week's tabled papers had to be redirected straight to the Minister for information, given the utilisation of accelerated passage.

Members need to weigh up the Minister's argument for urgency against the risk of hurried legislation. The Committee is cautious about the consequences of passing legislation without the level of scrutiny afforded by the Committee Stage of a Bill's progression.

While discussing the Defective Premises Bill is not restricted by sub judice rules, the Committee was cognisant that there is still potential for the Minister or the Department to avoid answering certain questions, which could further limit the House's ability to scrutinise the Bill effectively. Learning from the past, the House knows well the importance of robust scrutiny mechanisms and transparency. It is incumbent on me, as Deputy Chair of one of the scrutiny Committees, to highlight the risks of inadequate time for scrutiny and the need for careful legislative review to prevent repeating past mistakes.

In summary, the Committee has no consensus position. The accelerated passage process limits thorough scrutiny and stakeholder engagement. The Committee wrote to the Minister to ask him to consider whether the Bill would benefit from proceeding through normal passage, including a Committee Stage. The Committee also sought and received its own legal advice and further information on the potential legal implications of the Bill,

particularly its retrospective application. Nevertheless, Committee members recognise the urgency and importance of addressing the legislative disparity that currently places citizens in the North in a different position from those potentially affected by defective premises in England and Wales.

As Deputy Chair, I have to outline that the Committee does not have a determinative role in whether accelerated passage should be granted for the Bill. That is a matter for the House.

That concludes my comments as Deputy Chairperson of the Committee. I will now make some comments as Sinn Féin spokesperson. As reiterated, we acknowledge and recognise that the accelerated passage process limits scrutiny and stakeholder engagement, and we have flagged those concerns with the Minister. We understand the reason for acting urgently. We want to ensure that people here are not disadvantaged compared with residents in England and Wales. We support the motion for accelerated passage and reiterate the need for the Minister to consider the concerns raised, thus ensuring that the Bill is fit for purpose.

Mr McCrossan: The Minister has announced that the Defective Premises Bill is designed to introduce new provisions into the Limitation (NI) Order 1989, fixing a retrospective period of up to 30 years and a prospective period of up to 15 years in which a party can take action for defective premises. It also introduces new provisions into the Defective Premises Order to allow a building that contains two or more dwellings to be treated as a single dwelling for the purposes of the order. The changes are based on the provisions introduced in England and Wales by sections 134 and 135 of the Building Safety Act 2022.

The SDLP acknowledges that existing legislation dating back to 1975 can no longer provide citizens here with the protections that they need and deserve. Therefore, we are sympathetic to amending the law to afford greater safeguards and doing it as expediently as possible. Acknowledging our difficult situation, the Minister seeks accelerated passage of the Bill. Of course, such action should not be done as normal business in the House. It deprives the Committee for Communities of its capacity for proper scrutiny and shortens the Assembly's ability to inspect and amend, should any amendment be necessary. Members will consider those issues as the Bill goes through its stages. As a party, the SDLP has thought long and hard about the notion of accelerated passage. It must never be

a natural first option. Indeed, citizens are entitled to know that MLAs have taken any draft legislation that is set before the House seriously and that the highest standards of scrutiny have been applied. Accelerated passage must, therefore, never be taken for granted. Every instance must be judged on a case-by-case basis.

That said, in this instance, we are faced with a unique situation, and the dangers of prolonging the passage of the Bill are real. Moreover, our citizens are entitled to equality with those in other jurisdictions. Bearing those things in mind, whilst the SDLP is unhappy with accelerated passage, we recognise the reasons why that is the route of action by the Minister. We have also said at the Committee on countless occasions that further scrutiny would add only a short period of 30 days to the process, which would enable proper and full scrutiny, allow us to put key questions to the Minister and others to ensure robust scrutiny of the process and enable us to answer any concerns that we have about the Bill.

The Bill has been introduced by the Minister in good faith and, we expect, with the legal resources and expertise of the Department to help to craft and present it in a way that is competent. Furthermore, it is an Executive Bill, and it has, from my understanding, the support of Executive colleagues. The Bill contains only four substantive clauses and is based on parity with existing law in England and Wales. The Assembly can engage in robust debate and scrutiny during the Bill's passage.

Finally, there is a compelling need to provide equality of protection under the law to residents in this jurisdiction, which has been prevented for one reason or another and absolutely as a result of the absence of these institutions functioning as they should. Consequently, the SDLP will, on this occasion, agree, with caution, to accelerated passage in the knowledge that the House will carefully scrutinise the Bill as it passes through the legislative stages that are required by the House.

Mr Kingston: As a DUP member of the Committee for Communities, along with my colleague Maurice Bradley MLA, I express our sincere condolences to the Committee Chairman, Colm Gildernew MLA, and his family circle on the tragic death of his nephew Fiachra at the weekend. We express our deepest sympathy to the Chairman and his family on the sudden loss of that young man's life.

On the legislative matter that is before us, we welcome the proposal to progress this short Bill

by accelerated passage. Hopefully, we will now do so. Members will be aware of the joint statement issued on 19 March 2024 by three Ministers — the Minister of Agriculture, Environment and Rural Affairs, Andrew Muir; the Minister of Finance, Caoimhe Archibald; and the Minister for Communities, Gordon Lyons — between them representing three political parties in the Executive.

In that joint statement, the Ministers recognised the need to address the disparity between the legislative position in Northern Ireland on defective premises compared with that in the rest of the United Kingdom, and to do so at the earliest possible opportunity, subject to Executive and Assembly approval.

4.45 pm

On 25 April, the full Executive Committee agreed to the introduction of the Defective Premises Bill and to the proposal to use the accelerated passage process to ensure that the Bill clears the Assembly as quickly as possible. The DUP stands by that position, which is that the Bill should progress under accelerated passage. I will say a little more about the matter in the Second Stage debate to follow.

Mr Allen: I join with Members in expressing my deepest condolences, and those of my party, to the Committee Chair and his wider family on the tragic passing of his nephew.

Today, we stand at an important juncture concerning the defective premises legislation. The path that we tread has been meticulously documented and, undoubtedly, will be, as it has been by Members in our discussions today, further explored. The pivotal question that looms over us is whether the accelerated passage procedure is the most suitable mechanism to propel the legislation. The accelerated passage procedure, as has been highlighted, enables the Bill to pass through all its legislative stages in as few as 10 days, forgoing, crucially, the Committee Stage. The latter is an important aspect of the legislative journey, as it provides an opportunity for detailed examination and refinement, where applicable, of the legislation through engagement with a broad spectrum of stakeholders.

It is imperative for the House to ensure that the decision to forgo the Committee Stage is justifiable. The Minister must provide clear reasoning and assurance, taking into account all concerns to justify that decision. In a recent statement on the introduction of this urgent

legislation to rectify the disparity in legal protection for citizens who are affected by defective premises, the Minister stated:

"I do not seek consent for the accelerated passage process lightly. I fully respect the right of the Assembly to have the normal time and scrutiny processes. However, it is not right that this discrepancy between Northern Ireland and elsewhere in the UK is left unresolved. This is an issue of grave concern, and it has the potential to impact many people right across Northern Ireland." — [Official Report (Hansard), 15 April 2024, p13, col 1].

As a party, we concur that the issue is of significant concern, with the potential to affect many of our citizens. Therefore, it is paramount that we address it correctly, ensuring the delivery of fit-for-purpose legislation. We also recognise that, for the most part, the Bill aims to align our legislation with that of England and Wales, achieving parity and providing Northern Ireland's citizens with the same protections.

Given the Minister's decision to pursue accelerated passage, and without pre-empting the outcome of the debate, I have several queries for him. It is crucial for the Minister to address those queries as they pertain to the potential for accelerated passage, which would set aside the Committee Stage of the Bill, where we would have an opportunity to engage more broadly with stakeholders and, indeed, the Department. What interactions has his Department had with relevant stakeholders and how have those interactions helped to influence the Department's perspective? Moreover, how extensive has that engagement been? Have any potential unintended consequences been raised or identified? If so, can the Minister provide details on what steps his Department has taken, or plans to take, to mitigate such issues?

