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Assembly

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Northern Ireland Assembly

Monday 5 December 2016

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

Members observed two minutes' silence.

Assembly Business

Committee Membership

Mr Speaker: Members, I wish to inform the House that I have received the resignation of Ms Linda Dillon as Chairperson of the Committee for Agriculture, Environment and Rural Affairs. I have also received the resignation of Ms Caoimhe Archibald as Deputy Chairperson of the Committee for Agriculture, Environment and Rural Affairs. The nominating officer of Sinn Féin, Mr Pat Doherty, has nominated Ms Caoimhe Archibald to fill the vacancy of Chairperson of the Committee for Agriculture, Environment and Rural Affairs and Mr Oliver McMullan to fill the vacancy of Deputy Chairperson of the Committee for Agriculture, Environment and Rural Affairs, both with effect from 2 December 2016.

Mr Attwood: On a point of order, Mr Speaker. Clearly, a ruling has been made by the Principal Deputy Speaker on amendments that were submitted in respect of a motion in the Order Paper tomorrow. As the Speaker is aware, the social investment fund has given rise to a lot of public comment and concern. It is a matter that has preoccupied the Assembly and your office, and it now transpires that, when three amendments were submitted that reflect the thinking of four parties in the Chamber, even on a matter as contentious as the social investment fund, none of those amendments was accepted. I am not challenging the ruling by any means but, given the context of the matter and the range of views by way of amendments from four parties, I am seeking a further explanation of why, on this occasion, no amendments were accepted.

Mr Speaker: Thank you, Mr Attwood. It is reasonable for me to acknowledge that the House has designated one Deputy Speaker as the Principal Deputy Speaker. When the position was created, a practice developed whereby the Principal Deputy Speaker could expect to take a greater share of the duties than the other two Deputy Speakers.

That said, there will be occasions when I delegate to different Deputy Speakers at different times and, indeed, delegate different duties. In this case, there is also merit in maintaining consistency.

I want to stress that Members should not focus so much on who makes a decision, as consideration by the Speaker's team is done on a procedural basis and is not based on party political factors. Members know — I have said it in the House — that I consider myself fortunate to have such an experienced team of Deputy Speakers. Indeed, issues such as the one that you are talking about will be for us to consider during recess. When the Deputy Speakers or I are taking such decisions, we do so based only on procedural matters. Judging the political content of a motion from a political party perspective is not a consideration. Members might wish to give equal focus to the range of amendments that have been accepted from all parties over the past few months rather than raising issues only when they are personally disappointed.

Mr Attwood: Further to that point of order, Mr Speaker, I would like to confirm that the issue is not who makes any one decision. I welcome the fact that you are delegating responsibility to the Principal Deputy Speaker or Deputy Speakers. Indeed, I acknowledge that you have shown useful latitude in accepting amendments to motions; it has been noted and observed by parties that you show latitude. When it comes to the motion tomorrow, no latitude was shown in interpreting the procedure, and I am surprised by that in that three amendments were submitted representing four of the main political parties in the Assembly. I was seeking some explanation on that and only that.

Mr Speaker: I really think that I have answered the question. I indicated to you that, during recess, we will meet to consider a range of issues. I do not think that I can add anything to that, so let us move on.

Mr Dickson: On a point of order, Mr Speaker. It has been widely rumoured amongst Members and officials in the Assembly that the Assembly is to be recalled during the week of 19 December to deal with a Budget statement. If that is so, why would it be so? Surely a Budget statement should be brought to the House either today or tomorrow.

Mr Speaker: Mr Dickson, Standing Orders make provision for Ministers to make statements relating to their official responsibilities at any time. Like you, I have heard rumours. That is all that I have heard. It is for Ministers to consider whether it is appropriate to make an oral statement or a written statement, having regard to other things as to when the Assembly will next sit. It is for the Business Committee to make arrangements for the business of the Assembly, and the Order Papers for today and tomorrow have been agreed. I have received no notification from the Executive that an earlier meeting of the Assembly will be required after it adjourns tomorrow.

Mr Attwood: On a point of order, Mr Speaker. It is on an entirely different matter. This morning, Members received a written statement from the Minister of Finance, as required under the relevant section of the Fresh Start legislation that was passed in Westminster last year. That means that, when there has been a Chancellor's statement in Westminster, the Minister of Finance is obliged to table a statement in the House arising from the budgetary position that applies in Northern Ireland. I acknowledge that it is for the Minister of Finance to decide whether that should be a written or oral statement, but, given that this is new legislation and a new legislative requirement, I submit, Mr Speaker, that it sets a bad precedent that, on the very first time that this new mechanism is to be deployed, it is deployed by way of a written statement and not by way of an oral statement that is subject to questions by Members.

Mr Speaker: I was informed on Friday that the Minister would make a statement relating to the Budget at 12.00 noon today. A copy of the statement was provided to the Speaker's Office before 9.30 am, as is required under Standing Order 18B. The Minister has met his requirements under Standing Order 18B.

Business Committee Membership

Mr Speaker: As with similar motions, this will be treated as a business motion, and there will be no debate.

Resolved:

That Mr Steven Agnew be appointed as a member of the Business Committee. — [Mr Swann.]

Executive Committee Business

Water Meters Regulations (Northern Ireland) 2016

Mr Hazzard (The Minister for Infrastructure):
I beg to move

That the draft Water Meters Regulations (Northern Ireland) 2016 be approved.

The regulations that I am bringing forward today remove the requirement on NI Water to install water meters at domestic properties connecting for the first time to the public water supply. The practice of installing meters currently costs the public purse around £200,000 a year, and, given that they are not used, it is a nugatory expense, and one that cannot be sustained in the current financial climate. The Assembly will be aware of the commitment of the Executive not to bring in water charging. It is the intention of the Executive to continue to bear the cost of water charges, on behalf of domestic customers, for the next five years. In addition to the regulations, I have instructed my officials to prepare the necessary legislation to extend my Department's powers to pay the subsidy to NI Water up until March 2022. It therefore makes sense to cease wasting valuable resources by installing water meters. The motion demonstrates the Executive's commitment to protecting people's personal finances and to reducing the financial burden on NI Water. I commend the motion to the Assembly and ask that it approve the regulations.

Mr Humphrey (The Chairperson of the Committee for Infrastructure): I welcome the opportunity to speak on the Water Meters Regulations (Northern Ireland) 2016.

The Committee considered the proposal for the statutory rule at its meeting on 21 September 2016 and raised no issues. On 26 October, the Committee was briefed by representatives of Northern Ireland Water on its annual report and accounts and took the opportunity to inquire about the arrangements surrounding the installation of water meters. The Committee asked Northern Ireland Water to provide the amount of money — resource and capital — spent on installing water meters until the Minister told it to stop. It has yet to receive that information. The Committee asked Northern Ireland Water for clarity on when water meters stopped being introduced to domestic homes,

and it was explained that the legislation instructed that meters continue to be installed until the changes in the legislation had taken effect and that Northern Ireland Water was bound by that legislation.

The statutory rule is the outworking of that. It suspends the requirement to install water meters for all new domestic water connections requested after the regulations have been made and where a connection notice has been served but no meter yet installed at the commencement date of the regulations. The requirement to install water meters for future connections may be reinstated, if required, at a later date. It is for that reason that, at its meeting on 16 November 2016, the Committee considered and offered no objections to the statutory rule. The Committee for Infrastructure is content with the rule.

12.15 pm

Mr McCrossan: I welcome the regulation brought to the House today by the Minister. I thank him for his expediency in bringing forward the regulation to end the installation of water meters in domestic properties. It is a welcome development in what has been somewhat of a scandal in recent years in the North; over 40,000 water meters have been installed in domestic properties, which has cost the taxpayer here in excess of £13 million. The revelations have made for uncomfortable reading, especially for the underprivileged families in our society who are struggling to survive, pay bills and make ends meet; they were worried about that train coming down the track and the uncertainty around whether water charges would be applied.

The SDLP has always been and will continue to be completely opposed to water charges for domestic properties. The regional rate includes such water charges. We do not need any additional charges for families at this time. However, Sinn Féin will be most uncomfortable of all due to the fact that a total of 26,510 meters were installed in family homes on former Minister Conor Murphy's watch. We have seen the highest level of hypocrisy; Sinn Féin continued to oppose water charges in the South — it even protested on the issue very strongly publicly — while, all along, behind the back door, Conor Murphy was installing meters. Why he allowed such proliferation of water meter installations during his stewardship of the Department for Regional Development will remain a question from our party.

When we consider the significant financial challenges facing the Department, we see that

we cannot continue to preside over wastage on this scale. For that reason, I welcome fully the Minister's statement today. It brings some clarity to this long-standing issue. I am glad that today's regulation has come forward and that Sinn Féin has finally listened to the SDLP and others who have highlighted the debacle for some time. I welcome today's announcement.

Ms Armstrong: It will come as no surprise that I am against the motion, as is my party. When the issue was debated almost exactly a year ago, the then DUP Regional Development Minister stated:

"subsequent subordinate legislation required to enact the power to cease the installation of water meters will be subject to draft affirmative resolution, and a full consultation will take place." — [Official Report (Hansard), 8 December 2015, p92, col 2].

As has been outlined, there was only statutory consultation, and there were three respondents. The motion does not allow people to have a clear understanding of the impact that this will have. We have heard that water meters will no longer be installed in new domestic properties at a saving of about £140,000 a year to Northern Ireland Water and that that will come out of its budget. However, Northern Ireland Water said that the only reason it is installing meters is to use them to identify leakages in the system in domestic properties. Has that stopped? Are there no more leakages? How much money are we putting down the drains because of leakages? That is not being considered.

All of us in the House have talked about the lack of money available for hospital waiting lists, for life-extending drugs for people with cancer, and for children with special educational needs, which means that those children cannot access services through schools. The money that is being spent out of our block grant from Westminster on water is the very money that we should be using to pay for those essential services.

I heard Mr McCrossan talking about underprivileged families being scared of water charges. That was brought up a year ago; the then Regional Development Minister said:

"the public will be further assured on the position in respect of water charging, should the installation of water meters cease." — [Official Report (Hansard), 8 December 2015, p92, col 2].

That gave the green light to say, "Well, there'll be no discussion; there'll be nothing there on water charging". We are protecting the rich while the most vulnerable suffer from a lack of access to services. It ensures that the most wealthy in society are protected from paying water charges, even though they can afford to, while the most vulnerable face a more difficult future. I believe that those who can afford to pay should. Every single person in the House can afford to pay, but we are protecting them by not bringing forward an open and transparent debate on water charging. Taking away water meters means that we are not even going to measure leakages in the system.

This is a poorly considered motion. It is populist and short-sighted. The fact that we have already heard that Northern Ireland Water will be paid to the end of this mandate means that there will be no changes on this, and we will still continue to have cuts in services while we flush water and money down the toilet.

Mr Hazzard: I thank the Members who have commented on this motion. Some points have been made on general and specific issues, and I will turn to them now. I want to thank the Chair of the Committee, not just for his constructive comments today but for the way in which the Committee has approached this issue from the start. I welcome that.

Mr McCrossan made a number of points, the first of which was that there was wastage of some £13 million. The actual figure is £1.3 million, Daniel, so you might want to look at your figures again a bit more closely. He said that Sinn Féin is now, somehow, following the SDLP's example and finally doing the right thing. It was your party that walked away from the Executive, Daniel. It could have been you standing here today and not me doing this, but the SDLP decided to do otherwise.

Just for clarity again, no meters have been installed in domestic properties since 6 July, and that has saved £100,000. Ms Armstrong wants to talk about wasting public money, but this is public money that we have actually saved. Again, straying from the points raised here today, the Alliance Party goes back to its fervour for introducing water charges. Water charges have been rejected by the people, as we saw in Alliance's recent performance at the last election. The people do not want water charges, and that is something that this Executive will stand up for.

Finally, I believe that these regulations will reinforce the Executive's commitment not to bring in water charges for households. I thank

Members for their support today and ask the Assembly to approve the regulations.

Question put.

Mr Speaker: Do you want to divide the House on it?

Ms Armstrong: I do, actually, yes.

Question put a second time.

The Assembly divided:

Ayes 79; Noes 9.

AYES

Mr Aiken, Mr Allen, Mr Allister, Mr Anderson, Ms Archibald, Mr Attwood, Mrs Barton, Mr Beattie, Mr Beggs, Mr Bell, Mr Boylan, Ms Boyle, Mr M Bradley, Ms P Bradley, Ms S Bradley, Mr K Buchanan, Mr T Buchanan, Ms Bunting, Mr Butler, Mrs Cameron, Mr Carroll, Mr Chambers, Mr Clarke, Ms Dillon, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Ms Gildernew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Ms Hanna, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Kelly, Mr Kennedy, Mrs Little Pengelly, Ms Lockhart, Mr Logan, Mr Lynch, Mr Lyons, Mr McAleer, Mr E McCann, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Mr McCrossan, Mr McElduff, Mr McGrath, Mr McGuigan, Miss McIlveen, Mr McMullan, Mr McNulty, Mr McPhillips, Mr McQuillan, Ms Mallon, Mr Maskey, Mr Milne, Lord Morrow, Mr Mullan, Ms Ní Chuilín, Mr O'Dowd, Mrs Overend, Mrs Palmer, Mr Poots, Mr Ross, Ms Ruane, Ms Seeley, Mr Sheehan, Mr Stalford, Ms Sugden, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr McAleer and Mr F McCann

NOES

Mr Agnew, Ms Armstrong, Ms Bailey, Ms Bradshaw, Mr Dickson, Mr Ford, Mrs Long, Mr Lunn, Mr Lyttle.

Tellers for the Noes: Ms Bradshaw and Mr Dickson

Question accordingly agreed to.

Resolved:

That the draft Water Meters Regulations (Northern Ireland) 2016 be approved.

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

Pensions (2015 Act) (Consequential Amendments) Order (Northern Ireland) 2016

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

That the Pensions (2015 Act) (Consequential Amendments) Order (Northern Ireland) 2016 be approved.

I should start by making it clear that the amendments are, essentially, technical in nature, rather than implementing substantive new policy measures. First, they ensure that existing administrative arrangements that are designed to facilitate the annual uprating exercise will continue to operate as they always have. Secondly, they give appeal rights to decisions about National Insurance credits that count for new state pension purposes.

Article 2 amends provisions of the Social Security Administration (Northern Ireland) Act 1992 that deal with alterations in the payable amount of certain income-related benefits due to uprating. The relevant benefits are income support, income-based jobseeker's allowance, income-related employment and support allowance, universal credit and pension credit. The provisions allow an existing award to be adjusted automatically to take account of the uprating of another benefit in payment to the claimant or their partner without the need for a further decision. They also enable the decision maker to take account of the new rates from the uprating date when determining a new award that begins before the uprating order has come into force, rather than having to revisit the award to apply the new rates at a later date. These are long-standing administrative easements that will help to ensure the effective operation of the annual uprating exercise. The amendments made by article 2 simply ensure that business will continue as usual where a person's benefit income includes the new state pension.

Article 3 amends schedule 3 to the Social Security (Northern Ireland) Order 1998, which lists decisions that carry the right of appeal. National Insurance credits that count for new state pension purposes are provided for under Part 8 of the State Pension Regulations (Northern Ireland) 2015. The policy intention is that decisions made in relation to these credits should carry a right of appeal. That reflects the position with credits awarded under the Social

Security (Credits) Regulations (Northern Ireland) 1975 for the purposes of the old state pension. Article 3 ensures that decisions relating to credits for the purposes of the new state pension will be appealable to an independent appeal tribunal. Although the number of appeals is expected to be low, I am sure that Members will agree that it is, nevertheless, an important principle that there should be a statutory right of appeal in those circumstances.

I invite the House to support the motion and endorse the Pensions order.

Ms Gildernew (The Deputy Chairperson of the Committee for Communities): The Committee for Communities considered the SL1 relating to the proposed order at its meeting on 15 September 2016 and was content with the proposals. Subsequently, the proposed order was brought before the Committee on 27 October 2016, and the Committee recommended that it be confirmed by the Assembly.

As the Department previously informed the Committee in its proposals in September, the order will make minor consequential amendments to primary legislation to extend the existing administrative framework for social security and pensions to include the new state pension.

The Committee noted that the most substantive amendments are made to provisions in the Social Security Administration Act 1992, and those relate to the uprating process, whereby income-related benefits are adjusted automatically when another income-related benefit is uprated — in this case, the state pension.

In addition, the Committee is content that the proposed order will amend the Social Security Order to provide for the inclusion of the right of appeal against decisions about certain National Insurance credits that count for new state pension purposes.

Finally, the Committee also noted that the order makes a consequential amendment to the Welfare Reform Order 2015. The Committee for Communities, therefore, recommends that the Pensions (2015 Act) (Consequential Amendments) Order be approved by the Assembly.

Mr Givan: I thank the Deputy Chair, Ms Gildernew, for relaying the Committee's position.

Question put and agreed to.

Resolved:

That the Pensions (2015 Act) (Consequential Amendments) Order (Northern Ireland) 2016 be approved.

Private Members' Business

International Human Rights Day

Madam Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. As two amendments have been selected and are published on the Marshalled List, an additional 15 minutes has been added to the total time. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech.

The proposer of each amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. Before we begin, the House should note that the amendments are mutually exclusive so, if amendment No 1 is made, the Question will not be put on amendment No 2.

Mr Lynch: I beg to move

That this Assembly acknowledges international Human Rights Day; notes the United Nations' comments that more should be done to raise awareness of human rights and the need to improve education about human rights; and calls on all Government Departments and public bodies to introduce human rights action plans.

We are pleased to have secured the debate today in the week that recognises international Human Rights Day, which falls on 10 December. It commemorates the day on which in 1948 the United Nations General Assembly adopted the Universal Declaration of Human Rights. The General Assembly also passed a resolution inviting all interested organisations to observe 10 December each year as Human Rights Day, and that is what we are doing here today.

The adoption of the Universal Declaration of Human Rights marked a milestone in the history of human rights. For the first time, it laid out fundamental rights for all to be universally protected. Today, 68 years later, the declaration remains as relevant as ever. However, the omens for the present day are hardly promising. The economic crisis, with its potential for generating political instability, seems to be spiralling further and further out of control. In this environment, the vulnerable are more exposed, and minority interests struggle to express themselves. The temptation is to be inward-looking and defensive for states as well

as individuals. Human rights issues slip further and further down the agenda as choices are made and funds become scarcer.

Mr Allister: Will the Member give way?

Mr Lynch: No. In this climate, we must remember that human rights are not a luxury. Our motion calls for more to be done to raise awareness of human rights and the need to improve education about human rights. As recently as 2011, the United Nations adopted the Declaration on Human Rights Education and Training and acknowledged the fundamental importance of human rights education and training in contributing to the promotion, protection and effective realisation of all human rights.

This year's Human Rights Day campaign states:

"Stand up for someone's rights today ... everywhere and at all times ... Take a stand. Defend someone's rights. Human rights belong equally to each of us ... Each one of us can make a difference."

It is important that we debate human rights in this week when we commemorate international Human Rights Day. The Assembly has a primary responsibility to realise the human rights of all people living in the North of Ireland.

I pay tribute to all the leading human rights organisations — the Committee on the Administration of Justice (CAJ); the Equality Commission; the Human Rights Commission; the Human Rights Consortium; and Amnesty International — for all their excellent work in this field.

While the North of Ireland has an array of equality and human rights protections, we should look to build on them. It is often said that human rights are universal, and that is true. We have a Human Rights Act, an Equality Commission and a Human Rights Commission, and legislation has to be equality- and human rights-proofed by organisations such as the CAJ and the Human Rights Consortium. All of that is reflected in the Good Friday Agreement. Nevertheless, we must always look at how we can be much better. It is always good practice to assess, review and evaluate where we are at with a rights-based approach and how we make it more effective and go further. It is important to think about human rights as being relevant to our everyday lives, and that includes public services and Departments. Eleanor Roosevelt said:

"Where, after all, do universal human rights begin? In small places, close to home — so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighborhood he"

— or she —

"lives in; the school or college he attends; the factory, farm, or office where he works."

12.45 pm

The motion demonstrates the Assembly's commitment to enriching and embedding a human rights culture in the North of Ireland. Human rights must be defended to protect our privacy, our freedom of speech and our right to protest. It is interesting to note that three recent UN reports — namely, the Committee on the Elimination of Racial Discrimination (CERD) report, the report on economic, social and cultural rights and the report on the Convention on the Rights of the Child (CRC) — recommended:

"the State party expedite the process of adopting the Bill of Rights for Northern Ireland, and ensure that it is in line with the provisions of the Convention and other international human rights standards."

A bill of rights was a key part of the Good Friday Agreement. It was to build on the European Convention on Human Rights (ECHR) and to be legislated for at Westminster. Sinn Féin calls on the British Government to legislate for a bill of rights. Many human rights recommendations have been made by the United Nations on a range of issues. Sinn Féin believes that adhering to the highest standards of human rights and best practice is important

Mr Allister: Will the Member give way?

Mr Lynch: I will not.

That is important for the prevention of human rights abuses.

The Scottish Government have stated that they want to go beyond defending human rights; they believe that the protections offered by human rights legislation should represent a floor rather than a ceiling. The Scottish Government have taken on the challenge to find ways in which to embed human rights responsibilities across different policy areas by

producing Scotland's national action plan. The plan has several outcomes, including empowering every individual to understand and embrace the value of human rights, implementing Scotland's international human rights obligations and reducing inequality of opportunity and outcomes. That approach ensures that people's rights are at the centre of policymaking. Perth and Kinross Council ran a pilot project bringing together local people and public bodies to discuss the potential impact of human rights on individuals and local public services. One of the proposals that came from the meeting relates to education and raising awareness. It was viewed that people who might benefit most from human rights are often the people who are least aware of them. The forum also provided the opportunity for people to see human rights as part of their daily work, as opposed to seeing them only in certain circumstances. Bringing people together to think about their rights and their public services is potentially a hugely valuable approach.

The Human Rights Act 1998 is an important part of the debate. We cannot ignore the direction of travel in which the UK is going regarding the repeal of the Human Rights Act. It is something that Sinn Féin opposes. The Human Rights Act plays a central role in our peace process. International human rights have always been very important for the people of the North, as they are truly objective and stand with what is right and wrong. The recent UN report about collusion in the North is another example of that objectivity, fairness and justice in practice, in addition to providing practical examples. Every year, the Human Rights Commission produces an annual statement on human rights. I look forward to attending the event launching that report this week in this Building. The Assembly should take note of that annual statement and examine the areas indicated with a view to flagging them in the Programme for Government.

Mar Ghaeilgeoir, ba chóir Acht Gaeilge a chur ar siúl. As a Gaelic speaker, I think that the Irish Language Act should be implemented immediately.

Ms Bailey: I beg to move amendment No 1:

Leave out all after the third "rights;" and insert

"calls on the Executive to move immediately to ensure compliance with all minimum human rights standards; and further calls on all Government Departments and public bodies to introduce human rights action plans."

We in the Green Party are really glad to see the debate brought to the House and are supportive of the original motion. We have proposed a very slight amendment and hope that it is taken as a friendly amendment, as it is aimed at reflecting the legal obligations of the Assembly's commitments to human rights, as well as the Westminster Government's.

In the pack made available for the debate, there is a quotation from the United Nations, already mentioned by Mr Lynch, that outlines the background for reasons to introduce an international Human Rights Day:

"In 1948, the adoption of the Universal Declaration of Human Rights marked a milestone in the history of human rights. For the first time, it laid out fundamental human rights for all, to be universally protected. Today, 68 years later, the Declaration remains as relevant as ever."

It is hard for us to disagree with that statement. As a state signatory to the declaration, Westminster is, to all intents and purposes, the accountable Government, at both the international and domestic level, for ensuring that those universal rights are afforded to every UK citizen.

On 22 May 1998, people across this island overwhelmingly supported the Good Friday/Belfast Agreement, which was a legally binding democratic referendum. As amendment No 2, from the SDLP, states, that agreement included:

"the incorporation into Northern Ireland law of the European Convention on Human Rights and the subsequent passage of the Human Rights Act ... 1998".

The European Convention on Human Rights is really worth spelling out and having a look at as we debate this. We, in the Northern Ireland Assembly, should have been writing it into our laws since 1998. It states some pretty straightforward things, such as the right to marry; prohibition of discrimination; freedom of thought, conscience and religion; right to respect for private and family life; and the prohibition of abuse of rights. Under section 2 of the convention, a further series of articles sets out the operation and accountability of the European Court of Human Rights. It includes the appointment of judges and the decisions taken.

A series of protocols have been added at various points since, including protocol 2, which furthers basic rights such as the protection of

property, the right to education and the right to free elections. In 1963, protocol 4 introduced the prohibition of imprisonment for debt; freedom of movement; and the prohibition of expulsion of all nationals. Further protocols brought us all universal rights, such as compensation for wrongful conviction; equality between spouses; and the right of appeal in criminal matters. The Human Rights Act has been UK law since 1998. That means that you, as an individual human, can defend your universal rights in a UK court and that public organisations — including the Government, the police and local councils — must treat everyone equally, with fairness, dignity and respect.

It is regrettable that, here in Northern Ireland, so many cases have made their way into our courts to test those protocols.

This was the same year that saw the introduction of the Northern Ireland Act, which sets out the legislative competence of the Assembly and prevents us from legislating in conflict with the European Convention on Human Rights. I think it is important that the House reaffirms its commitment to that, because, over several years, observations of Northern Ireland from many international treaty bodies have repeatedly identified approximately 12 reoccurring human rights issues within the Assembly. They are: a single equality Bill; a bill of rights; termination of pregnancy; Irish language protection; promotion of Ulster Scots; issues for Irish Travellers, including educational attainment and housing; lack of involvement by the Northern Ireland Executive; poverty; conflict and legacy issues; the age of criminal responsibility; historical institutional abuse; and structures for participation. Access to many other human rights has been challenged in our courts, some of which I have mentioned and others that are currently being considered by our courts. It is for those reasons that I feel it is important that we need to be held accountable for what we do in our roles as public legislators. That is why I feel it important that this amendment receives support from all Members.

During a Westminster debate on international Human Rights Day, last year, Jim Shannon MP stated:

"The Foreign and Commonwealth Office publishes an annual report on human rights, as well as quarterly updates. May I suggest that we consider having an annual debate in Government time in the main Chamber of this House to coincide with the release of the annual report, giving the House as a whole an opportunity to respond to it?"

Principal Deputy Speaker, I believe that to be an excellent suggestion. May I suggest that we perhaps do the same in this Chamber? We have strategies and reports, and they are one thing, but accountability and scrutiny are very much another. Again, I reaffirm that we in the Green Party want to take this opportunity to confirm our commitment to the European Convention on Human Rights as universal rights for all.

Mr Attwood: I beg to move amendment No 2:

Insert after the third "rights;"

"notes the requirement in the Good Friday Agreement of the incorporation into Northern Ireland law of the European Convention on Human Rights and the subsequent passage of the Human Rights Act; believes that the Human Rights Act 1998 is important for the protection of the rights of the people in Northern Ireland and an obligation further to the Good Friday Agreement;"

The last time this sort of issue around human rights protections was debated in the Chamber, I recalled something that had struck me very firmly about 10 or 15 years ago when a book was published in Dublin. It said that the future of the island would be defined less by the bloodlines of ethnicity and more by the lifelines of human rights. That is the perspective that the SDLP takes in relation to this debate and human rights generally. The future of our island — we believe, the future of the wider world — should be defined by the lifelines of human rights and less by the bloodlines of ethnicity. That point, given the turbulence in many parts of the world at the moment where ethnicity or other sectional identity seems to be holding sway, should be the perspective that we have on this issue.

It is worth commenting, however, that that perspective has, in our view, been taken forward more by the people in the rest of Ireland than by the Government in Northern Ireland. Look at the citizens' assembly that has recently convened in Dublin; look at the vote of the people of Ireland in relation to equal marriage. They seem to have embraced the argument around the lifelines of human rights. Whilst we differ on some issues about what that should look like, that should be what we embrace too in going forward.

Our amendment refers to the provisions of the Good Friday Agreement and the incorporation into domestic law of the Human Rights Act.

This is critical, not least given the Supreme Court challenge that started at 11.00 am today. Whilst the Human Rights Act is outwith the European institutions, it is not outwith the Brexit debate and the future shape of our politics. We want to remind the British and Irish Governments on record that there is a binding international treaty between the British and Irish Governments and that the outworking of that binding international treaty is the incorporation into domestic law of the European Convention on Human Rights and the Human Rights Act in particular.