In summary, whilst we acknowledge the urgency and importance of resolving the legislative discrepancy, we must not compromise on the thoroughness of the process. The granting of the accelerated passage procedure is, as the Minister mentioned, a serious matter that should not be taken lightly. Therefore, I urge the Minister to consider and address the points that I have raised, as they will help to inform the House and, indeed, Members' decisions.

Mr Allister: I join in the condolences to the Chairman of the Committee.

Just last Friday, in the High Court, this House was rebuked for inadequate scrutiny of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022. Yet, here we are again, about to rush our fences. I heard Mr Allen ask questions about what consultations the Minister had held. I also listened to the proceedings of the Committee and the evidence of the Royal Society of Ulster Architects that, although it had written to the Minister and drawn matters to his attention — and, apparently, asked for a meeting — he never met its representatives before he issued his declaration on what he was going to do. The RSUA identified to the Committee for Communities a very disturbing list of potential unintended consequences, which the Committee certainly has not had the time to explore, and there has been little evidence that the Department has explored the potential unintended consequences.

I will amplify a few of them. In the Bill, under clause 1, it is clear that the provision is to apply only to the person who took on the work. We therefore have a situation in which, perhaps 20 years ago, work was taken on, but the fault from then is not that of the workman. The fault is that of poor materials, yet there is to be no cause of action against the manufacturer of those poor materials. The cause of action instead lies against the builder. How is that providing a foolproof and satisfactory course of remedy to anyone in those circumstances? When a builder or someone like that is sued in our civil courts and says, "It is not my fault, because I used what I was given", they would normally join as the defendant the manufacturer of the goods. It seems not in this case, because, in this case, it looks as if the manufacturer of the faulty concrete pillars or the faulty whatever is away scot-free. Where is the thought that went into deciding that that is a good way in which to proceed? I did not hear the answer to that when I listened to the Committee meeting. I really am surprised, and, indeed, today I detect a very different attitude from parties in the House from that which I heard at the Committee. That leaves me puzzled as to why in Committee there was, I think, a vote against supporting accelerated passage, yet today that seems to have faded away.

There are other issues. The Bill as drafted —

Mr Allen: Will the Member give way?

Mr Allister: Yes.

Mr Allen: He talked about there being a vote at the Committee. For clarity, the only vote that took place in Committee was not to object to accelerated passage but to write to the Minister to ask whether he would consider having a short, sharp Committee Stage.

Mr Allister: I stand corrected, but I think that it is fair to say that the thrust of that vote was not to rush our fences but to take the 30 days and have some degree of scrutiny. That position seems to have been abandoned by some.

Mr McCrossan: I thank the Member for being generous about giving way. He is right to point out a number of concerns, which I share. Although he will have heard some of the discussions that happened in a fully public forum, other detailed discussions happened in closed session. A number of pieces of advice, legal and otherwise, were received and assurances sought. Believe me, Mr Allister, assurances were sought that somewhat eased elements of concern that I as a member of the Committee had about the Bill. I repeat that I do not believe that this is the right way in which to do things. Thirty days for Committee Stage would have been much better and ensured much better scrutiny, and I am sure that Mr Allister will agree with that.

Mr Allister: I certainly do. No matter what the assurances were in private, the House is putting its credibility on the line by saying, "We are going to cut out a Committee Stage. Despite what happened last Friday in the High Court, we are going to rush our fences on this". I am raising a red flag to the House and asking whether that is wise. I really do seriously question the sense of doing that. You could, under this legislation, sue an architect. An architect, as a professional, will always maintain their professional insurance for a period after they stop practising. I did it myself for six years, because in those six years you could be sued. Where is an architect or anyone else going to get insurance for 30 years? They are not, I suspect. Indeed, by virtue of natural process, they are liable to be dead within the 30 years, yet they may be the only person capable of being sued.

When it comes to the building of projects, this Bill will generate and encourage individuals to form limited companies before they build anything so that there is no personal liability. They may, indeed, form a limited company for the very purpose of building the project and then dissolve it. Who do you sue then?

Mr McCrossan: Will the Member give way?

Mr Allister: Sure.

Mr McCrossan: The Member, again, makes a number of very valid points. The Member will know that that is already happening. It happens in many developments anyway. There are risks by way of unintended consequences of this Bill going through by this process, and there are concerns. The Member points out, in relation to materials, that there is no accountability for the manufacturers of those materials. We have seen across County Donegal and beyond how defective materials such as reinforced autoclaved aerated concrete (RAAC), mica and pyrite in buildings have caused huge issues for the Government and, more importantly, for homeowners, and there is difficulty in getting any level of accountability. This, by default, would let those affected — I am sure that Mr Allister would agree — off the hook if we faced the same crisis here, which I fear is down the line.

Mr Allister: It could be. Take one of the schemes that exist for the limited number of properties in Northern Ireland that have been affected by defective cladding. To qualify for that building safety fund, you have to show that there was no other available redress. Going forward, for 30 years, there will be, on paper, an alternative redress, so how would you qualify for that or a like fund, even though the people you might wish to sue are long gone or anything else?

There are many issues here that need to be drilled into. In taking this vote, the House is deciding that we are not having a Committee Stage. We are just going to rush through, so the prospect of an amendment based on any serious consideration is gone once we pass accelerated passage. If we are in the circumstance whereby none of those issues has been drilled into, what is the House doing with its scrutiny functions? It does seem to be very ill-advised.

Scotland declined to follow the Bill for England and Wales, which was about far more than this issue within this Bill. It struck me as being almost a commentary in itself on the haphazard approach to this. In the explanatory and financial memorandum, the explanation for no consultation is, "Ah well, England and Wales consulted". England and Wales consulted on a much wider Bill than this. It seems peculiar that the explanatory and financial memorandum states:

"To ensure parity with England and Wales is achieved, no further consultation on the Bill has taken place."

The English Bill has not stood the test of time, in that we cannot say that the fears that were raised about it have proved to be non-existent. The Bill is only on the statute book. It has not yet been tested.

Those tests will come, yet we are rushing, without consultation or drilling into it or any of that, to follow suit when there are red flags all over the place about how the Bill may or may not assist.

5.00 pm

Clause 2(4) says:

"Where an action is brought that, but for subsection (2), would have been barred by the Limitation (Northern Ireland) Order 1989, a court hearing the action must dismiss it in relation to any defendant if satisfied that it is necessary to do so to avoid a breach of that defendant's Convention rights".

Has the Committee had a briefing on what that even means? What are the convention rights that, under clause 2(4), would mandate a court to dismiss an action against a defendant? What are those rights? I did not hear any discussion of them, yet here they are, written into the Bill as a peg on which could be hung not just a discretion but a mandatory obligation: "a court ... must dismiss" an action against a defendant. What convention rights are we talking about? How do they manifest themselves and interlink with the Bill? Those are all questions that are crying out for answers, and, frankly, I have not heard them answered. Maybe we will. Maybe the Minister will shed great light on all those things, but rushing down this road seems to me to be a wrong-headed approach, particularly after what happened last Friday.

Mr Speaker: I call the Minister for Communities to make a winding-up speech on the motion.

Mr Lyons: I am grateful to the Members who contributed to the debate and for the high level of consensus around the Chamber. It is also my view that accelerated passage should not be entered into lightly. It is, however, a tool that is available to the House when it is necessary. That certainly is the case in this instance.

I will respond to some of Mr Allen's points about my interactions with stakeholders. Some preliminary engagement with the industry took

place, although it was at a high level. I point out, however, that we are lifting legislation that currently exists in England and Wales, where there was scrutiny of the legislation. If we were asked to agree to a legislative consent motion, the role of the Assembly would be something similar to what we are doing now. I do not bypass Committee engagement lightly. We have had some experience of the scheme, which has been in place in England and Wales for two years. We do not have evidence of unintended consequences yet.

I understand the concerns that people expressed about the lack of Committee scrutiny at this stage. I have highlighted and will further highlight the need for us to take action on this. Therefore, I commend the motion to the House.

Mr Speaker: Before we proceed to the Question, I remind Members that the motion requires cross-community support.

Question put.

Some Members: Aye.

A Member: No.

Question put a second time.

Some Members: Aye.

A Member: No.

Mr Speaker: Do we have Tellers? [*Long pause.*] Members, as we have no Tellers and we have Ayes from all sides of the House and one No, I think that we can proceed with cross-community consent for this passage.

Question accordingly agreed to.

Resolved:

That the Defective Premises Bill proceed under the accelerated passage procedure.

Defective Premises Bill: Second Stage

Mr Lyons (The Minister for Communities): I beg to move

That the Second Stage of the Defective Premises Bill [NIA Bill 03/22-27] be agreed.

Mr Speaker: In accordance with convention, the Business Committee has not allocated any

time limits to the debate. Before the debate commences, I remind Members who are participating of what I spoke about *[Interruption.]* Order, Members. This is important. I remind Members of the issues around sub judge that I spoke about during the previous debate. I encourage Members to pay attention to what was set out so that they do not bring themselves into contempt of court proceedings.

I call the Minister to open the debate on the Bill.

Mr Lyons: This is a short Bill of only four clauses. With the agreement of the Assembly, it will bring our citizens into parity with those in England and Wales so that there will be parity of opportunity to legal recourse should their home become uninhabitable due to a defect arising either from the construction of the dwelling or as a consequence of work carried out to it.

It may help if I provide some background to the reason why that disparity has arisen. In the wake of the Grenfell tragedy, the UK Government carried out a root-and-branch review of the residential building safety regime and procedures in England. That eventually led to the introduction in England of the Building Safety Act 2022. That Act included provisions to amend the Defective Premises Act 1972 and the Limitation Act 1980 to increase the limitation period within which leaseholders can take action against developers when defects to their dwelling have rendered it uninhabitable. Following the publication of the Building Safety Act 2022, the Executive recognised that Northern Ireland citizens should be afforded the same level of safety as their counterparts elsewhere in the UK, and they commissioned the Department of Finance to establish an expert panel to examine the local position and report back.

The report, which found issues similar to those identified in England, was published in December 2023. The report recognised that the building safety regime in Northern Ireland was much more fractured than elsewhere in the UK, with responsibility for safety falling between six Departments, 11 local authorities and a number of other public bodies. In January this year, a residential building safety division was established in my Department to take forward the report's recommendations. Work has already commenced on developing policy and legislation that will introduce a legislative framework that places us on a par with other jurisdictions and puts citizens' safety at the heart of the residential building safety procedures. I anticipate that a substantive Bill

will most likely be introduced in the next Assembly mandate.

While work on the new legislation has been proceeding, the outcome of the recent High Court case has cast a harsh light on the real disadvantages that that legislative disparity can bring to Northern Ireland homeowners. For that reason, I have sought to address the disparity as a matter of urgency by offering homeowners here the same recourse to legislative protection as those in other jurisdictions enjoy. Following my meeting with the AERA Minister and the Finance Minister, I undertook to legislate to address the disparity at the earliest possible opportunity, subject to Executive and Assembly approval. I am grateful for the support that Ministers Archibald and Muir offered, as it has helped work on the Bill to proceed at pace. I thank the Executive Committee for their agreement to bring the Bill to the Assembly.

I will now focus on the content of the Bill. As I mentioned, the Bill consists of four clauses that introduce new provisions to two existing pieces of primary legislation, namely the Defective Premises (Northern Ireland) Order 1975 and the Limitation (Northern Ireland) Order 1989. It transfers the functions of the 1975 Order from DAERA to DFC and establishes that the Act will come into operation on the day after receiving Royal Assent.

Clause 1 introduces a new article 4A to the Defective Premises (Northern Ireland) Order 1975 that extends the duties that exist in the Order to people carrying out work to a building that contains one or more dwellings. Previously, the Order applied only to new dwellings. The clause is a close replication of the equivalent provision in England and Wales, which was introduced by section 134 of the Building Safety Act 2022. Like that provision, it cannot be applied retrospectively to defects that arise before the commencement of the Bill.

Clause 2 is broadly similar to the new provisions introduced in England and Wales by section 135 of the Building Safety Act 2022. It amends the Limitation (Northern Ireland) Order 1989 to introduce new limitation periods for actions taken in respect of defective buildings. With the introduction of the provision, the limitation period for actions taken for defects arising after the Bill commences is extended from six years to 15 years.

It also introduces a retrospective provision for actions taken under article 3 of the Defective Premises (Northern Ireland) Order 1975 — actions relating to the provision of a dwelling, in other words — extending the limitation period

from six years to 30 years. Subsection (2) requires that any action taken under article 3 of the 1975 Order should be treated by the courts as if the new limitation period has always been in effect.

5.15 pm

Subsection (4) requires the court to dismiss a case brought by virtue of the retrospective effect of the amendments on limitation if it is satisfied that it is necessary to do so to avoid a breach of the defendant's convention rights. The essential point to note is that the clause does not guarantee the success of a case brought under the new limitation periods. The plaintiff still has to prove his case.

Subsection (5) prevents the new limitation periods —.

Mr Allister: Will the Minister give way?

Mr Lyons: Yes, I will give way to the Member.

Mr Allister: Just before you depart from it, clause 2(4) imposes a mandatory obligation to dismiss if convention rights are prejudiced. What convention rights is the Minister advised would come into play?

Mr Lyons: I will provide for the Member, before the end of the debate, the relevant rights. There are, obviously, a number that are applicable. I will get the precise wording for him.

Subsection (5) prevents the new limitation periods being used in relation to claims that have previously been settled by agreement or finally determined by a court, whether on the basis of limitation or otherwise.

I am aware that some people have expressed concern about how clause 2 might impact on cases that are being appealed. I can confirm that the intent of the clause is that it should apply where an appeal has been lodged with the courts or a where a case is still within the period in which an appeal may be lodged. Legal advice received from the Departmental Solicitor's Office (DSO) and senior legislative counsel has confirmed that the wording of the clause allows appeals to be brought under this legislation. In addition, in the case of *URS Corporation Limited v BDW Trading Limited*, the Court of Appeal in England ruled that the amendments brought about by sections 134 and 135 of the Building Safety Act explicitly allowed for their retrospective application and that, in cases in which proceedings were still open, the new limitation periods could be used.

Clause 3 transfers the provisions of the Defective Premises (Northern Ireland) Order 1975 from DAERA to DFC. The Bill addresses residential buildings only, and, as responsibility for residential building safety now sits within my Department, it makes sense to transfer those provisions to DFC.

Clause 4 allows for the provisions of the Bill to commence the day after it receives Royal Assent.

Mr McCrossan: Will the Minister give way?

Mr Lyons: Give me a second.

It is often said that our homes are the biggest financial investment that most of us will make in our lifetime. This legislation gives homeowners here the same opportunity as their counterparts in England and Wales to protect that investment where, through no fault of their own, the dwelling has been rendered uninhabitable due to defects caused during its construction or by work carried out on the property. It provides more time to hold to account those responsible for building the house or carrying out work on it, in order to ensure that the work is of the highest quality and is done using the best materials for the job.

Maybe the Member could address his points in his contribution, and I will come back to him when I am summing up.

I hope that Members will support the Bill's progress. I am happy to provide fuller responses on any issues that Members raise.

Ms Ferguson (The Deputy Chairperson of the Committee for Communities): The Bill is of considerable importance, as it seeks to rectify a significant legal disparity that currently places citizens in the North at a disadvantage to residents in England and Wales. At present, the statutory limitation period related to liability for defective premises in the North remains at six years, placing our citizens at a disadvantage. The Bill aims to address that disparity by amending our legislation to align with the provisions of the Building Safety Act 2022. The Defective Premises Bill consists of four substantive clauses. The primary aim is to replicate the provisions made in the Building Safety Act 2022. That involves changes to the Defective Premises (NI) Order 1975 and the Limitation (NI) Order 1989 to extend the limitation periods for action that relate to defective premises from six years to 15 years and, in some cases, up to 30 years.