1.00 pm

Mr Stalford: I am grateful to the Member for giving way. One of the most fundamental human rights is freedom of speech and the freedom to express non-violent political thought. Does the Member agree with me that it is absolutely wrong that people from outside the United Kingdom can come here to preach hate and incite violence on our streets and that, because of the Human Rights Act, we are absolutely powerless? Due to the fundamental right of those people to a family life, the Government were hamstrung in their efforts to put them out of this country.

Mr Attwood: That was litigated upon and, if I remember rightly, went all the way to the European authorities. The right decisions were made on where people who preach hate should go. We also have to recognise that the Human Rights Act and international provisions generally have lifted the threshold of human rights protection that we are the beneficiaries of. Whilst there will be cases that excite public concern — in some places, the media agitate public concern — that does not take away from the fact that we live in a better world because of the international provisions provided in Europe, through the UN, and in other ways. If you are making an argument like that, you should step back from it and see the benefit that has come to you and every citizen of Northern Ireland because of the provisions that we have embraced.

We are putting on the record our view that when the Brexit turbulence begins to escalate the British Government will barter votes in Westminster for the Human Rights Act. Let them understand that the Human Rights Act is off limits, is binding in international law and is an essential element of the new political dispensation in Northern Ireland.

I might have misheard Mr Lynch — if I have, I will stand corrected — but I think he said that

the motion was the agreed Executive position in relation to human rights. I might be wrong about that. Whether it is or is not, I am worried about the Executive's position on human rights, and I am worried for the following reasons. First, in its submission to the Programme for Government (PFG) consultation, the SDLP outlined, as a starter, 50 Bills that would define this mandate as being different to any other mandate of the Northern Ireland Assembly or the old Stormont Parliament and that would see a paradigm shift when it came to the legislative ambition and outcomes of this Assembly. As a consequence, 20 of our election proposals were about legislation. So, whilst human rights action plans, if they apply across the lives of all Government Departments — I am sure the DUP will tell us shortly whether they will be — we need new legislation to build into the architecture of these institutions the human rights standards that we require.

I welcome that Clare Bailey went through a lot of the thinking of the SDLP, which is also the thinking of the Green Party, in areas like marriage equality, early education and care, homelessness, financial redress for victims of clerical abuse, legislation to address age discrimination, legislation for a bill of rights and an all-Ireland charter of rights and so on and so forth. If there is to be a paradigm shift when it comes to a rights-based approach in this mandate, it will not come from a fairly moderate intervention like the roll-out of human rights action plans, welcome though they are. The paradigm shift will be defined by new legislation across the range of rights requirements that say that we are embedding all that is needed in the life of our politics and the life of our society.

The second reason why I think that what is being proposed is moderate is this: what does it mean when it comes to critical areas of Government policy?

Let me give you just one example because I will not have time for more. The PFG is limited and silent not only on what new legislation might be forthcoming on human rights provisions such as Clare Bailey and I have referred to, but what is worrying is how it goes about the issues of equality and anti-poverty. Mr Lynch was right when he indicated that, in developing policy and legal architecture around equality and rights, Northern Ireland, over many decades and through the work of many people who pursued democratic practice when others pursued state violence and terror, created new thresholds. However, too many of those requirements are missing from the PFG.

Let me give you one example. The PFG must include a child rights indicator framework grounded in UN standards as recommended to the Executive, yet the PFG is silent on that. Worse, when only a matter of weeks ago the Assembly debated child poverty, the DUP motion, supported by Sinn Féin, left out critical words of Seamus Treacy in the judicial review of July of last year when he said that objective need had to be informed by neutral criteria irrespective of affiliation or background and that funding should be based on those neutral criteria.

Somehow, the PFG is silent in respect of that critical phrasing, as was the amendment proposed by the DUP and Sinn Féin. So, not only is the PFG lacking in legislative ambition, it is lacking in protecting those hard-won equality and human rights gains of the last 20 or 30 years.

In my view, we are not far short of what might well be a lot more turbulence when it comes to the issue of human rights. The reason I say that is that, at the end of February of next year, Mr Justice Colton, the presiding judge in the inquest into the Ballymurphy massacre, will convene the parties. At that stage, he may or may not indicate whether he can move towards an inquest. That inquest is informed by international human rights principles, yet the court may be obstructed from pursuing it because of a lack of money.

Madam Principal Deputy Speaker: Will the Member bring his remarks to a close?

Mr Attwood: I will. If it transpires that there is a lack of money come February for that inquest, we will be in denial of our international human rights obligations, the court will be denied its opportunity to pursue the inquest, and victims and survivors will be denied the right to truth.

Mr Logan: I welcome the opportunity to discuss human rights. I believe in human rights; I think that we all in this Chamber believe in human rights. I, for one, am thankful for what we have been afforded in this part of the United Kingdom.

I have had the opportunity over the years to travel to many countries through mission teams to see at first hand where people are not afforded the same basic human rights that we have been. One memory that sticks out was in Mexico City. I travelled there with the One Mission Society (OMS) and remember people sleeping beside water pipes just to survive the night. I remember one young girl whom I met in

a park. She slept in the park, and she had a child. She had no shoes and had glass in her foot, but, because of the healthcare system there, she had absolutely no opportunity to get it seen to. I still think about that girl and that child and the start that that child had in life. Not a very good start at all.

I believe that everyone should have a safe place to sleep and that everyone should have access to clean water and food. As a result, I agree with a portion of the motion, and that is to acknowledge Human Rights Day. Quite a few things have been set out already with regard to human rights. A day set aside to remember those who —

Mr Stalford: I am grateful to the Member for giving way. Several Members talked about how the Assembly lags behind in human rights, but one area where the Northern Ireland Assembly led was in the introduction of the Human Trafficking and Exploitation Act. Slavery is a growing problem in human rights violations. It is to this House's credit that it took a lead in tackling modern slavery.

Madam Principal Deputy Speaker: The Member has an extra minute.

Mr Logan: That is right, and I commend Lord Morrow for his work on that. We are leading the way in human rights on that and a lot of different issues. I welcome the Member's contribution to that. I agree with the portion of the motion on remembering people who have not been afforded the same rights as us.

Some of us in the Chamber also have a job to do on human rights. There are some in the Chamber who appear to champion human rights on one hand, but, on the other hand, are quite happy to deny the right of life to a child. Let me put on record that this party and I will never be found wanting in standing up for the unborn child. What I find particularly unpalatable today is that here we have Sinn Féin tabling a motion on human rights when some in that party have denied the very right of life to many over the years. I spoke just last week with a man, a former bus driver, who was targeted by the IRA. That man has lived in fear for many years, and his family, to this day, are massively affected by what happened to him years ago. I often think of families robbed of a loved one at the hands of terrorism here in Northern Ireland. What an absolute violation of their human rights and those victims' right to life.

I oppose the motion. It calls for Departments and public bodies to introduce action plans. Yes, of course, that is the answer: more bureaucracy. No, this international Human Rights Day, I ask the people of Northern Ireland and the House to remember those who are not afforded the same human rights as we are.

Ms Dillon: Will the Member take an intervention?

Mr Logan: I am going to finish up. I do not ask those in power in those countries to simply talk about human rights; I call them to action so that future generations can have a better start in life.

Mr Beattie: I look at the motion in its most general terms and see it as something to celebrate. We should celebrate the fact that we have human rights in this country and further afield because, if we had not signed the treaty in 1948, we might not. We need to remember why we had to sign a treaty in 1948 after the Second World War and the genocide that happened then. The motion is something to celebrate, but I know that there is much conflict in it and an awful lot more to do. I also look at the two amendments and ask what there is not to support. All of us, as good, decent human beings, must want human rights for fellow human beings. To be perfectly honest, I cannot see anything there that I want to oppose.

The United Nations asks us to show courage and stand up for people's human rights on 10 December.

"Speak out/up when another's rights are at risk or under attack ... If you see someone being harassed, bullied or ridiculed ... Combat myths with facts ... Speak up for tolerance and against prejudice."

These are all good things; not bad things. I do not know how anybody can oppose things like that. The declaration in 1948 was a milestone. Article 1 states:

"All human beings are born free and equal in dignity and rights."

We all know — we could get into a slagging match across the Floor — that our recent chequered past has not lived up to article 1. Neither have we lived up to article 3, the right to life. However, I see no point in trading insults around the place. I go back to the fact that this is something that we should be celebrating.

We talk about courage. We all know about Rosa Parks, who refused to give up her seat to

a white man on a segregated bus in Montgomery, Alabama and sparked a civil rights movement in the United States. A little known fact that I found out is that she was not actually the first. That was a woman called Claudette Colvin, but she was not used as the poster girl because she was a teenager who was pregnant to a married man. It showed courage to say, "No, my human rights allow me to have this seat."

Of course, our human rights have been added to by the Equality and Human Rights Commission and the European Court of Human Rights. It is interesting that, today, in the European Court of Human Rights, the trial of Ratko Mladic for the Srebrenica massacre in 1995, the last of those war crimes, is finishing.

1.15 pm

As things have progressed, human rights have become slightly more complicated. Article 18 of the declaration states:

"Everyone has the right to freedom of thought, conscience and religion",

and article 19 states:

"Everyone has the right to freedom of opinion and expression".

I absolutely support those words, but nobody could have envisaged that those rights would be afforded to the likes of ISIS, al-Qaeda or the Taliban, whose expression of religious freedom of opinion is in part a provocation to violence and repression, particularly against minorities and women. Who can forget the 'Charlie Hebdo' attack or the Bataclan massacre? I have my experiences from Afghanistan. I will not get into the rationale of that, but, when you see a woman go in to vote, dip her finger in ink and then, when she comes out, see the Taliban standing outside cut off her inked finger, you suddenly realise how many human rights we have here compared with so many others. Those people preach hate, violence and anarchy. I cannot believe that, when we wrote the human rights declarations in 1948, 1953 or 1998, we ever intended them to support people like them.

Human rights have given us the right to peaceful protest and assembly, the right to paid holidays, the rights to privacy and a family life, but we also have to remember that 21 million people —

Madam Principal Deputy Speaker: Can the Member bring his remarks to a close?

Mr Beattie: — are still victims of forced labour, and 121 million people have never had the chance of an education. There are 300,000 child soldiers, of whom I was one. I support the motion and the amendments —

Madam Principal Deputy Speaker: The Member's time is up.

Mr Beattie: — and I hope that they pass.

Mr Dickson: While I appreciate that the irony of a motion on human rights being tabled by Sinn Féin may not be lost on some in the Chamber, I nevertheless thank that party for bringing it forward in recognition of the journey that it and others in the Chamber have taken on human rights in Northern Ireland, the United Kingdom and around the world. The Alliance Party also intends to support the Green Party and SDLP amendments.

The European Court of Human Rights, the Human Rights Act and the Good Friday Agreement — yes, our Good Friday Agreement — all underpin the pillars of the democratic positions that we find ourselves in today: the right of Members to speak in the Chamber and the rights of our citizens across Northern Ireland. While Europe and all its institutions are greatly confusing for many, the European Convention on Human Rights and the European Court of Human Rights are not part of the European Union; they are, of course, as others have mentioned, part of the Council of Europe. The Council of Europe is the custodian of the convention, which we entered into in 1953. Indeed, in large part, the United Kingdom was the fundamental author of the convention — I for one am proud of that — which, through the Council of Europe, represents not 28 states in the EU but 47 states of the Council of Europe. While the United Kingdom may be contemplating leaving the European Union, we are not leaving the Council of Europe, as the Prime Minister has made clear. Our withdrawal from the EU will not and must not have any effect on our international convention requirements, whether they are those in respect of human rights or of the many other international conventions to which the United Kingdom is a signatory.

At this stage, I should declare an interest because I play a small part in the Council of Europe as I represent the Assembly in the Congress of Local and Regional Authorities.

We too have a solemn duty to uphold that convention.

In 1998, the Human Rights Act brought into domestic law all the rights, freedoms and protections of the European Convention on Human Rights for citizens in the United Kingdom. Whatever the views of the House on a party that I may have some connection with — the Liberal Democrats — one of its achievements in the last Government was to defend the Human Rights Act from the then Home Secretary, Theresa May, and her attacks on the Act in favour of a British bill of rights. It is, today, for the Executive to commit to an action plan to ensure compliance with our obligations under human rights standards and to protect the Human Rights Act.

Ms Armstrong: Will the Member give way?

Mr Dickson: Yes.

Ms Armstrong: Does the Member hope, like me, that, in protecting the Human Rights Act, the First Minister will raise the issue of human rights in China during her visit there this week?

Madam Principal Deputy Speaker: The Member has an extra minute.

Mr Dickson: Thank you. I sincerely hope and trust that, when Ministers or representatives of the Assembly have such an opportunity when they visit states that perhaps do not fully subscribe to international standards on human rights — we know that China does not — they take it. Indeed, we should ask our First Minister whether she has taken the opportunity to raise the issue of human rights.

Mr Stalford: I am grateful to the Member for giving way. He mentioned his connection to the Council of Europe. He will be aware that Human Rights Watch criticised the Council of Europe in 2014 for standing by while the regime in Azerbaijan cracked down on dissidents and opposition politicians. I assume that he took the opportunity, through the Council of Europe, to condemn that indecision.

Mr Dickson: I was not a member at that time. I wholly understand the flaws of all international bodies, and, where they are found wanting, we need to speak out. The Member is right to do so.

We in Northern Ireland have had our human rights enshrined in law, and Northern Ireland and Scotland have a particular interest in any change to the United Kingdom Human Rights

Act. Others, such as Mr Attwood, have referred to the relationship between human rights and the Good Friday Agreement and the international agreements that underpin all of that. We have all felt what it is to be in a minority at one point or another in our life. We can also and should also understand how the Act protects our right to freedom of expression, our right to a fair trial and our right to freedom from torture and inhuman or degrading treatment.

I do not want a United Kingdom Government from the right or the left to cherry-pick our rights. I firmly believe that the rights hard fought for through world wars and enshrined in the convention since 1953 are so important and so right. Through the processes of the Good Friday Agreement, they have been given to the citizens, and we must always protect them from attack. They must never be undermined or watered down. The removal of the Human Rights Act in the United Kingdom would send out the wrong message internationally. As a country with a historic past and connection to our Commonwealth, we must make sure that we set the standard and try to educate and encourage others to meet those standards.