On 16 May, the Committee was briefed by officials from the Department for Communities. The officials provided a comprehensive overview of the Bill, explaining its content and the necessity for it. The Grenfell tragedy of 2017, which claimed the lives of 72 innocent people, led to a review of building safety across the UK that resulted in the Building Safety Act 2022 in England and Wales. Similar systematic issues that were identified in our jurisdiction necessitate comparable legislative action.

During the meeting, the Committee engaged in detailed discussions that raised several pertinent questions and concerns. The first was about cross-departmental responsibility. The officials outlined the fragmented nature of our current regulatory system, with responsibilities that cross six Departments and 11 councils. The Bill aims to streamline those responsibilities, though concerns remain about the clarity and accountability of those roles post legislation. The fragmentation has long been a point of contention, and the Bill's attempt to address it is welcome, though it must be thorough and effective. Secondly, questions were raised about the retrospective application of the Bill, particularly concerning ongoing legal cases and the settling of claims. Officials clarified that the new limitations period will not apply to cases that have already been finally determined by a court but will offer extended opportunities for new claims. That is a critical aspect of the Bill, as it seeks to provide justice to those who may have previously been disadvantaged by the shorter limitation periods. Thirdly, the Committee queried the potential impact on the building industry, especially our small and medium building companies or family builders and building professionals. Officials assured us that while initial administrative costs are expected, the long-term benefits of the Bill, particularly in enhancing building safety and consumer protection, will outweigh the costs. It is imperative that the industry be prepared and supported through the changes to mitigate any adverse effects.

Additionally, the Committee was briefed by the Royal Society of Ulster Architects (RSUA) on 16 May. The representatives expressed concerns about the Bill having unintended consequences, particularly in the absence of a larger programme of reforms similar to that in Britain. The RSUA stressed concerns that a broader regime to tackle defective premises is likely to have to wait until the next Assembly mandate. The delay is a concern, as it leaves a gap in comprehensive safety reforms that are urgently needed and must be fair to all.

Furthermore, on 23 May, the Committee received legal advice from the head of the Assembly's legal services. The advice provided more information on the potential legal implications that arise from the Bill, particularly its retrospective application and the potential challenges that could arise. The legal insight underscored for Committee members the potential complexity of the issues at hand.

Lastly, in the context of broader engagement, the necessity for the Bill is underscored by the broader context of building safety reform following the Grenfell tragedy. The subsequent review identified systematic failures in the regulatory system, issues with competence, poor behaviours, a lack of inspection oversight and unclear roles and responsibilities. Those findings are mirrored in our system, as is evident in the expert panel report on improving safety in high-rise residential buildings in the North, which concluded in April 2023 with 15 recommendations. In addressing those issues, the Committee recognises the importance of extensive consultation. It has been assured by the Department and the Minister that extensive consultation will be undertaken with residents, industry experts, building managers and public-sector clients. The engagement is crucial to ensure that the reforms are effective and proportionate to the specific context in the North.

In conclusion, while the Committee acknowledges the importance and urgency of addressing the legislative disparity, it has not had sufficient opportunity to gather enough evidence to reach any settled or consensus view on the Bill. The accelerated passage procedure limits the Committee's ability to perform any such scrutiny. The Committee will follow the progress of the Bill's later stages with keen interest. Once again, we urge the Department to remain open to further engagement and consultation to address any emerging issues. It is our collective responsibility to ensure that the legislation that we pass is robust, comprehensive and truly in the best interests of our citizens.

Mr Kingston: As Members have heard, and are aware, an investigation led by Dame Judith Hackitt, following the Grenfell Tower tragedy in 2017, led to a major review of the safety of high-rise residential buildings across the United Kingdom. In England and Wales, that fed into the Building Safety Act 2022, which established a 30-year retrospective building liability period and a 15-year liability period for buildings completed after its enactment. In contrast, in Northern Ireland, we are still operating under the Defective Premises (Northern Ireland)

Order 1975, which limits the period of liability to just six years. The short Bill that the Minister has brought before us has just four clauses, will address and remove that disparity and will align Northern Ireland with the periods of liability that apply in England and Wales, namely 30 years retrospectively and 15 years prospectively.

We need a wider package of legislation to advance in Northern Ireland, similar to the Building Safety Act 2022 in England and Wales. However, officials have advised that, realistically, the time for such major legislation to be prepared and completed would take us into the next Assembly mandate. Therefore it is right that we address this specific matter, which was highlighted by a recent court case. I commend the Communities Minister, Gordon Lyons, for stepping forward to take the lead on the matter when it was previously unclear which Department should take responsibility. It is to be welcomed that the Minister has ensured that progress can and will be made.

It is relevant to mention other policy decisions and processes where building safety is being advanced locally. In February 2022, the Executive tasked the Department of Finance with establishing an expert panel to investigate the safety of high-rise buildings in Northern Ireland. The expert panel's report and recommendations were published in December 2023, and, in January 2024, the residential building safety division was established within the Department for Communities to implement the 15 recommendations of the report and advance policy and legislative changes. The Assembly will, therefore, have further proposed legislation to consider in due course, but, for now, the short Bill before the House should be approved.

Ms Mulholland: Thank you, Minister, for your input so far. I acknowledge that a most unusual set of circumstances has brought about the urgent need to address the disparity that is before us. For so long, the disparities in building standards and accountability have, as we have seen, left many residents in Northern Ireland very vulnerable. Our aim is to ensure that every individual and family in Northern Ireland can live in a home that is safe, secure and up to the standard enjoyed elsewhere in the UK. Whilst I am acutely aware of the difficulties of retrospective legislation, by bringing parity to the residents of Northern Ireland through this short Bill, the Minister and the House are reaffirming their dedication to equality and justice. We want to ensure that no one is left behind when it comes to the safety and integrity of their homes.

I agree with colleagues that, of course, we would love to be here looking at and scrutinising a more thorough piece of legislation that looks at building safety, but, given the shortness of this mandate, I would rather see this short Bill passed to achieve parity for residents in Northern Ireland than have nothing in place.

I thank the Minister for Communities and his team in the Department, given that that is where the expertise lies, for taking this forward so quickly to try to achieve parity for all.

5.30 pm

Mr Allen: I welcome the opportunity to speak on the Defective Premises Bill. Before turning to the legislation, it is important that I acknowledge the swift and collegial way in which the Minister for Communities, the Minister of Finance and the Minister of Agriculture, Environment and Rural Affairs worked to progress this important matter from the outset.

The legislation would address critical issues in constructing and maintaining residential housing stock, ensuring safety, quality and accountability in building practices. At the heart of the Bill is the principle of accountability. The legislation extends the duties of those involved in construction and maintenance, requiring them to perform their work in a professional manner, using proper materials. It is not merely about setting high standards but about ensuring that homes are safe, habitable and constructed to last. Builders and contractors must be accountable for their work, and we must protect homeowners and residents from the physical and financial risks of defective building work. It is important to note that, while there may be instances of poor construction practice, the vast majority of buildings are constructed to a professional and lasting standard.

One of the core tenets of the Bill is to extend legal protection for homeowners. The current time limit for bringing claims related to defective premises is a mere six years. The Bill proposes to increase the period to 15 years and, in certain retrospective cases, up to 30 years. The extension aims to offer homeowners a more equitable opportunity to seek justice and compensation for defects that may not become apparent within the shorter time frame. It acknowledges that serious structural issues can take years to surface, thus ensuring that those affected have time to take legal action. The Bill also seeks to ensure fairness and parity with the standards already set in England and Wales through the Building Safety Act 2022. By aligning our laws with those across the rest of

the United Kingdom, the Bill seeks to address a disparity that currently places Northern Ireland residents at a disadvantage.

In addition, the legislation will simplify and clarify the legal processes around defective premises. It must be noted, however, that some have suggested otherwise, particularly concerning the definition of the phrase "finally determined". To that end, I ask the Minister to expand on that point. Has he had any clarification of the meaning of "finally determined" for existing or previous judicial processes? Notwithstanding my previous comment, the Bill appears to provide a clear definition of responsibilities to reduce ambiguity and potential disputes over the interpretation of duties and standards. That clarity should benefit homeowners and those in the construction industry, fostering a more transparent and straightforward legal environment.

The Bill represents a significant step forward in strengthening consumer protections by transferring functions related to defective premises from DAERA to the Department for Communities, centralising and streamlining oversight and seeking to provide more effective enforcement and support for affected homeowners. It is important, however, to consider the concerns that individuals have raised about the potential for unintended consequences from the legislation, as I and others have already mentioned. Those raising concerns highlight the fact that the amendments to the Defective Premises Order represent a rare example of retrospective or retroactive legislation, essentially changing the past by law. They feel that the amendments are well intentioned but will have several unintended consequences that must be considered appropriately. Additionally, they have referred to the legislation as legally turning back the clock, which, they think, creates the potential for unusual implications, impacting on insurance policies and professional indemnity, existing government funding and relief schemes, and human rights concerns such as the right to a fair trial. As has already been raised, with a particular focus on ensuring that we get the legislation right and protect homeowners and those who live in residential buildings, we must ensure that we fully scope out any potential adverse unintended consequences.

Furthermore, those highlighting concerns with the Bill also state that, although similar amendments have been passed in England, as Mr Allister said, their impact still needs to be fully understood. They have also cited differences between the construction economy

in England and that in Northern Ireland, going on to challenge the view that the changes will bring consumer protections in Northern Ireland into line with those in England and Wales as simply not being the case and saying that bringing the Bill into law ahead of other changes enacted by the English legislation will cause further complications and raise the possibility of very different outcomes.

We feel that the Defective Premises Bill is important legislation that seeks to enhance accountability, extend legal recourse, ensure fairness, simplify legal processes and strengthen consumer protection. However, the Minister, having been granted accelerated passage for the Bill, must address the concerns raised by stakeholders.

Mr McCrossan: As was stated earlier, while the SDLP has expressed concerns in Committee and in the House, we are satisfied to support the Minister today but with caution and subject to clarifications that, I hope, the Minister will provide. It is not natural territory for me as a legislator and should not be for the House to have the scrutiny process subverted in this way. Allowing 30 days for scrutiny would not in any way have added to the pain of those already affected. If anything, it would have ensured robust scrutiny, and we could have heard from stakeholders who could have added to the quality of the legislation to ensure that it does what the Minister tells us that it does, which is protecting those affected.

We have concerns, and they have been touched on by various Members and raised in Committee in private session, which was agreed to with reluctance but which, due to the legal advice that we received, we had to do, and in open session. The Minister will be aware that, in the South of this island, a number of properties are affected significantly as a result of defective materials — mica, pyrite, reinforced aerated autoclaved concrete (RAAC) and other substances — in blocks. It has led to huge numbers of homeowners being affected and not being able to live in their homes; in fact, their homes are crumbling around them. It has caused huge stress to those affected.

If anyone thinks that those materials stopped at the border, they need to wake up. Every day, everything goes across the border organically, both ways. If anyone thinks that the only homes affected are in Donegal, they are in for a big shock further down the line. I have no doubt whatever that quite a number of homes in my constituency contain those chemicals. I have no doubt that that is the case in Derry, Fermanagh and across Omagh and that it will be only a

matter of time before that starts to come to light. In fact, if you walk around a number of estates, as I do often, because we have so many elections in this place, you will see it. It is obvious to the naked eye that there are issues. The problem is that people are not forthcoming because there is no way of dealing with it and their homes and properties would be devalued almost instantly. They would be stuck in a serious situation. I visited one such home: a poor man and woman who have worked all their lives, rearing their family, built a beautiful home on the outskirts of my constituency, and clearly the house has serious issues because of materials that were used. The question that I have for the Minister is whether the Bill will provide any protections for homeowners whose properties may have been constructed using defective building materials such as mica, pyrite or RAAC, where problems are emerging or will emerge in the future. This is a train that is undoubtedly on the tracks.

Mr McGrath: Will the Member give way?

Mr McCrossan: Yes.

Mr McGrath: Does the Member agree with me? In Hunter's Mill in my constituency, the practice was that the buildings did not need to be piled because of the flood maps, but now, many years after they were built, those maps show that they are on a floodplain. The houses, the sewerage system and the road network are all giving way, and the residents cannot sell their houses because people are not able to get mortgages. While that may not necessarily be a case of defective building materials, decisions that have been taken have left those people in a hopeless situation. We would like clarity about whether the Bill might provide some hope for them as well.

Mr McCrossan: I thank the Member for his important intervention. That is a question that is very important, particularly in the context of the Bill, if indeed the reality comes home to roost. The situation in Donegal is one of the biggest hurdles that face the Government of the day in the South of this island. We need to be prepared.

Mr McGlone: Will the Member give way?

Mr McCrossan: I will.

Mr McGlone: Will my colleague clarify whether planning permission was approved by the council or a Department, which would have been the Department of the Environment (DOE) at the time?

Mr McCrossan: I thank Mr McGlone for his intervention, and I will give way to my colleague to answer, if he wants to intervene.

Mr McGrath: It was a government Department, so, yes, it would be a government responsibility.

Mr McCrossan: Again, it comes back to the key issue that exists in relation to our infrastructure and the processes that lead to the development of various houses. Mr McGrath gave one example of where it is a potential issue.

The core question for the Minister is whether the Bill, in its current form, will provide protections for the homeowners who, I have no doubt, are and will be affected by the defective materials that their homes are built with. That is an important question because it will, ultimately, determine whether I and others in the House will put forward amendments to the Bill. I will not and cannot support a Bill that will add to their pain.

The reason that a number of those homeowners are not coming forward is that they have nowhere to go and there is no advice available. I have written to the Minister and other Departments to ask whether they are aware of any examples of defective materials in homes in Northern Ireland. In every response, I have been told no, yet Derry City and Strabane District Council and other councils across Northern Ireland are aware of homes that are indeed affected.

That brings me to the point raised by Mr Allister. If there is no means of accountability for those who manufacture the materials being used in defective homes, who will be held responsible further down the chain? Will it be for the House or the Executive to come to the rescue of what could be one of the biggest challenges that we could face?

There has not been enough exploratory work done by the Minister's Department or other Departments on whether there are significant traces of those materials in homes across Northern Ireland. Maybe, the reason for that was the absence of functioning Institutions and an Executive over recent years, COVID etc. We have seen, in the South of this island, how quickly the pile got bigger and growing numbers of people coming forward, having been affected. Ministers in the South have told me on countless occasions that it is one of the biggest challenges to face the Government. I would like the Minister to give some clarification to the

House around that, because I would like us, at least, to be prepared if indeed we are to face a similar battle. I will be shocked if we are not, because I have every belief that those materials came across the border.

A further question to the Minister is about the European Convention on Human Rights (ECHR). Is he satisfied that the Bill is compliant with it? If he is — I assume that he is — can he explain to the House how he has arrived at that conclusion and how confident he is that the statement is robust and that those interests are protected?

Overall, it is safe to say that this is not the right way to do business in the House. We have waited for the last few years to get this place up and running again so that we could scrutinise legislation that operates to ensure that it protects our citizens. I have concerns about elements of the Bill, and I have raised questions. I hope that the Minister answers them. However, I believe, from the information that I have received, that, overall, given its alignment with legislation in England and Wales, the Bill will improve various elements, particularly, as was rightly pointed out by Members, given the tragic incident of Grenfell Tower, where, sadly, huge numbers of people lost their lives in what should have been the safest place they could be — their own home. That is a message for the House. The most important place for any of our citizens is their own home. They need to feel safe in that environment. If the materials that their home was built with are defective, the consequences are significant not just in the potential loss of human life but in the financial implications that it poses to the individual and the stress and distress that it causes to families. We have seen that play out in a real way across Donegal. Indeed, it is important to point out that a number of Northern Irish residents who have holiday homes across Donegal are affected, and, unfortunately, they have no form of redress and have been left out as a result.