Madam Principal Deputy Speaker: Will the Member draw his remarks to a close?

Mr Dickson: Yes. How could we encourage those other states if we were to remove or water down —

Madam Principal Deputy Speaker: The Member's time is up.

Mr Dickson: — the rights of our own citizens?

Mr Stalford: I thank all Members thus far for their contribution to the debate, which has been measured and reasonable.

I am proud of the role that our country has played in shaping the world's understanding of human rights, going back all the way to Magna Carta, where the power of the executive over the citizen was checked for the very first time, even before the concept of a citizen existed, all the way to the Bill of Rights of 1689, when the power of the monarch was curtailed. We all know the background to the UN Universal Declaration of Human Rights, the European conventions and so on. The victorious allies in the Second World War had the opportunity to put the powers that were responsible for so much human suffering on trial to give account of their actions and the rights that they removed from other people. Arising from that was an

understanding of what I will call "fundamental rights". It is not necessary to have action plans for all parties to allow those fundamental rights to inform, guide and direct the things that they do.

What are those fundamental rights? The first fundamental right that I believe in is the right to life. Unlike some colleagues in my party and, I suspect, around the Chamber, I am consistently pro-life. I am opposed to the death penalty and to the introduction of anything like the Abortion Act 1967 to Northern Ireland. I carry my pro-life ethic with me, and it informs, guides and directs the things that I believe in. Freedom from torture is also a fundamental right, and we must always guard against the power of the state over the citizen to impose inhuman constrictions or torture on them.

I mentioned earlier in the debate one thing of which I am very proud. I was a back-room boy in DUP headquarters at the time, but I had a role in helping the Lord Morrow with the human trafficking Bill. We can be proud of that legislation, which is designed to tackle modern slavery — one of the most fundamental rights violations that goes on throughout the world. It is ironic that one of the parties proposing an amendment to this motion was opposed to it, and another party that champions itself as a guardian of people's rights was also against it.

The right to a fair trial in a free society is, of course, fundamental, and then there is freedom of speech; freedom of conscience, thought and religion; and freedom of movement within the state in which you reside, in order to guard against the establishment of a Gulag system such as operated in Russia. Those are fundamental rights, and a belief in them is shared by a huge majority of Members throughout the House.

Reference was made to the Bill of Rights Forum. I served on it some time ago when it was producing its report, and the entire process was farcical. It was farcical because special interest groups were using the bill of rights process as a Trojan Horse to make fundamental rights out of things that are not fundamental rights. Some people were advocating that a bill of rights should be used as a means of reversing the trade union reforms that went through in the 1980s, for example. Well, I am sorry, but there is no fundamental human right to secondary picketing. An attempt was made to push through the Bill of Rights Forum a fundamental human right to a home of your choice. Now, we obviously have a fundamental responsibility to ensure that any citizen who needs to be housed

is housed, but this is where we are in danger of going down a perilous path.

We have to stick to the fundamentals and understand what the fundamentals are. I want to finish with a quote from the academic Philip Alston:

"If every possible human rights element is deemed to be essential or necessary, then nothing will be treated as though it is truly important."

We must always guard against that.

Madam Principal Deputy Speaker: Can the Member bring his remarks to a close?

Mr Stalford: I am glad to do so, Madam Principal Deputy Speaker.

Ms Archibald: I welcome the opportunity to contribute to the debate on this important motion tabled by my party colleagues. We are also happy with the amendments being proposed and welcome the support that the motion has received from other parties.

In international human rights week, we in the Assembly can make a real difference. We can explore the implementation and incorporation of the key international human rights treaties — for example, the International Covenant on Economic, Social and Cultural Rights; the Convention on the Rights of Persons with Disabilities; the Convention on the Rights of the Child; and the Convention on the Elimination of All Forms of Discrimination against Women.

Human Rights Day calls on everyone to stand up for someone's rights. The Assembly can explore how we, as MLAs and legislators, can embed human rights principles into everything that we do. Human rights treaties cannot be ignored. The Universal Declaration of Human Rights agreed by the United Nations in 1948 set out a list of 30 universal human rights, and the UN has agreed a number of legally binding core human rights instruments. States that have ratified those instruments have specific obligations to respect, protect and fulfil the rights contained in them. The ratification of an instrument legally obliges a state to participate in a monitoring cycle and report to the UN oversight committee every five years. Sinn Féin supports participation in the UN human rights monitoring mechanism. The recommendations from these are about everyday issues in small places close to home — for example, childcare, poverty, housing,

education and Irish language. They are the world of the individual person.

A lot of issues have been raised by the treaty monitoring bodies. There are a number of recommendations specific to the North of Ireland in each of the three recent treaty reports, namely the report from the Committee on the Elimination of Racial Discrimination; the UN report on economic, social and cultural rights; and the UN report on the Convention on the Rights of the Child.

1.30 pm

The lack of engagement with the UN reporting processes by the Executive has been raised, in particular by the Committee on Economic, Social and Cultural Rights. To quote:

"The Committee regrets that the absence of representatives of the government of Northern Ireland did not enable it to make a full assessment of the enjoyment of Covenant rights in Northern Ireland."

Les Allamby from the Human Rights Commission recently said:

"Turning up to the Committee on the Elimination of Racial Discrimination, for example, means that the fact that we have a racial equality strategy is acknowledged and given a positive recommendation."

It is important that the Executive are represented at these UN Committees to tell the good-news stories where they exist.

The Human Rights Commission, in evidence to the Executive Office Committee, suggested a coordinating role for the Executive Department for scrutiny of the concerns and recommendations identified in UN reports that cut across all Departments, be it Justice, Education, Communities, Health or others. The Equality Commission, too, has mentioned a scrutinising role for the Assembly Committees and said that, for example, recommendations on childcare should be fully scrutinised by the Department for Communities. The Assembly needs to take an active interest in all this.

The Human Rights Commission's response to the Programme for Government consultation sets out a variety of international treaty obligations and outlines where they fit in terms of law, policy and practice of the European Convention. It is important to note that, in the three most recent UN reports, there are concerns and recommendations regarding

three important areas: the equality Act, the bill of rights and the repeal of the Human Rights Act. Let us stand up for somebody's rights today. Take a stand and defend someone's rights, because each one of us can make a difference.

Mr Kennedy: I am pleased to contribute to this important debate. As with others, the irony is not lost on me that Sinn Féin proposed the motion. It is sometimes difficult to take lectures from Sinn Féin on the issue of human rights, given its background. One hopes that that is in the past, but it is important that those issues are not forgotten.

International Human Rights Day gives us the opportunity to reflect on what we have achieved since the universal declaration was first adopted 68 years ago; what work needs to be done, both here in the United Kingdom and on an international scale; and how we can use our influence to improve the lives of people living in countries that still have appalling records when it comes to the human rights of their own citizens.

It is important to remember the context in which the United Nations general assembly adopted the Universal Declaration of Human Rights in 1948. Europe, we remember, had been torn apart by war and by the genocide of millions at the hands of Hitler's Nazi regime, which had demonstrated the brutality that humans could visit upon fellow men and women, and the declaration gave the universal protection of the rights of all for the very first time. When you consider how, just a few years before, elements of humanity had demonstrated how little value they gave to the lives and dignity of their fellow human beings, you get a sense of the enormity of that moment.

One such person who cared deeply about human rights was Austin Hunter, who very tragically died over the weekend. It is right that we refer to him. Austin Hunter was one of the outstanding broadcasters and journalists of his generation, but he was also a man of great humanity and compassion who, through his professional career, covered some of the worst atrocities of the Troubles. He did so with care and respect to those most deeply affected and with great courtesy, and I know that the House will join me in extending our sympathy to his wife, Jean, and to his family at this time.

The theme of this year's international Human Rights Day is to stand up for someone's rights today. In the past 12 months alone, we have seen the importance of defending the human rights of others as we have witnessed that there

are still groups and individuals out there who hold little regard for human life. The rise of ISIS and the ongoing conflict across the Middle East, not least in Syria, have provided striking reminders of the importance of the universal declaration and the need for democratic nations to continue to uphold its ideals. The images of beheadings, torture, slavery and genocide that have emerged from the region are a chilling reminder of the evil that can take hold when a nation does not embrace human rights.

Of course, 24-hour media has now allowed us an insight into the conditions in which people live in regions such as Syria and Iraq, but we must also be mindful of the more secretive nations and regimes and their failure to adhere to human rights requirements. It is important that the Executive, when building relationships with other nations, give consideration to the adherence to human rights requirements and make that an important factor when assessing whether to progress the relationship.

I urge those, particularly from the party proposing the main motion today — Sinn Féin, which recently rushed to pay tribute to Fidel Castro and Cuba — to consider how it might have tempered its words with a bit more condemnation of his appalling record on human rights. The liberal establishment nearly fell over itself to laud the achievements of a leader who had scant regard for human rights and those who opposed his regime —

Madam Principal Deputy Speaker: I ask the Member to bring his remarks to a close.

Mr Deputy Speaker (Mr Kennedy): Broadly speaking, we are content with the motion and the amendments and will give our support where needed.

Mr McPhillips: I welcome the opportunity to participate in the debate and I rise in support of the SDLP's amendment.

Like Mr Dickson, I welcome the fact that Sinn Féin proposed the motion. That is progress, as its history has been anything but great and glorious in terms of human rights. We have only to —

Ms Dillon: Will the Member give way?

Mr McPhillips: Shortly.

We have only to look at the history of the Troubles and at how Sinn Féin's military wing gave little respect to the most basic of human rights, the right to life. We recall the

disappeared and the abused. Families such as the McVeighs in Donaghmore, just outside Dungannon, still await the return of their loved ones, and individuals such as Mairia Cahill still seek the human right to justice. There was also the unlawful killing of Paul Quinn in south Armagh. These, along with many more abuses, on both sides of the conflict, need to be addressed now. They are critical human rights issues.

The SDLP, a party formed out of the civil rights movement here, would like to join with other parties in the Assembly in supporting international Human Rights Day. We welcome the United Nations slogan:

"Stand up for someone's rights today".

It has been 68 years since the United Nations Universal Declaration of Human Rights. It was signed by most Governments in the world but it remains concerning that abuses and breaches of the most fundamental rights continue to grow. Freedom of speech and other human rights are taken for granted in the UK but, over recent years and months, human rights have deteriorated on the international stage.

In the Islamic world, women lack equality, religious dissenters are persecuted and political freedoms are curtailed. In China, there is political and economic repression. States such as Russia, Turkey and Hungary have authoritarian leaders with little respect for even the most basic of human rights. The LGBT community in places such as Russia and Nigeria has faced oppression. Meanwhile the US, which is meant to be the pillar of western civilisation, has failed to distinguish legitimate from illegitimate groups when targeting terrorist groups such as ISIS and others in the Middle East. Xenophobia and racism are also growing across Europe.

The protection of human rights and fundamental freedoms is therefore as relevant today as it has ever been. It is concerning that in Northern Ireland, over the past 18 months, the Executive Office has failed to send any departmental officials to reporting committees for three major international treaties, one on the rights of the disabled.

The SDLP brought forward the amendment because we have genuine concerns over the future realisation of human rights in the North of this island. The European Convention on Human Rights, which is enshrined in the Human Rights Act, has played, and continues to play, an important role in the delivery of peace here by ensuring that the state does not

act ultra vires and that it is held accountable for the gross violations such as those committed during the Troubles.

I will take that intervention now.

Ms Dillon: Thank you very much for taking the intervention. I have heard enough from across the Chamber, and particularly from you, Mr McPhillips, trying to say that somebody on these Benches is guilty of violating human rights. If you have any evidence that I have violated anybody's human rights, I think that the good people of Mid Ulster would like to know about it, given that they elected me. People across the Chamber have used this issue to cause insult to Members sitting on these Benches. There is no call for it.

Mr McPhillips: I thank you for your intervention.

Madam Principal Deputy Speaker: The Member has an extra minute.

Mr McPhillips: I will leave it to others to decide on what I have said. I did not mean anything personal to any individual in the House.

Those rights are now under threat from the Tory agenda to quell all things European, including the right to a fair trial, the right to liberty, and the right to have the death of a loved one properly investigated.

Mr Stalford: I appreciate the Member giving way. You talked about being against anything European. Those rights existed long before we were in the European Union; there is no logic in saying that they will not exist after we leave the European Union.

Mr McPhillips: Thank you to the champion for Europe. [*Laughter.*] We have seen much progress in the realisation of those rights in the North, but that progress is now at risk due to the debate over sovereignty. The people of the North will lose out the most. My worry is that, if the Tories get their way, we will witness a massive chilling effect on human rights law in the UK. People's freedoms could be at risk. If there is to be a British bill of rights, there would be limited means for redress. The European Court provides the last court of appeal against the state. We would simply be handing back control to the English judiciary, which has mistreated people from the North for years.

I welcome today's motion on Human Rights Day; it is an important day for many suppressed peoples across the world. However, more

locally, I have serious concerns over the future of the Human Rights Act and that of the Good Friday Agreement. I urge support for the amendment.

Mr Allister: There are many fundamental human rights, but there is the absolute human right of the right to life; it is written in the universal declaration at article 3. Some have referred to the irony of the source of the motion; I refer to the hypocrisy of the source of the motion today. It comes from a party that has gone out of its way over many years to justify and stand over the denial of that absolute human right: the right to life. Take the proposer of the motion, Mr Lynch: an unrepentant convicted terrorist. He was caught by the SAS in April 1986 while seeking to plant a landmine with murder in his heart to kill soldiers on the road to Rosslea, for which he got 25 years but, sadly, served only half of that.

Only in Stormont could someone have the audacity to stand unrepentant about their own attempts to deny human rights while proposing a motion on human rights and clutching to themselves the clothing of human rights when they stand convicted of possessing explosives and a rifle with intent to endanger life. If he had had his way that day, he would have delivered murder to a passing patrol of soldiers.

Of course, it is interesting to reflect that, on international Human Rights Day — 10 December — the same IRA robbed many individuals of that most absolute human right, for which we hear no apology today.