I look forward to those clarifications, and I thank the Speaker for allowing me to ask those questions.

5.45 pm

Mr Speaker: I call Matthew O'Toole.

Mr O'Toole: Thank you very much, Mr Speaker. I was quick on my feet there, and apologies to my colleague Mr McCrossan for having to stand up before the end of his remarks.

I will speak very briefly, because I have a particular constituency interest in this legislation. What brought this issue to the public fore was events at Victoria Square, which is a very prominent building right in the middle of Belfast. It is in my South Belfast constituency, just at the northern edge of the now Belfast South and Mid Down Westminster constituency. It is also an extremely important commercial site for the city of Belfast and our whole region.

I had pressed and asked that Executive Ministers pay urgent attention to this issue and to the fact that, unlike homeowners of defective premises in England and Wales and, indeed, other parts of these islands, homeowners at Victoria Square were facing a legal situation — others were in a similar position — whereby time had lapsed and they had no legal recourse. That was clearly an unacceptable position, so I welcome the fact that the Minister acted swiftly with his colleagues in other Departments. One is the Department of Agriculture, Environment and Rural Affairs, led by Minister Muir, whose Department previously, technically, had responsibility for this. The other is the Minister of Finance, who has responsibility for building regulations and who also took action to waive rates bills and ensure that those homeowners were not going to face rates bills like the rates bills that they had faced over the years when the properties had been totally uninhabitable and, indeed, when people were not legally able to inhabit those properties or rent them out. I welcome that action by those Ministers and the action by the Minister for Communities in bringing forward the legislation.

We have always said that, in our role of opposition, we will seek to be constructive and acknowledge where Ministers act swiftly, and I think that the Minister has done that in this situation. I also acknowledge that, as others said in the previous debate, it is never a desirable situation for any legislation to happen via accelerated passage. That is very much the case. There is, however, a particular set of circumstances in this instance, and, obviously, there are people who, for very clear legal reasons, have an interest in the Bill. That is not putting words in anyone else's mouth. For people who hope to be able to avail themselves of the provisions of the Bill, it is clearly important that it passes speedily.

It is a relatively short Bill that brings us into line with, as has been said, England and Wales. Obviously, if any amendments are tabled in the next couple of days, it will be important that they are scrutinised and looked at. I do not know whether amendments will be tabled, but,

obviously, it will be important that the Communities Committee and, indeed, other Committees, including the Committee that I chair — the Finance Committee — are able to look at any further measures that need to be taken in the area of building regulations and, indeed, remedial action, where there are problems.

As my colleague Daniel McCrossan said very forcefully, in two different contexts, on these islands, over the past number of years, we have seen clearly what happens when building regulations go terribly wrong. Obviously, there were the shocking events at Grenfell. I was still living in London when Grenfell happened, and I remember all too well the shock in that city when that happened. There has also been a different kind of scandal: the mica scandal. Thankfully, that has not involved loss of life, but it has been traumatic and devastating for a large number of people, particularly in the county of Donegal. However, as my colleague Daniel McCrossan said, it probably goes beyond the county of Donegal.

The Bill is clearly a start in bringing us into line with the limitation legislation that was changed in England and Wales. It was something that was asked for, so I welcome the fact that Ministers have acted on it. However, clearly, as I said, it would have been preferable had we had longer to debate it. There were particular circumstances in which politicians, including me, were calling for speedy action, so I welcome the fact that the Minister has introduced the Bill in the House. When he makes a winding-up speech and in any further debates on the Bill in the weeks to come, I look forward to hearing any more detail that he has. Of course, it is important that there be continued scrutiny of that area, including of the broader consequences of the Bill. The Communities Committee will be well placed to do that, but my Committee will also look at building regulations and its responsibilities in that area. Otherwise, thank you very much. I look forward to the Bill's passing and to further scrutiny.

Mr Allister: I raised a number of questions in the previous debate that I will not necessarily repeat, although I express my disappointment that the Minister did not answer any of them in his winding-up speech. I trust that he might answer them in his winding-up speech in this debate.

A few additional points need to be explored. In clause 1, which would add a new clause 4A to the 1975 Order, it appears that any liability relates only to work done to dwellings, so there

is no liability for commercial properties, as I read the Bill. Where a commercial property or any property is being converted to or from dwelling use, is there liability in both directions? If a property is being converted from an old factory into dwellings, is there liability? If dwellings are being converted for commercial use, is there liability? Perhaps the Minister could be clear about that. The wording of proposed new clause 4A suggests that there might be liability for the conversion from dwellings to other uses. Is that the intention or is it not?

I thought that the explanatory and financial memorandum might have answered my second question on proposed new clause 4A, but it does not seem to. Is it importing strict liability on the developer? In other words, once it is established that proper materials were not used in the building, is that it, and there is strict liability? Strict liability does not arise that often, but it does for public policy reasons. For example, it is a strict liability offence to have no car insurance because you are protecting the public in the public interest. It does not matter what the excuse is; if you do not have insurance, you are strictly liable. Under proposed new clause 4A, is there strict liability, or is it the case that, if a builder uses what appear to be proper materials and he has no means of knowing that they are not, he is, nonetheless, liable? It is important to know whether that is absolute strict liability, particularly in circumstances where there is not going to be a Committee Stage, it appears, for the Bill.

In addition to the questions that I raised during the motion on accelerated passage, it would be helpful if the Minister could address those specifics.

Mr Lyons: I welcome the broadly supportive comments from Members right across the House. However, I want to address some of the issues that a number of Members raised.

First, Andy Allen commented on what it means to be finally determined. I hope that I outlined that in my speech. For clarity, it is the spirit and intent of the Bill that any case that is currently in process or has been granted the right to appeal will benefit from it at Royal Assent. I hope that that is useful to him. Mr Allister asked about the convention rights that are impacted. Article 6.1, the right to a fair trial, is what has been identified in that regard. Mr McCrossan raised the issue of materials. It is intended that the legislation will offer owners the opportunity for legal recourse if defective materials have rendered a premises defective. The Bill is about

giving people an opportunity through the courts as well.

Mr Allister also raised the issue of dwellings. It would apply if a commercial business became a dwelling, as it is to protect residents. However, it is my understanding — I will confirm this with the Member — that it would not apply in the other direction. I assume that the point in time when that would happen would be when the change of use is granted. I hope that the Member will understand that I want to confirm the issue that he has raised in writing.

Strict liability is a matter for the courts to determine based on the facts of the individual case, but, if the courts determine that strict liability is merited, it would be applied. As the Member said, it is very rare, but my understanding is that that would be for the courts to decide.

Mr Allister: Will the Minister give way?

Mr Lyons: I will, yes.

Mr Allister: I am not familiar with the concept of strict liability on a case-by-case basis. The approach of a court is that the legislation as drafted either does or does not impose strict liability if the circumstances of the legislation are met, so I do not understand how it would be that, in one case, there would be strict liability, and, in another, there would not be.

Mr Lyons: In the process of taking this through, my understanding has been that that would actually be the case; it would be dependent, and each would be done on a case-by-case basis. However, if I am wrong on that, I am happy to correct it for the Member.

I think that I have gone through most of the points that were raised. I realise that the Bill has gone through in quick fashion. I know that Members may have further questions. Obviously, we still have a number of stages to go through. My door is always open. I am happy to take any additional questions that Members might have. I hope to be in a position to address them. I am trying to deal with this disparity. Although there has been scrutiny of those clauses in England and Wales, and this is simply an extension of that, I understand that people may want to raise further points. I am happy to answer those. However, I still believe that the extension of the legislation to Northern Ireland is beneficial. I hope that the Members who are here support it.