1.45 pm

On 10 December 1971, two UDR soldiers, a Protestant and a Catholic, Kenneth Smyth and Daniel McCormick, were murdered by the IRA on international Human Rights Day at Claudy. The very next year, on 10 December 1972, Stewart Middlemass, a soldier, was murdered by an IRA booby trap at Fort Monagh barracks. The very next year, on international Human Rights Day, James Hesketh, a 21-year-old soldier, was shot by an IRA sniper in Leeson Street. In 1980, on international Human Rights Day, 10 December, Colin Quinn was shot by the IRA when leaving his work.

Yet some, who, to this day, have no apology to make for their actions or the actions of their comrades in delivering murder and denying the fundamental right to life, have the audacity to come to the House and cloak themselves in the language of human rights and talk about defending international Human Rights Day.

Where were the human rights of Kenneth Smyth, Daniel McCormick, Joseph Parker, Stewart Middlemass and James Hesketh on international Human Rights Day? They were denied them, primarily by the IRA, and, in April 1986, the proposer of the motion would have denied the same human right had he not been stopped in his tracks by the SAS.

Madam Principal Deputy Speaker: Will the Member please bring his remarks to a close?

Mr Allister: For the very reason of the stench of hypocrisy that arises from the source of this motion, I will vote against it.

Madam Principal Deputy Speaker: I call Nichola Mallon to make her winding-up speech on amendment No 2. She will have five minutes.

Ms Mallon: This week, we have international Human Rights Day. There was universality across the Chamber in recognising the importance of marking this day and taking the time, particularly during this period, to pause and reflect on the harrowing experiences of those right across the world who live an existence in which they are denied their human rights. Mr Logan and Mr Beattie shared some very personal memories, having witnessed what that existence means and, in particular, the pain and suffering that is endured by children and women across the world.

There was also agreement across the Chamber on the importance of reflecting on how far we have come as a society in our compliance with human rights standards and the Human Rights Act. Sadly, however, that is where agreement ended, and, as Mr Logan informed us, the DUP will oppose the motion and the amendments.

Yes, we have come far, but as many Members have highlighted, there are several areas where we still fall short. I add my voice to those of Members from other parties who welcomed the efforts to bring a motion on this issue to the House. It is also important to acknowledge and recognise the views that Members have expressed about the hypocrisy of the proposers. It would be foolish and unrealistic not to acknowledge that, but I accept that it has caused considerable discomfort and unease across the Benches.

I welcome the fact that there is support for the motion and for our amendment, as indicated by all parties except the DUP. It is important, given that the European Convention on Human Rights is a requirement of the Good Friday

Agreement and a fundamental part of our hard-won architecture here, that both are explicitly referenced in the final motion. I would argue that this is more important, given the hostility of the current Tory Government, and in particular the Prime Minister, to the Human Rights Act and the turbulence and stirring of hostilities as a result of Brexit.

Mr Attwood made the point that life on these islands and across the world is increasingly being shaped by the lifeline of human rights and less by the bloodline of ethnicity. It is an important development, but its progress requires effort. It requires, as many Members pointed out, education, awareness raising and campaigning. I echo the praise articulated by several Members about recognising the efforts of the many organisations and agencies working tirelessly to promote and protect human rights here and abroad.

A number of times, we heard the slogan — stand up for someone's rights today — and about the framework within which we are to view this year's international Human Rights Day, and yet not a single Minister in the Executive felt it worth their time to make the very short journey from their offices into the Chamber to stand and respond to the debate. For me, that is the most disappointing aspect of the debate. Regardless of the contributions we have all made, for the citizens in Northern Ireland and anyone with an interest in human rights, to look in here today and see that the Executive did not deem it worthy or important enough —

Mr Stalford: I am grateful to the Member for giving way. Does she agree that, if the issue were being taken so seriously, the leader of her party would be here instead of posing for a photo opportunity in London? Yes, I know that you were going to tell me where he is instead of posing for a photo opportunity in London.

Madam Principal Deputy Speaker: The Member has an extra minute. Tá nóiméad breise ag an Chomhalta.

Ms Mallon: I thank Mr Stalford for his intervention. If he had listened to the debate, he would have heard quite clearly — he prides himself on understanding the history and politics of this part of the island — that the Good Friday Agreement, its links to the Human Rights Act and its convergence with our membership of the European Union are all inextricably linked. In showing leadership today, my party leader is in London at the Supreme Court trying to protect and stand up

for that right and for the democratically expressed consent and wishes of the people of Northern Ireland.

As I said, it is bitterly disappointing that not a single Minister made the effort to come down today to respond to the debate. It also shows that, on an issue of such fundamental importance — human rights and how we manage our society and protect our most vulnerable — the DUP and Sinn Féin are completely and utterly split. It is very telling and is another very disappointing outcome and realisation from the debate.

Mr Agnew: Since the whole debate about the EU and, indeed, the Conservative policy of repealing the UK Human Rights Act, we have felt the need in debates to talk about the threat from the UK Government to human rights in this part of the world. As today's debate shows, the threat is here and is much more local. Despite the Human Rights Act and our responsibilities in it, we are not meeting minimum human rights standards in many areas. My colleague Clare Bailey highlighted those in her opening remarks. Mr Dickson rightly raised the issue of human rights in China, and our First Minister should be raising challenges on very significant abuses of human rights in China, which are extreme in many cases. To give ourselves the credibility to lecture and admonish others, we need to ensure that, in Northern Ireland, we uphold the human rights standards that we are signed up to through the Good Friday Agreement and the UK Human Rights Act.

We are well aware of the Human Rights Commission challenge on reproductive rights in Northern Ireland and the court ruling that we are not meeting minimum standards; indeed, we had the opportunity to correct that in the Assembly, but, unfortunately, that opportunity was not taken.

The right of same-sex couples to marry is being tested in our courts. Again, we have the possibility of legislating for that; indeed, a cross-party group of MLAs is seeking to bring forward a private Member's Bill to do just that. We know from each debate that we have had to date that there has been a rejection by some of the extension of marriage rights to same-sex couples and, indeed, that the DUP blocked a majority vote in favour of it.

In 1998, with the Good Friday Agreement and the protections that went with that, Northern Ireland became the exemplar of rights. We led the game by enshrining in law the protections set out in section 75. That led the way for others in the UK to follow. Unfortunately, we

have done little since then to build on that foundation, and we are now behind the rest of the UK and, indeed, Ireland. Our failure to bring forward or even to discuss seriously and consult on a single equality Act has meant that the updating of rights legislation across other parts of the UK and Ireland has left us lagging behind. Indeed, access to those rights, which a single equality Act could simplify, has again been denied to our citizens. Of course, others rightly spoke about the legacy issues that remain outstanding in Northern Ireland and the rights that are denied to the victims of our conflict here.

Human rights are for all. The Human Rights Act is for every citizen of the UK. It is something that we should not only uphold but embrace and be proud of. We should promote human rights to other parts of the world and act as an exemplar. Our amendment calls for minimum human rights standards for Northern Ireland. That is the least that we can ask for. It is not enough. It is not all-embracing. It is not making us a champion for human rights —

Madam Principal Deputy Speaker: Will the Member bring his remarks to a close?

Mr Agnew: — but we believe that the Assembly should at least commit today to that modest outcome.

Madam Principal Deputy Speaker: Question Time begins at 2.00 pm, so I suggest that the House take its ease until then. The debate will continue after Question Time, when the next Member to speak will be Cathal Boylan, who will wind on the motion.

The debate stood suspended.

(Mr Speaker in the Chair)

2.00 pm

Oral Answers to Questions

Agriculture, Environment and Rural Affairs

Mr Speaker: We will start with listed questions. I call Ms Sinead Bradley. Ms Bradley is not in the Chamber.

Zero-waste Strategy

2. **Mr Boylan** asked the Minister of Agriculture, Environment and Rural Affairs to outline any plans her Department has regarding the implementation of a zero-waste strategy. (AQO 817/16-21)

Miss McIlveen (The Minister of Agriculture, Environment and Rural Affairs): My Department's waste management strategy sets out a framework of policies and actions that contribute towards dealing with waste as effectively as possible by minimising the amount of waste we produce, for example through the carrier bag levy, increasing the amount of waste we reuse and recycle and, where that is not possible, promoting recovery ahead of the managed disposal of waste. As well as achieving substantial increases in recycling, we have reduced the amount of waste going to landfill over the past decade so that it has now fallen to its lowest ever level. Since 2004-05, the proportion of household waste that is landfilled has more than halved, down from 81.8% to 39.7% in 2015-16. The household waste recycling rate has more than quadrupled, from 10% in 2002 to 42.2% last year.

Key elements of the strategy have already been implemented, including the publication of the waste prevention programme in September 2014 and the introduction of the Food Waste Regulations in April 2015. Food waste makes up around a quarter of councils' municipal waste and, on average, costs every household in Northern Ireland almost £500 per year. The separate collection of food waste has the potential to significantly drive up recycling rates, as well as generating greater value from that resource. I am continuing to support efforts to improve waste management by providing £2.5 million to councils through the Rethink Waste capital fund for waste prevention, reuse and recycling projects this year. Five of the

proposals received from councils to date relate to food waste recycling projects.

Mr Boylan: I thank the Minister for her answer. Minister, given that it seems that recycling levels have plateaued, how do you intend to reach the 50% target by 2020?

Miss McIlveen: I thank the Member for his question. Obviously, while we would like to get to a zero-waste economy, zero waste is where we produce absolutely no waste, so we need to look at other ways of getting to the stage where we reduce our landfill.

Waste prevention can be achieved by reducing the quantity of material that is used in certain products and by increasing the efficiency with which those products, once created, are used. It encompasses various actions that can be undertaken when a product reaches the end of its life. You will also be aware that we are working closely with councils on the Food Waste Regulations (Northern Ireland) 2015. Working with them, we plan to reduce our household waste quite considerably in the amount of foodstuffs that are wasted every year. Councils are and will be obligated to improve the provision of food waste collection schemes to comply with the new regulations by April 2017. That will significantly decrease the amount of waste that goes to landfill and will go towards assisting with reaching our targets. Alongside that, we are working with various companies on having a circular economy and reusing their waste. A lot of that will be done in partnership and will mean working closely with those partners to achieve our targets.

Mr Butler: I welcome a zero-waste strategy. Does the Minister not feel that it would be better to first concentrate on tackling the waste that is dumped as a result of organised crime? Does she believe that the current environmental crime unit is up to the task?

Miss McIlveen: I thank the Member for his question. I believe that it is up to the task and is working hard to bring to task those who have been doing wrong. This year has been a busy year of work.

So far, in 2016, 20 prosecutions have been brought by the crime unit. It is something that I and the crime unit take seriously, and we will work together to increase the number of prosecutions that are brought to the courts.

Mr Agnew: In relation to the Mills report and the identification of illegal waste dumping across Northern Ireland, what progress has

been made in achieving prosecutions, particularly in relation to the dump at Mobuoy?

Miss McIlveen: I thank the Member for his question. I cannot comment in relation to the case that is ongoing in Mobuoy, but the recommendations from the Mills report are certainly being worked through by my Department. You will recall from the previous answer that there have been 20 prosecutions this year to date. It is something that we are very focused on, and we want to ensure that it does not recur. I am very positive about the work that is being done.

Mr Speaker: Mr Conor Murphy is not in his place.

Birds of Prey: PAW UK Report

4. **Mrs Cameron** asked the Minister of Agriculture, Environment and Rural Affairs for her assessment of the Partnership for Action Against Wildlife Crime's 'Bird of Prey Persecution and Poisoning Report Northern Ireland 2014', published in November 2016. (AQO 819/16-21)

Miss McIlveen: I thank the Member for asking the question and for raising the profile of this important issue. The Partnership for Action Against Wildlife Crime in Northern Ireland (PAW NI) is a multi-agency body comprising representatives and organisations involved in wildlife law enforcement. PAW NI partners include: key Departments, including four DAERA divisions; PSNI; NDPBs; NGOs; gamekeeping groups; and landowning interests. It affords opportunities for statutory and non-government organisations to work together to combat wildlife crime. PAW NI was established in April 2007.

I welcome the publication of the PAW NI raptor report, as it clearly highlights a number of problem areas in Northern Ireland. Of course, the report only accounts for the known cases where the birds were found and tested. The report is a beneficial tool, aiding future enforcement and detection action. Rather worryingly, it indicates an ongoing disregard for public safety by a small number of people in our community who are placing highly toxic poisons where wildlife, livestock, pets and people could come into contact with them. Also, there are people misusing presumably legally owned firearms, either intentionally or recklessly, with a similar disregard for safety.

Enhancing biodiversity is a central objective of my Department. The loss of our top predators

from our ecosystems by acts of persecution is extremely disturbing. These are keystone species, and their loss has a detrimental impact right the way down the food chain. I call on those responsible for these reckless acts to cease doing so, and I urge anyone who may have information about these crimes to contact the PSNI or Crimestoppers.

Mrs Cameron: I thank the Minister for her very comprehensive answer. It is quite disturbing to hear the detail of that. What is the Minister's Department doing to reduce wildlife crime throughout Northern Ireland?

Miss McIlveen: Again, I thank the Member for her question. While I welcome the report, it troubles me somewhat, in that it is caveated by saying that it is likely that the figures presented here represent only a fraction of the number of incidents. Many remain undetected and unreported because the crimes primarily take place in very remote areas.

As the Member will be aware, the enforcement of the Wildlife Order is generally carried out by the PSNI. My officials from the Northern Ireland Environment Agency (NIEA) assist the PSNI by provision of technical support and advice, and we work alongside others in trying to stop this. My officials from several remits across the Department also sit on the PAW NI group. The group works with a range of partners to reduce wildlife crime. The Department is keen to further develop its relationship with PAW NI partners, and, additionally, we are open to providing high-level support to the PAW NI group should it be requested.

Mr McNulty: What consideration has the Minister given to the benefit of a public information programme helping to reduce the number of attacks on birds of prey and their nests?

Miss McIlveen: I thank the Member for his question. Any public information that can go out to have people desist from this is obviously welcome. The Member may be aware that Operation Raptor was announced earlier this year. This is a public awareness programme to focus on the issue. I think that there is an onus on all of us, as elected representatives, to become involved in this, highlight the issue in our local press and get involved with local groups.

Mr McMullan: I thank the Minister for her answers so far. I agree with you on the protection of birds. You mentioned Operation

Raptor. Can you give us an update on where we are with that?

Miss McIlveen: I thank the Member for his question. As he is aware, it was launched in March this year. It runs indefinitely, and I guess that we will probably not really understand the benefits of that until the next report is published. I reiterate what I said to the previous Member. I encourage elected representatives to become involved in this campaign and to raise awareness. A poster campaign is associated with Operation Raptor and those who represent rural areas, in particular, may want to look at acquiring those pieces of information and posters for their offices.

Mr McKee: Minister, this has been a particular problem in the Mourne, with red kites being targeted. Can you provide an update on how many birds have been killed over recent years?

Miss McIlveen: I thank the Member for his question. While I do not have a total number, I am aware that the most recent report highlighted four red kites, four buzzards, two peregrines, one sparrowhawk and a raven. It is an issue that focuses not just on the south Down area but on other areas. I am quite happy to get the full range of final figures to the Member.

Planning Applications: NIEA Responses

5. **Mr Dunne** asked the Minister of Agriculture, Environment and Rural Affairs for her assessment of the time taken by the Northern Ireland Environment Agency in responding to councils' consultations on planning applications. (AQO 820/16-21)

Miss McIlveen: The interim figures for the NIEA's performance in 2016-17 show that 91% of statutory responses have been issued to councils within agreed time frames. The NIEA remains on track to meet its key business target of 90% this year and has an ongoing programme of initiatives that aims to continually improve its performance. Up to this point in the reporting year, the NIEA has received 2,055 consultations, of which 1,865 were responded to within the 21-day target or an agreed time frame. The average time for a response to a consultation is 12 days from NIEA. It is important that appropriate information is provided by applicants to enable the planning authority to make timely and positive decisions. The Department aims to contribute to this process by providing clear guidance and

standing advice to help applicants and planning officials understand what information is required to facilitate timely planning.

Mr Dunne: I thank the Minister for her answer. Does she agree that an efficient and effective NIEA is important for an effective planning process? Can she give us some more information on the performance of the NIEA so far this year for the different council areas?

Miss McIlveen: I thank the Member for his question. The NIEA has an important role to play in all of this. The Member will also be mindful of the fact that the ultimate decisions with regard to planning applications lie with local councils. The number of consultations that the NIEA will look at varies considerably across council areas and, where its response performance for a particular council is above average, this obviously could reflect a large number of straightforward applications, for example, for single dwellings or different development types where it has issued standing advice. Lower than average performance in response times may be due to a higher proportion of major or, perhaps, complex applications that have been received and which require the provision and assessment of large amounts of environmental information.

2.15 pm

I can provide the Member with a general overview of some of the councils. He will be pleased to note that, in our council area, Ards and North Down Borough Council, where 242 applications were received, 97% of the responses issued within 21 days and agreed extensions. On average, it took only 10 days to respond in that area. The area that has the lowest return is Fermanagh and Omagh District Council, where the average is around 17 days.

Mr Kennedy: I am grateful to the Minister for her answers thus far. Is she aware of the discrepancy in the times that it takes local councils to process agricultural planning applications? For instance, in Antrim and Newtownabbey, agriculture-related applications last year took an average of 18 weeks, compared to over a year in Newry, Mourne and Down District Council. Will the Minister investigate whether there are any issues for NIEA and with her ministerial colleagues?

Miss McIlveen: I thank the Member for his question. I will indeed refer that to colleagues in the NIEA. However, I reiterate that, since planning does not lie in my Department, it is,

perhaps, something that needs to be taken up directly with local councils.

Ms Armstrong: Does the Minister agree that an independent, well-funded agency could respond in a more timely manner to such consultations?

Miss McIlveen: I thank the Member for her question. I thought that I had outlined quite well that the NIEA responds in a timely manner. I have answered the question about an independent environment agency several times before, and it is not something that I am minded to look at.

Air Pollution: South Belfast

6. **Mr Stalford** asked the Minister of Agriculture, Environment and Rural Affairs to outline her plans to address air pollution in South Belfast. (AQO 821/16-21)

Miss McIlveen: I welcome the latest report on air quality in Northern Ireland, published by my Department on 22 November. The report clearly shows that air quality in Northern Ireland continues to improve, although we continue to have problems with emissions from road traffic at certain locations. The report notes that long-term roadside levels of pollutants in Belfast are mostly decreasing, albeit at a slower rate than I would like.

In addressing air quality in Belfast, and across Northern Ireland, my Department has commenced a review of air quality policy and legislation, with the intention of developing a dedicated Northern Ireland air quality strategy and revised local air quality management policy guidance. The review will consider new thinking on air quality policy across the UK and internationally, aimed at reducing emissions from all sources to protect public health, assist with climate change targets, and improve congestion. Those policies will be consulted on in due course.

In addition to the review, my Department provides funding support to councils, including Belfast City Council, to carry out their statutory local air quality management and action plan duties and has worked closely with Belfast City Council and the Department for Infrastructure to draw up an air quality action plan for the greater Belfast area. The air quality issues here are predominantly due to road traffic emissions. Therefore, the plan focuses on introducing measures relating to sustainable transport, such as the forthcoming Belfast rapid transit scheme; the development of the Belfast

transport hub; and park-and-ride, as well as strategies that promote public transport, walking and cycling.

Mr Stalford: I am grateful to the Minister for that very full answer. Does she agree with me that, in tackling congestion, any air quality strategy must have significant investment in infrastructure, including the York Street interchange?

Miss McIlveen: I totally agree with the Member. As a former Minister for Regional Development, I was very much involved in some of those projects and, in particular, the York Street interchange. As a former member of Belfast City Council, the Member will know that the council has declared the Westlink corridor, from York Street to the city boundary, as an air quality management area. That is an area that carries approximately 100,000 vehicles per day. The development of the York Street interchange project is one of the principal measures in reducing transport emissions along the Westlink corridor and is one of a range of measures that DFI has agreed, with the council, to include in its air quality action plan.

It is, therefore, vital that this project goes ahead. Obviously, it is not the only project in which there are air quality issues. The Dungiven bypass is another such project in Northern Ireland and one that I would like to see moving forward very quickly.

Ms Bradshaw: Given the increasing population in the Carryduff/Saintfield Road area, will the Minister agree that the introduction of a greenway from Carryduff to the city centre would be a very good proposal to include in her action plan?

Miss McIlveen: I thank the Member for her question. I am very keen for such projects to move forward, as was the former Minister. As a user of the greenway in my constituency, I see its benefits and the benefits of cycling, but, given the increase in population in that area, I advise that members of the public use the park-and-ride facility and take advantage of the public transport system that is in place there.

Ms Bailey: Will the Minister acknowledge that four major cities have committed to banning diesel cars by 2025 due to air pollution levels? Will she let the House know whether she has any intention of doing the same?

Miss McIlveen: I thank the Member for her question. I suppose that I have to declare an

interest as the driver of a diesel car. At this stage, no, I do not have any intention to do so.

Ms Archibald: I thank the Minister for her responses so far. She may be aware that it was reported last week that one of the air quality monitors in Dungiven was not working, and has not been for some time. I understand that it is the council's responsibility to replace that. Was the Department aware that it was not working? Whose responsibility is it to request a replacement?

Miss McIlveen: I thank the Member for her question. Yes, I am aware of that, as I was of the issue on the Ormeau Road. It is my understanding that it has been out of use since March this year and that the reason why it has not been replaced is an issue with replacement parts. The Causeway Coast and Glens Borough Council is in the process of procuring a new monitor. I understand that it continues to be able to monitor pollution but is using a different method to do so.

Mr Speaker: Before I call Ms Mallon, I remind Members that, if they wish to ask a supplementary, they should rise continually in their place.

Ms Mallon: I thank the Minister for her answers to date and for her commitment to tackling air pollution. I seek assurances from the Minister that, in the event of Brexit, we will maintain the current levels of environmental protection for air quality.

Miss McIlveen: I thank the Member for her question. Obviously, Brexit will not have an impact on this. The Executive have given a commitment, and you will understand from our Programme for Government that we recognise the importance of air quality and have a target against the air quality indicators to reduce the levels of nitrogen dioxide recorded across all monitoring stations in Northern Ireland. We have a draft delivery plan, and an indicator is out for consultation. It contains the various measures that we are looking at. As a Department, generally, we are looking across the piece at how air pollution can be tackled, not only in transport but in the agriculture sector.

Lough Foyle/Carlingford Lough

7. **Lord Morrow** asked the Minister of Agriculture, Environment and Rural Affairs to outline the current ownership of both Lough Foyle and Carlingford lough. (AQO 822/16-21)

Miss McIlveen: Last week, responding to a parliamentary question about fishing rights in Lough Foyle and Carlingford lough after the UK leaves the EU, the Secretary of State restated the UK's position that the whole of Lough Foyle is within the UK. The issue of ownership of both loughs is not a matter within the competence of the Assembly. However, I know that the Irish Government, the Foreign and Commonwealth Office and the Crown Estate have been talking about the issue for some time. I understand that the next meeting between the two Governments is scheduled for later this month in Dublin.

My immediate concern is that the ongoing dispute is impacting the ability of the Loughs Agency to effectively manage aquaculture activities, particularly licensing in Lough Foyle, and I am, therefore, anxious that it be resolved. For that reason, during my first North/South Ministerial Council meeting in September, there was a discussion on how the ongoing dispute is adversely affecting the operational activities of the Loughs Agency. The pressing priority for all those involved in the discussions should be to come to an arrangement that will allow the Loughs Agency to fulfil its role properly.

Lord Morrow: I thank the Minister for her answer. I listened to what she said, and she related that the situation is causing difficulties with aquaculture licensing. To what extent is she or her Department being kept abreast of what is happening? Surely the hiatus is causing problems for the sensible running of her Department in relation to what we are speaking about.

Miss McIlveen: I thank the Member for his question. As he highlighted, this has been going on for quite some time. In fact, it dates back to 1662 and the charter of Charles II, in which he granted the waters in the bed and the fisheries of Lough Foyle to the Irish Society and included them as part of County Londonderry. As you are aware, the lough is the responsibility of the Loughs Agency. There is a claim by the Irish Government by virtue of the fact that they have not accepted the position of the United Kingdom, which is obviously causing ongoing problems, not only with aquaculture licensing in Lough Foyle but with any future management that we would like to put in place, particularly for Lough Foyle and Carlingford lough. The situation is ongoing, and we want it resolved as soon as possible.

Mr Swann: Minister, for clarity: how many licences have been issued for aquaculture by the Loughs Agency for Lough Foyle? What

work has been undertaken to ensure that there are no illegal beds being set down instead, or does she consider that to be an ecumenical matter?

Miss McIlveen: I thank the Member for his question. There is an issue with illegal fisheries in the Foyle. There has been a substantial increase in the number of unregulated oyster trestles — in excess of 400% on the Donegal side of Lough Foyle in recent times — which is causing a navigation issue, particularly hazard and risk, and a general health and safety hazard in the lough. It is not possible to issue licences because of what is happening.

Climate Change Bill

8. **Mr Lyttle** asked the Minister of Agriculture, Environment and Rural Affairs whether she will introduce a climate change Bill. (AQO 823/16-21)

Miss McIlveen: Legislation to address climate change is already in place in the form of the UK-wide Climate Change Act, which establishes a long-term target of an 80% reduction in greenhouse gas emissions by 2050 against a 1990 baseline. Interim targets are, in effect, set by five-year carbon budgets, which are legislated on in advance by a statutory instrument that is laid in Westminster as a requirement of the Act.

The carbon budget for the whole of the UK targets a 34% reduction in greenhouse gas emissions by 2020. I recently wrote to the Secretary of State supporting new legislation at Westminster for a UK carbon budget of a 57% reduction in greenhouse gas emissions by 2030. The latest greenhouse gas inventory, published in June 2016, shows a reduction of 17.4% from 1990 levels, whilst the most recent projections indicate that we are on target to achieve a 34.1% reduction by 2025.

The need to take action on climate change and its importance to the Executive is demonstrated through measures included in the draft delivery plan for indicator 29 of the draft Programme for Government. An annual progress report is submitted by the cross-departmental working group on climate change to the Executive, summarising progress made towards the reduction of greenhouse gas emissions.

I am satisfied that progress has been made on reducing greenhouse gas emissions in Northern Ireland. I am content with the plans that are in place and those that are being developed, which will reduce our emissions further. In

those circumstances, I currently see no need to introduce a Northern Ireland climate change Bill.

2.30 pm

Mr Speaker: Sorry, Mr Lyttle, but we do not have time for a supplementary. That ends the period for listed questions. We now move on to 15 minutes of topical questions.

Arc21: Residual Waste Treatment

T1. **Mr Aiken** asked the Minister of Agriculture, Environment and Rural Affairs what discussions she has had with Arc21 about residual waste treatment. (AQT 596/16-21)

Miss McIlveen: I thank the Member for his question, but, since coming into office as Minister, I have not had any discussions.

Mr Aiken: I am quite surprised by that, in view of the commitment that the Minister made to the chair of Arc21 in her letter dated 25 July, in which she stated she would recommend to the Northern Ireland Executive that she would consider the provision of financial support to Arc21. Can she, in view of the £1.8 billion cost of the renewable heat incentive scandal, state what discussions she has had with the Finance Minister on how that open-ended commitment to Arc21 can be met —

Mr Speaker: Mr Aiken, come to a question.

Mr Aiken: — and what advice she received? In the spirit of openness and transparency, can she tell us how much it is likely to cost?

Mr Speaker: Minister, it is for you to answer.

Miss McIlveen: I thank the Member for his question. As he will be aware, the Arc21 scheme is with the Public Accounts Committee. The report will then go to the Department for Infrastructure for the Minister to consider. In the event of the project getting a green light, it will require a viable business case. At that stage, my Department will consider making a case to the Executive for financial support to ensure that ratepayers do not incur an unfair financial burden as a result of meeting a Northern Ireland-wide obligation. That is a position that is no different from that taken by Departments in the rest of the UK or, indeed, by the previous Department of the Environment.

As yet, I have not had a conversation with the Finance Minister on that. As I said, a business

case still needs to be drawn up, but we are still some way off a decision being made.