Question put and agreed to.

Resolved:

That the Second Stage of the Defective Premises Bill [NIA Bill 03/22-27] be agreed.

Mr Speaker: That concludes the Second Stage of the Defective Premises Bill. As the Bill is proceeding by accelerated passage, there will be no Committee Stage, and the Bill stands referred to the Speaker. I advise Members that, as the Consideration Stage of the Bill is in the provisional Order Paper for next week, the deadline for amendments is 9.30 am on Wednesday.

Mr Allister: On a point of order, Mr Speaker. I invite you to make a ruling, although maybe not today. When the Question on accelerated passage was put, there were no Tellers in favour. How is the motion decreed to be passed if there was no manifestation of Tellers in favour of it? We cannot go back retrospectively to the vocal vote, I would have thought.

Given that we got to that stage, if there were no Tellers in favour, would the consequence of that not be that there would have to be a Consideration Stage?

6.00 pm

Mr Speaker: When I put the Question on whether the Defective Premises Bill should proceed by accelerated passage, there were Ayes from all sides of the Chamber and only one dissenting voice that I could hear. On that basis, I am satisfied that cross-community support has been demonstrated and that the motion has been agreed. I only gave the opportunity for Tellers to see whether the Member had support, but there was no evidence of any support for the position adopted by the single person who was objecting.

The next item of business in the Order Paper is the Second Stage of the Pensions (Extension of Automatic Enrolment) Bill. Before we proceed to that, we will change the personnel at the top Table.

(Mr Deputy Speaker [Dr Aiken] in the Chair)

Mr Deputy Speaker (Dr Aiken): Ladies and gentlemen, I invite you to take your ease for a few moments until the Minister returns.

Before we proceed to the next item of business, I am very conscious of the fact that we need to remain quorate in order to get through this

important legislation. Please keep a careful eye on that and make sure that we are not reducing in number.

Pensions (Extension of Automatic Enrolment) Bill: Second Stage

Mr Lyons (The Minister for Communities): I beg to move

That the Second Stage of the Pensions (Extension of Automatic Enrolment) Bill [NIA Bill 04/22-27] be agreed.

Mr Deputy Speaker (Dr Aiken): In accordance with convention, the Business Committee has not allocated a time limit to this debate. I call the Minister for Communities to open the debate on the Bill.

Mr Lyons: Thank you very much, Mr Deputy Speaker. Automatic enrolment on workplace pensions was introduced in 2012 to enable more people to save for their retirement and to make saving the norm for most people in work. It requires employers to enrol eligible employees on a workplace pension scheme. Unless employees opt out, they will build up a private pension through their contributions and those of their employer.

Eligible employees are those who are not already in a workplace pension scheme, are between age 22 and state pension age and earn more than the minimum earnings threshold of £10,000 per annum. In 2024-25, contributions are required to be made on earnings between the lower limit of the qualifying earnings band, which is £6,240, and the upper limit of the qualifying earnings band, which is £50,270. The minimum contribution rate is 8% of earnings. Of that 8%, employers contribute a minimum of 3% and employees 5%, part of which includes tax relief. Workers can opt out of automatic enrolment. However, every three years, an employer must re-enrol those eligible employees who exercise their opt-out of an automatic enrolment with that employer. Again, employees can opt out at that stage.

Since the introduction of automatic enrolment in 2012, there has been a significant growth in membership of workplace pensions, and saving for retirement has become the norm. In 2013, the proportion of employees in Northern Ireland who belonged to a workplace pension scheme was 44%. In 2021, it had increased to 73%. A statutory review of automatic enrolment carried out in 2017 concluded that, whilst automatic enrolment was working, younger workers aged

18 to 21 missed out on the benefits of automatic enrolment because the lower age limit was 22. The review also found that, whilst workers who earned more than £10,000 a year in a job were automatically enrolled, because their contributions were calculated from £6,240, the bottom of the qualifying earnings band, they missed out on a potentially significant contribution on their earnings below that level, possibly more than once if they had more than one job.

The key recommendations of the review were to lower the age for automatic enrolment from 22, in order to encourage saving for retirement from an early age, and to reduce or repeal the lower limit of the qualifying earnings bands so that the contributions were calculated on more of an individual's earnings. The recommendations were intended to support all those who are automatically enrolled, particularly those with low earnings and multiple jobs, to save more for retirement. The UK Government accepted the key recommendations of the review and the Pensions (Extension of Automatic Enrolment) Act 2023, which extends only to Great Britain, was enacted in September 2023. It provides the Secretary of State for Work and Pensions with the power to lower the age threshold and to amend the lower limit of the qualifying earnings band.

Although pensions is a devolved matter, in general, pensions policy and legislation here operate in line with corresponding pension provision in Great Britain, in line with section 87 of the Northern Ireland Act 1998. Many employers that offer private pension schemes that operate in Northern Ireland are UK-wide. Therefore, it is highly desirable that the same provisions are in place in Northern Ireland to ensure parity across both jurisdictions.

The measures contained in the Bill arise from the recommendations made by the 2017 review. The Pensions (Extension of Automatic Enrolment) Bill will therefore provide the Department with the powers to lower the age at which qualifying workers are automatically enrolled into a workplace pension, with the policy intent to lower it to the age of 18, and reduce or repeal the lower limit of the qualifying earnings band so that contributions are calculated on more of a person's earnings.

Turning first to the proposal to reduce the lower age limit for automatic enrolment, it is clear that participation in workplace pensions is significantly lower among those employees under the lower age limit for automatic enrolment. Since the introduction of automatic

enrolment in 2012, the percentage of employees in Northern Ireland aged 22 to 29 who are members of a workplace pension scheme has increased; from 25% in 2012 to 72% in 2022. However, for employees aged 17 to 21, membership of a workplace pension scheme has only increased from 1% to 17% over the same time period. The Bill would provide the power to lower the age for automatic enrolment from 22 in order to encourage saving for retirement from an early age. That would help to continue to normalise pension saving among workers, help lower earners to build resilience for retirement and, of course, simplify automatic enrolment processes for employers. Workers will, as now, be able to opt out of automatic enrolment.

Turning to the lower limit of the qualifying earnings band, the Bill will provide the Department with the power to make regulations to reduce or repeal the lower limit of the qualifying earnings band. Removing the lower limit of the qualifying earnings band would mean that pension contributions would be made from the first pound earned, thereby increasing total pension saving and simplifying contribution calculations for employers and individuals. That change to how contributions are calculated would improve the incentives for those who are in multiple jobs to opt into their workplace pension scheme as they would benefit from an employer contribution for every pound that they earn in every job, up to the upper limit of the qualifying earnings band. That would proportionately affect the contributions of lower earners the most. It would mean that more workers would have access to a pension with an employer contribution and greater pension pots, supporting those with lower earnings and multiple jobs. Reducing, rather than removing, the lower limit of the qualifying earnings band would mean that contributions would start at the new lower limit. That would have the effect of increasing pension savings. The impact, however, on pension savings by lower earners and those in multiple jobs would be less than if the lower limit of the qualifying earnings band were removed altogether.

An equality impact assessment (EQIA) examined the proposals in the context of the promotion of equality of opportunity and good relations, as required by section 75 of the Northern Ireland Act 1998. A public consultation exercise on the draft EQIA was carried out from 18 September until 11 December 2023. Responses were received from five respondents. No adverse impacts were identified. The EQIA final report was published on 26 April. A regulatory impact assessment (RIA) has been carried out on the Bill. The Bill

will not impose any costs on businesses or employees at this time. The first year of full implementation of the policy would generate costs to businesses as set out in the RIA, although those costs would be lower if the measures were phased in over a number of years, just as the introduction of automatic enrolment was phased in over a number of years. That is an area that will be revisited as the implementation of the policy is formulated.