Greenhouse Gas Emissions

T2. **Mr Beggs** asked the Minister of Agriculture, Environment and Rural Affairs, in the light of her earlier comments about greenhouse gas emissions, what assessment has been made by her Department and the Northern Ireland Environment Agency of the adverse environmental impact of the wasteful burning of the renewable energy initiative. (AQT 597/16-21)

Miss McIlveen: I thank the Member for his question. At this stage, I have not received a report on that.

Mr Speaker: I call Mr Robbie Butler. Sorry, I call Mr Beggs for a supplementary. My apologies.

Mr Beggs: Thank you, Mr Speaker. Will the Minister accept that it is damaging to our environment and increasing unnecessarily CO2 emissions? Worst of all, the public are paying for all of this to happen. It is costing us in our pockets, yet we are damaging the environment. Why is public money being used to damage the environment?

Miss McIlveen: I thank the Member for his question, but that is outside my remit.

Mobile Health Check Clinics

T3. **Mr Butler** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the rural mobile health check clinics. (AQT 598/16-21)

Miss McIlveen: I thank the Member for his question. He will be aware that the scheme has been ongoing for some time. I had the privilege of welcoming the 12,000th recipient of the health checks to Saintfield mart the week before last.

Mr Butler: I am not sure that what happened in Saintfield is an overall update. That aside, the checks have provided an invaluable service in rural areas. Will the Minister commit to reviewing the clinics and work alongside the Public Health Agency to ensure that it is also adequately identifying and signposting poor mental health issues?

Miss McIlveen: I thank the Member for his question. I agree absolutely with everything that he said, having met people who benefited from the clinics and spoken to staff. I recommend that the Member, if he gets the chance, meet the staff who man the clinics, and do so during very unsociable hours, I have to say.

People have found the clinics beneficial, particularly farmers who live on their own, are isolated and who do not always look after, or are mindful of, their health. They are very much mindful of the welfare of their animals but often forget about themselves. This has been a fantastic service, and people have found the benefit of it.

Pork: China

T4. **Mrs Overend** asked the Minister of Agriculture, Environment and Rural Affairs, given that we all know that the First Minister is in China this week, to confirm that Chinese veterinary officials visited Northern Ireland in late October to discuss exporting pork products and to state where in Northern Ireland the officials visited and whether any progress was made during the visit or since. (AQT 599/16-21)

Miss McIlveen: I thank the Member for her question. Obviously, they will have visited the pork plants in Northern Ireland. When I was in China myself just a few weeks ago, I had the opportunity to speak to a number of officials. Last week, I met Andrea Leadsom, who has since been in China. We are all getting very positive information back with regard to the export of our pork products to China. We are expecting hopefully good news in the not-so-distant future. This is very lucrative for our plants. There is an estimate that it could be worth somewhere in the region of £10 million to the Northern Ireland economy.

Mrs Overend: I thank the Minister for that information, but I am concerned. I believe that they did not make it to my constituency of Mid Ulster, specifically the Karro Food Group in Cookstown, and instead prioritised a visit to the Giant's Causeway from Dungannon, a route that actually goes through Cookstown. I may need to register an interest in this question because my husband supplies pigs to Karro, but I really would like to hear an explanation from the Minister in that regard.

Miss McIlveen: I thank the Member for her comments. I will certainly come back to the Member with the detail. I was not aware of that.

DAERA HQ: Ballykelly Costs

T5. **Mrs Barton** asked the Minister of Agriculture, Environment and Rural Affairs whether taxpayers' money has been spent wisely through her Department paying £600,000 for half an acre of land for its new headquarters in Ballykelly. (AQT 600/16-21)

Miss McIlveen: I thank the Member for her question. The Member will be aware that this was done before my time in office. She may want to take into consideration the fact that this is a development that will allow for 600 jobs in the north-west. There are economic benefits to that. My understanding is that, at the time, it was seen as value for money in order to ensure that this project went ahead.

Mrs Barton: Given that this project never had a full business case, that OFMDFM had to issue two ministerial directions in respect of it, and that other vacant buildings, such as in Coleraine, were deliberately overlooked, does the Minister accept that this project is increasingly becoming a drain on public resources?

Miss McIlveen: I thank the Member for her question. I go back to the original question inasmuch that this was a decision that was taken in the last mandate and given Executive approval at that time. Construction has now commenced, and the building is scheduled to be completed and open by January 2018. It will then start the business that it is designed to do, which is to accommodate employees in the north-west of Northern Ireland.

Air Pollution

T6. **Ms Bailey** asked the Minister of Agriculture, Environment and Rural Affairs to state her plans to raise public awareness on the serious and immediate danger to life from the alarming issue of air pollution, with approximately 500 deaths per year in Northern Ireland directly due to air quality, albeit that she stated that she is content for Northern Ireland to be the lowest performing region in the UK in meeting greenhouse gas emission targets. (AQT 601/16-21)

Miss McIlveen: I thank the Member for her question. She may be alarmed by all of this, but I have to say that work is ongoing right across my Department. She will be aware that the Executive are taking this very seriously. We are out for consultation on key indicator 29 with regard to air pollution. There are a number of

things being done right across all of our Departments. I am working in collaboration with Departments for a mitigation action plan.

There are good achievements to date with regard to energy, with 25% of our total electricity consumption now generated from local renewable resources. We have the ongoing expansion of the natural gas network. We are working a lot with colleagues in transport for a new cycling infrastructure. There is additional electric-vehicle charging infrastructure. Obviously, agriculture is probably one of the trickiest to look at. We have the Efficient Farming Cuts Greenhouse Gases phase 1 initiative. I have also very recently received the independent report that was commissioned on a sustainable agricultural land management strategy.

My Department is taking this really very seriously. I do believe that the work that is going forward will assist us in reaching our targets. As I have said, I have written very recently to the Secretary of State about working alongside her in order to increase the overall target to 57% by 2025.

Ms Bailey: I thank the Minister for that answer. That all sounds like good work being done, but I am still not sure as to how it raises public awareness. Can the Minister perhaps commit to not driving a diesel car throughout that as well, and encourage others to do the same?

Miss McIlveen: I am not sure that I can commit to that, because I do very much like my car. What I will do is work alongside colleagues in other Departments to ensure that they raise awareness of this because we are all in this together and there is a job of work for us to do to reach targets.

Basic Payment Scheme: Appeals

T7. **Mr Dunne** asked the Minister of Agriculture, Environment and Rural Affairs for some information in relation to the basic payment scheme, better known as the single farm payment scheme, and, given that a lot of her officials have been caught up in dealing with appeals, for an assessment of the overall progress of the appeals process. (AQT 602/16-21)

Miss McIlveen: I thank the Member for his question. Obviously the introduction of CAP reform area-based schemes has led to an unprecedented increase in the number of review-of-decision applications received by my Department. Review of decisions is an

important part of the decision-making process that provides farmers and farm businesses with the opportunity to seek reconsideration where they believe that the Department did not reach the correct decision in respect of an area-based payment. Whilst the current process has been meeting objectives, I am nevertheless concerned about the time taken to issue final decisions. I have therefore asked my officials to review our current provision and put in place a process that better meets the needs of farmers for the 2017 scheme year going forward. This work will be taken forward in consultation with our stakeholders over the coming months. However, my immediate priority is to address the timelines of final decisions for those who are already awaiting reviews arising from the introduction of CAP reform area-based schemes. Therefore, my officials will shortly engage with stakeholders to determine a means by which review of decisions can be streamlined and made more efficient.

Mr Dunne: I thank the Minister for her answer. Can she advise how many applications are delayed within the actual process and whether the necessary resources will be made available to try to resolve the issues?

Miss McIlveen: I thank the Member for his question. I cannot give him an exact figure at the moment, but I am happy to provide that to him.

CAP Payments: Progress

T8. **Mr Frew** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the progress being made with CAP payments. (AQT 603/16-21)

Miss McIlveen: I thank the Member for his question. Obviously, the decision on CAP payments and what they will look like post-Brexit is something that we will look at in due course.

I am not actually quite sure what else he asked. I did not pick up on it, but I will pick it up in the supplementary.

Mr Frew: I am sorry that the Minister did not hear me. I asked her for progress on the issuing of CAP payments. Maybe she can also tell me what percentage of payments were cleared by 1 December, which was the first possible date to issue full payments.

Miss McIlveen: Apologies; you must have spoken into my deaf ear. As the Member will be aware, over 90% of eligible farmers received an advance payment from October, which equated to £158 million. The first day on which full payments could then be made was 1 December. On that day, we issued 21,372 payments — that is 91% of eligible farmers on day 1. That is 3,540 more payments than were made on day 1 last year. The target set is to pay 95% of eligible applicants by the end of December, and I am confident that we will meet that target.

2.45 pm

Communities

Women's Aid: Funding

1. **Ms Boyle** asked the Minister for Communities for his assessment of the tripartite arrangement for the funding of Women's Aid. (AQO 831/16-21)

Mr Givan (The Minister for Communities): With your indulgence Mr Speaker, as Minister with responsibility for broadcasting, I take this opportunity, at the start of my questions, to pass on my condolences to the family and friends of the late Austin Hunter, who so tragically died at the weekend. It is clear from the many tributes received from the political and media worlds that Austin was a man of great integrity and was highly respected by all who came into contact with him. I am sure that the whole House will join me in offering prayers and thoughts to the family at this time.

I turn now to the question. A tripartite funding arrangement exists for the 24-hour domestic and sexual violence helpline. This very valuable service is delivered by Women's Aid Federation Northern Ireland and has been funded by a grant agreement attracting funding from the Department of Health, the Department of Justice and the Northern Ireland Housing Executive. The Housing Executive currently funds the helpline with £113,000 per annum, while the Department of Justice and the Department of Health contribute £110,000 each per annum. This coming together by the Departments to ensure that a valuable service survives in an economically challenging time is a model for future collaborative working.

Ms Boyle: I thank the Minister. On that first note, on behalf of my party, I, too, send sincere sympathies to the family of Austin Hunter.

Minister, you will be aware that a total of 738 women and 520 children were accommodated in refuges in 2015-16 and thousands more accessed community support. However, 267 women could not be accommodated due to the lack of refuge space. Minister, what do you intend to do to support women who need refuge?

Mr Givan: The Member raises a very important point. I have met Women's Aid to talk about the issues that it is actively seeking to address and the ways in which government can work with it. We primarily support Women's Aid to address the issues that the Member highlighted through the Supporting People programme. This Executive have put £72 million into that programme. This year, recognising the pressures that exist for the providers of the scheme, of which Women's Aid is one, I found an additional £3 million to be spent on meeting those needs. The Housing Executive is working with the providers and will be contacting them soon as to how that £3 million should be allocated to them to help meet the types of need that the Member has raised.

Mrs Dobson: On behalf of my party, I concur with the Minister's sentiments. I was chatting to Austin just a few weeks ago, and my heart goes out to his family.

Can the Minister update the House on what work the Housing Executive is doing to address issues around domestic and sexual violence, especially when children are involved and new housing is urgently required?

Mr Givan: Obviously, the primary way in which the Housing Executive, through my Department, gives support is through the helpline, which is a vital instrument for people faced with this difficulty and through which they can get the support that they need. Obviously, the 24-hour helpline is very important, and that is why the three Departments have been actively engaged to ensure that it can continue. We are going through a budgetary process. I, in principle, have said that I want my Department's funding to continue and, obviously, that is subject to the necessary finance being made available.

It is important that, when people come forward, and that is often a difficult thing to do, they get the support that they need in the challenging circumstances that they face, and the Housing Executive will work with individuals to make sure that they get the accommodation and support that they will need; and Women's Aid plays a very important role in that.

Ms Lockhart: I thank the Minister for his answers thus far. The Minister will be aware that a very successful white ribbon event was held last week in this Building, hosted by Women's Aid, and I am sure that he will demonstrate his commitment to it. How much funding from his Department goes to Women's Aid?

Mr Givan: Let me support the event that took place last week. Raising awareness of these issues is vital so that people know that there can be support and that they do not have to put up with domestic violence. It is also important that, when people step forward, they get the support that they need. The support that my Department provides to Women's Aid has funded, through the Supporting People programme, 13 Women's Aid refuges at a cost of £4,618,810 to provide housing support in 133 units of accommodation and nine floating support schemes to provide housing support to 1,163 women in their own home. That demonstrates the commitment that I have to supporting Women's Aid. I have met them, and I have also met Fermanagh Women's Aid on the provision that exists there and in Enniskillen. The First Minister asked me to join her in meeting them, and we discussed a range of issues that they have to deal with in Fermanagh that we are now seeking to address. That work is being progressed by the Housing Executive.

Ms Armstrong: I thank the Minister for his recognition that these services require specialist expertise and knowledge from providers. What commitment can he give to repeat revenue support for these organisations rather than short-term, frustrating funding?

Mr Givan: There has been no frustrating of funding, so I am not sure where the Member gets that from; in fact, this year, I identified £3 million. The Supporting People programme was ring-fenced in previous years, and the fact that the budget was protected demonstrated the priority that the Executive give it. Whilst other parts of this Department's budget had a reduction, the Supporting People programme did not.

Having been in post only six months, I met senior officials and engaged with the providers, who told me that there were cost pressures, so, rather than frustrating funding, I allocated them an additional £3 million, which the Housing Executive will now allocate. There is a budgetary process, and I will make the case for this issue and others in my Department. Let me

assure the House that I have already demonstrated that this is a priority for me and will continue to be so.

Ms Mallon: I thank the Minister for his clear commitment to tackling domestic and sexual violence. I also welcome the tripartite arrangement. Given that he is clear that it is a priority for him, what discussions has he had with his ministerial colleagues, particularly in Health and Justice, to ensure that they view this issue equally as a funding priority?

Mr Givan: Both the Department of Health and the Department of Justice have committed to ensuring that funding will be made available for the 24-hour helpline, which demonstrates the three Departments working together on this issue, as we do in tackling homelessness. We recognise that we need to work collectively, and that is a demonstration of how the Executive want to make sure that we all pull in the right direction and do not have Departments working independently of one another but Departments collaborating.

The Supporting People programme is something that we want to facilitate in order to encourage collaboration. The budget is under pressure, and there are challenges ahead in the financial environment that we exist in. Therefore, we want to ensure that vulnerable individuals who need support get it. Where there can be increased collaboration with the providers involved — if it means that efficiencies can be found in administration costs, for example, I very much encourage that so that the end user gets the support that they need — we will not have a plethora of providers using up administrative costs when money can be better spent on the front line. That is something that we are helping to facilitate with the providers.