The Bill is short, containing two clauses. Clause 1 amends the Pensions (No. 2) Act (Northern Ireland) 2008. It inserts a regulation-making power that enables the Department to decrease the age at which an employer has an obligation to enrol or re-enrol job holders automatically in a pension scheme. It also inserts into the 2008 Act a new section 13A that includes a regulation-making power to reduce or repeal the lower limit of the qualifying earnings band and to repeal section 9 for workers without qualifying earnings if the lower limit of the qualifying earnings band is abolished. Any regulations made under the new power in section 13A may also include consequential amendments to, repeals of or revocations of provisions in other Acts as appear to the Department to be required. Regulations made under any of the aforementioned powers in the Bill will be subject to the confirmatory resolution procedure.

Clause 2 contains a standard power for the Department to bring clause 1 into operation by statutory rule. Regulations made under clause 1 will amend primary legislation, so I consider it appropriate for those regulations to be subject to the confirmatory resolution procedure in order to allow for Assembly scrutiny.

By most standards, automatic enrolment can be considered a success. The measures in the Bill are intended to continue to normalise pension saving among workers, to help lower earners build resilience for retirement, to support individuals in multiple part-time jobs and to simplify automatic enrolment for employers. Workers will, as now, be able to opt out of automatic enrolment. I believe that automatic enrolment is something that we can all support. I therefore commend the Bill to the Assembly.

Ms Ferguson (The Deputy Chairperson of the Committee for Communities): As the Deputy Chair of the Committee for Communities, I will speak in support of the Bill at this stage. The Committee was briefed on the Bill by departmental officials at its meeting on 23 May. Committee members were reminded that changes relating to automatic enrolment were introduced back in 2012 to enable more

people to save for their retirement and to shift more people towards making pension saving the norm for them. Members were told that, in the North in 2021, up to 73% of employees belonged to a workplace pension scheme. That is positive, and it is clear that that percentage will be further increased as a result of the Bill.

As the Minister outlined, as the law stands, employers are required to enrol all eligible workers in a qualifying workplace pension scheme and to make pension contributions. "Eligible" is defined as meaning workers who are not already in a workplace pension scheme, who are between the age of 22 and the state pension age and who earn more than a minimum earnings threshold of £10,000 a year. The Bill will reduce from 22 to 18 the lower age limit at which otherwise eligible workers must be automatically enrolled in a pension scheme by their employers and reduce or repeal the lower limit of the qualifying earnings band so that contributions are calculated from the first pound earned. Pensions may not be a subject that young people think of when they join the world of work, so the Bill will ensure that they can automatically start to save towards their future from an earlier age.

Committee members asked at the meeting whether individuals would still have the ability to opt out and noted that that is an option.

6.15 pm

At the Committee meeting, members raised queries on the forecast costs that the Bill might impose on businesses and the public purse. We were reassured to note that, because the mechanisms for auto-enrolment already exist and are in place, the Bill will not impose any substantial costs on businesses at this time, although that has the potential to change over time. Officials made the point to the Committee, however, that the benefits of the Bill to workers will outweigh the costs over time.

The Committee welcomed the fact that a full equality impact assessment has been carried out and that it identified no adverse impacts on section 75 groups. It was noted, however, that there were only five responses to the EQIA consultation.

The Committee also discussed the importance of a robust communication strategy to ensure that young workers are aware of their rights and the benefits of automatic enrolment, one that is tailored to the communication platforms on which younger workers engage with news and changes to their lives. It was noted that

traditional government websites may not be the most effective means of reaching that demographic. The Committee is keen to use innovative and relevant communication channels to engage with and seek the views of young workers when it receives the Bill for scrutiny.

The Committee for Communities welcomes the opportunity to dig a little further and try to engage as much as possible on this short but important Bill. At this early point, it can be noted that introducing pensions at a younger age will increase financial awareness among young workers and help them to understand the importance of saving for retirement, better financial planning and money management skills throughout their working lives. The Committee is also keen to seek out more information about the potential employer impacts, particularly from sectors and employers that rely on young workers. Equally, some young workers may feel a financial strain if a portion of their income is diverted to their pension, which could impact on their immediate spending and lives as well as their saving behaviour. The Committee is keen to hear directly from the Youth Assembly to seek its views on the inclusion of younger workers in auto-enrolment schemes.

In conclusion, I welcome the Bill, and the Committee looks forward to scrutinising it in more detail during the Committee Stage, during which members hope that we can carry out meaningful engagement with interested stakeholders, particularly our young people and young workers across a range of sectors.

Mr Kingston: Automatic enrolment in workplace pensions is an important enhancement of employers' responsibility and provision for employees. It includes the requirement for a minimum employer contribution to their workers' pensions. That, in turn, incentivises employees to invest in their pension fund in order to receive the additional contribution from their employer. It is only too easy for younger adults to neglect paying into their pension pot when their pension seems so far away in time and they have so many other things that they wish to do with their money. It is right that the Bill provides the Department with the power to make regulations to reduce the lower age limit for automatic enrolment.

The Bill also provides the Department with the power to make regulations to remove or reduce the lower limit of the qualifying earnings band so that contributions can be calculated from the first pound of earnings rather than from amounts over the current lower earnings limit of £6,240. That will enable more people to build

up bigger pension pots and support them in doing so from an earlier age. As has been said, it will particularly benefit those with part-time jobs.

As with the previous matter on defective premises, this Bill will bring us into line with the legislation in the rest of the United Kingdom, which was passed last year. The DUP supports the Bill, and we trust that it will have full support from the Assembly.

Mr Allen: I welcome the Second Stage of the Pensions (Extension of Automatic Enrolment) Bill, a pivotal piece of legislation aimed at enhancing the financial security of our workforce in Northern Ireland. I thank the Minister and his officials for the work that they have undertaken on this important legislation to date.

As has been mentioned, the Bill is designed to provide powers to extend the scope of automatic enrolment in workplace pension schemes, ensuring that younger workers, starting from the age of 18, can begin saving for their retirement from the earliest stages of their career. By lowering the age threshold from 22 to 18, we empower our youth to build pension savings over a more extended period, fostering a culture of financial responsibility and long-term planning.

Additionally, the legislation would adjust the qualifying earnings threshold, allowing contributions to be calculated from the first pound earned. That change is especially significant for lower-income earners and those with multiple part-time jobs, who will benefit from employer contributions on all their earnings when the Bill is enacted, thereby enhancing their retirement savings.

The Bill also ensures parity with the rest of the United Kingdom, maintaining a cohesive and unified pension system across our nation. That consistency is crucial, given the UK-wide nature of many private pension schemes and the benefits of a standardised regulatory framework.

Mr McCrossan: Like the previous Members to speak, I will be brief. We all recognise that, while pensions are a devolved matter, in general, our pensions policy and legislation operate in line with the rest of the UK, as there is a single pension system and regulatory regime across the UK. The Bill is designed to bring Northern Ireland pension provisions in line with Westminster legislation: the Pensions (Extension of Automatic Enrolment) Act 2023.

The important details of the Bill were outlined by the Minister and other Members, and I note that a section 75 equality impact assessment and a rural needs impact assessment on the Bill were conducted and no adverse impacts identified. The Bill is therefore right in principle, and the SDLP will support it.

Mr Deputy Speaker (Dr Aiken): I call the Minister to make a winding-up speech.

Mr Lyons: Thank you very much, Mr Deputy Speaker. It appears that we have support from all sides of the House and no dissenting voices, to use your terminology. That was evidenced by the great passion with which Mr McCrossan spoke in his contribution. He was clearly excited about the matter in front of us. Pensions can seem dull at times, as I have said before in this place, but what we have is an important step forward to get younger people to think a bit more about what they need to do in order to prepare for the future.

I do not think that there were any points that the House wanted me to respond to or clarifications required, so I will not prolong the debate. I commend the Second Stage of the Bill to the House.

Question put and agreed to.

Resolved:

That the Second Stage of the Pensions (Extension of Automatic Enrolment) Bill [NIA Bill 04/22-27] be agreed.

Mr Deputy Speaker (Dr Aiken): The Bill stands referred to the Committee for Communities.

Adjourned at 6.23 pm.