Gender Equality Strategy

2. **Mr Boylan** asked the Minister for Communities for an update on the gender equality strategy. (AQO 832/16-21)

Mr Givan: The Member will be aware that, when I took office as Minister for Communities, I inherited a number of strategies covering a wide range of social inclusion issues, including gender equality. This is an important issue for our society, and I have been clear from the outset that I want to consider how best to take forward this work in the context of the draft Programme for Government and the Executive's draft social strategy. The current consultation on the draft Programme for

Government and the planned consultation on the draft social strategy present a valuable opportunity to hear what citizens think about the big issues that impact on our society and, importantly, to take their views on how they wish to see these issues addressed. I am committed to getting this right, and that takes time. This period of extensive consultation will help to inform how I move forward on gender equality.

Mr Boylan: I thank the Minister for his answer. Specifically, how will he ensure that the needs of the transgender community will be adequately met?

Mr Givan: In respect of gender issues, everyone will have an opportunity to engage in the consultation process. I encourage everybody who has an interest to engage in that. My Department has already been engaging with section 75 organisations as part of the development of the social strategy. Everyone needs to engage in the process so that we can collectively provide a framework in which all these issues can be dealt with in our society.

Mr Bell: Are there any plans for or developments in a new gender equality strategy?

Mr Givan: This year is the fortieth anniversary of the introduction of sex discrimination law in Northern Ireland. We have had an Executive gender equality strategy in place for the last 10 years, yet there are still stark examples of gender inequality in our society. There remains, for example, a gender pay gap in Northern Ireland. I have also noted from the Equality Commission's Expecting Equality investigation that 36% of women participating in the investigation believed that they had been treated unfairly or disadvantaged at work as a result of their pregnancy or having taken maternity leave. It also revealed that half of the women thought that their career opportunities were worse than they were before their pregnancy. On a slightly more positive note, 48% of survey respondents felt that they had been treated fairly. That is why I believe that fresh thinking is required and why I am keen to look at this cross-cutting issue in the context of the social strategy, which will go out for consultation in due course.

Mr Lyttle: How will the new strategy promote the new system of shared parental leave and flexible working introduced by the previous Minister for Employment and Learning?

Mr Givan: The Member will know that we are working through an Executive process before the substance of the draft social strategy becomes public. Once it is made available, we will be able to explore the issues further in the consultation process.

Mr Speaker: Question 3 has been withdrawn.

Community Halls Programme

4. **Mr Humphrey** asked the Minister for Communities for an update on the response to his recent announcement of the community halls programme. (AQO 834/16-21)

Mr Givan: The community halls capital grant scheme was launched on 19 October 2016 at Salterstown Orange hall, Ballyronan. My Department aims to distribute individual grants of up to a maximum of £25,000 towards community halls minor works. There is £500,000 allocated to this pilot scheme in the current financial year. I can update the House and say that officials are in the process of assessing in excess of 800 applications.

Mr Humphrey: I thank the Minister for his answer so far. I join others in extending sympathy and condolences to Austin Hunter's widow, Jean, and their children, Simon and Rachael.

I commend the Minister's initiative on community halls and welcome the response; indeed, I encouraged many to apply for the scheme. Will the Minister take the opportunity to acknowledge the huge need for investment in our community halls throughout Northern Ireland?

Mr Givan: I thank the Member for his encouragement around the introduction of the scheme. The fact that well in excess of 800 applications have been received has demonstrated the need for investment in community halls. They support the hugely valuable work that is carried out across our community in Northern Ireland.

Many halls are dilapidated, and the pilot will reach only a small proportion of those that are in the worst condition. On the basis of the pilot scheme, the work merits future support in our capital programme over the years ahead. I intend to bring forward a future programme to allow us to continue to improve community halls and undertake larger projects to raise the standard of community hall facilities. As I indicated in my original response, half a million

pounds of capital resource was identified in my Department to fund the pilot scheme. Given the huge response, that will come nowhere near meeting the need identified. However, I have tasked officials in my Department with identifying whether additional capital can be found to do more than initially envisaged. I have commissioned my officials to look at that.

Ms Bradshaw: What shared future arrangements are included in the application process for the grant?

Mr Givan: The grant was available to everybody, irrespective of class, creed or religion.

3.00 pm

Social Strategy

5. **Mr McKee** asked the Minister for Communities when he plans to bring the draft social strategy to the Executive. (AQO 835/16-21)

Mr Givan: I plan to bring a draft social strategy to the Executive and issue it for public consultation subject to Executive approval. The social strategy will promote opportunity and tackle poverty, social exclusion and patterns of deprivation based on objective need, as required by section 28E of the Northern Ireland Act.

The most recent figures tell us that 22% of the population in Northern Ireland is living in relative poverty before housing costs. It is worth noting that, over the last decade and despite significant investment, the overall number in poverty remains the same. We need to reduce poverty and its impact on people.

The social strategy will set out a new approach. It will identify, for example, those in poverty and outline specific interventions to support them. The strategy will address issues in a more coordinated and structured way, mainstreaming this work into the new Programme for Government. Our focus is now firmly on delivering better outcomes for people, outcomes that matter most and can make a real difference.

The draft social strategy will be subject to public consultation. I welcome everyone's views during that important consultation period.

Mr McKee: I thank the Minister for his answer. Does the social strategy contain robust targets

to tackle poverty? What resources will be available to achieve them?

Mr Givan: As I indicated to Mr Lyttle, the draft social strategy is going through a process to get Executive approval. It will then go out to public consultation. I assure Members that this is a very detailed plan to address the causation factors that can drive people into poverty. It will tailor specific programmes to meet the needs of individuals and areas when they are identified. This will be very different from how the Government has tackled poverty in the past and will make sure that those who most need help get it. The strategy will address the issues that drive people into poverty and all the issues that are then caused by those who have to live in poverty.

Mr Stalford: Who did the Minister consult during the development of the social strategy?

Mr Givan: A series of events was held to inform the work of the Department in supporting the new approach to the Programme for Government. Those events were well attended by representatives of local and central government, the voluntary and community sector, the business community and section 75 organisations. All this helped to inform the work that my Department is responsible for under the Programme for Government, including the development of a draft social strategy. The draft strategy will be subject to public consultation.

Ms S Bradley: I place on record my apologies for not being in place at the beginning of Question Time. I thank the Minister for using the opportunity to express his and the House's condolences to the family of Austin Hunter. The SDLP certainly associates itself with that.

Will the Minister explain the delay in bringing the social strategy to public consultation and provide a timeline for when we will see the strategy?

Mr Givan: Let me assure the House that there is no undue delay. The draft Programme for Government is out to consultation, but the economic investment strategy still has to go through the Executive. Parallel to that is the social strategy. We want to make sure that our economic strategy dovetails with and is tailored to the social strategy, which is about addressing poverty. It is important that we get that right. As soon as that process is completed, we will be able to move to a public consultation process.

Ms Gildernew: The Minister talked about going out to public consultation, and he said that he wants it to be a full consultation. How does he intend to consult with harder-to-reach rural communities?

Mr Givan: The Member raises an important point about rural poverty. We have been looking at that in the Department. Areas of deprivation are often difficult to identify. They can be masked by more affluent areas. There are cases in which — all Members will know about this in their constituency — they do not naturally fit into deprived areas but are, in and of themselves, very much deprived. Tackling rural poverty is very important. It will be reflected in the social strategy. When we identify the needs in our rural communities and where poverty is in existence, it is important that we engage with those communities. That is something that we will do through the consultation process. It will be publicly available for individuals to respond to proactively. We will also engage with communities so that they are able to put forward their perspective on the issues.

Supporting People

6. **Mr McMullan** asked the Minister for Communities for his assessment of the Supporting People programme. (AQO 836/16-21)

Mr Givan: The Supporting People programme has been in place since April 2003. It continues to provide quality services that help over 18,500 vulnerable people each year to live independently. Supporting People is a priority for my Department. I have seen at first hand the excellent work done by Supporting People providers and have met a number vulnerable people who have had their life turned around by Supporting People services.

The Department carried out a review of the Supporting People programme last year. The conclusion was that the programme had achieved its core aims of delivering significant quality-of-life benefits to those who have received and continue to receive services. The review, however, also identified a number of areas in which action is needed to improve further the impact of the programme, its economy and its efficiency. I have ensured that those recommendations are being actively addressed by my officials in partnership with the Northern Ireland Housing Executive, the Department of Health and the voluntary and community sector. The work is being monitored by an implementation steering group led by my

Department. The improvement programme is on track.

Mr McMullan: Go raibh maith agat. I thank the Minister for his answer. Does he expect the introduction of the living wage to have any impact on the Supporting People budget?

Mr Givan: It is an area that has been raised with me by providers. The increase in the living wage will create a cost pressure for some of the people who provide the service. That will present a further financial challenge. The needs of individuals are complex and increasing, so there is already pressure on the finances available, but, with increases in the national living wage, the providers are also highlighting the fact that that is creating a cost pressure. I have sought to try to meet some of the pressures this year by providing an additional £3 million. In cognisance of the pressures that are going to be in the Budget, a review has been carried out. We have identified where we believe that improvements can be made, but all of that has to be carried out in collaboration with the providers involved. They are actively involved in the process. It is for individual providers to identify how they can provide their service efficiently and effectively within the budgetary framework that I have. The Budget process is ongoing, so I will not know the outcome of that until it is completed by the Executive.

Mr Logan: Thanks to the Minister for his answer. Will the views of Supporting People providers, such as the Lighthouse in my constituency, be considered prior to the implementation of any review recommendations?

Mr Givan: I thank the Member for his supplementary question. The Department has established the implementation steering group, which I referred to in my original response, to drive the implementation of the 13 recommendations. That steering group includes representation from the committee that represents independent Supporting People providers. My Department has engaged extensively with the wider Supporting People sector throughout the compilation of this report and will continue to do so prior to and during implementation. That voice is critical.

I have met a number of providers; those organisations and the people in them. I can tell that many of those whom I have met have huge compassion and real drive and enthusiasm for trying to help people who are incredibly vulnerable. When I was with Depaul in Stella

Maris or in the hostel in the Village area with Mr Stalford, I could see how the benefits of the Supporting People programme are being delivered. I was in Londonderry last week to open the North West Methodist Mission's new refurbished buildings, and I got speaking with some of the individuals who get that initial support. They are supported to move on into further independent living while still getting some support, and then, eventually, they are able to move on into the community.

I recognise the huge contribution that the organisations that get support from my Department through the Supporting People programme are making. They often go beyond the call of duty for individuals who need help and who have very complex needs, and they are achieving results. As we move forward, it is vital that the voice of those providers is very much part of the process, and it will be.

Mrs Palmer: I thank the Minister for his answers thus far. What engagement has his Department had with the Health Minister and her officials to assess whether the Supporting People programme, as outlined in the Northern Ireland Housing Executive's housing related support strategy, has met the Bamford review-related targets?

Mr Givan: I am happy to take up the individual area that the Member has highlighted. However, I want to reassure her that I met Minister O'Neill and Minister Sugden in the inter-ministerial group that exists to tackle homelessness. The three Departments are proactively engaged in seeking to address that. There will be a new homelessness strategy that the Housing Executive is responsible for and which I hope will be out for public consultation soon. There is a statutory requirement for a new homelessness strategy to be put in place in April next year, and, in preparation for that, my Department has been leading in having focused groups of officials come together from a range of Departments and organisations to ensure that, when the new strategy is put in place, everybody is very clear as to their responsibilities for implementing it, so that we can have a successful conclusion to that particular strategy.

This is Homelessness Awareness Week, and we have been raising awareness of this issue. The Executive are very much committed to making this a priority to deal with, because people who find themselves in these circumstances often have underlying needs, which, in order to be met, require a range of organisations to work together to give support

and help people to have their own home and live in it independently.

Ms Hanna: I thank the Minister for his answers. Supporting People has presented a very compelling case, which has been independently verified, for saying that its budget is effectively a preventative spend and that the problems that it tackles would cost public services a lot more if it did not make its intervention. In that context, and given the fact that demand for its intervention is rising, will the Minister assure us that that service will be protected and that it will be allowed to meet that demand?

Mr Givan: I agree with the Member. The prevention that the Supporting People programme provides can often help individuals not to require assistance that they would need if they had not got it through Supporting People. It is much more expensive to get those public services as opposed to getting the intervention that comes through the Supporting People programme. That is why I have identified this area of my budget as one that I certainly give a priority to. I am making the case in discussions with the Finance Minister for areas in my Department that I believe need to be protected, and this is one such area. It has been protected in the past because of the parallel that can be drawn with the Department of Health. I am certainly putting the case forward that it should get protection in next year's Budget. Obviously, it is something that will be subject to the Minister for Finance's consideration and that of the collective Executive whenever we come to agreeing on the Budget, but this is a priority for me.

3.15 pm

Mr Speaker: A brief question for Mr Lunn, and a brief response from the Minister.

Mr Lunn: The Minister mentioned a £3 million injection of funds this year. Prior to this, the Supporting People fund was frozen for nine years. What plans does he have to make sure this situation does not arise again, so that this very good scheme can continue and flourish?

Mr Speaker: Minister, a very brief response.

Mr Givan: Briefly, as indicated before, this was a protected budget, so while other areas of the Department's budget were reduced in line with reductions across the Department, this one was not because of the priority we attached to it. Obviously, there are financial challenges ahead, which is why collaboration is important. I addressed the providers at a conference and

indicated that there needed to be more collaboration amongst them so that we can ensure the most effective and efficient systems are in place to help the people who need it, in the context of the financial difficulties and challenges that lie ahead.

Mr Speaker: That ends the period for listed questions. We now move to 15 minutes of topical questions.

Jobs and Benefits Office: Omagh

T1. Mr McCrossan asked the Minister for Communities for an update on the future of the jobs and benefits office and its staff in Omagh. (AQT 606/16-21)

Mr Givan: I will meet representatives from Fermanagh and Omagh District Council at 4.30 pm today. Obviously, I want to ensure we provide services right across Northern Ireland; it is important that we do not have just a Belfast-centric approach to providing these services. For example, I have been able to make positive changes for Armagh, which was losing services. Additional jobs have been brought to Northern Ireland by the Department of Work and Pensions. I will meet the Minister of State at Westminster next Monday, to explore further opportunities for work that Northern Ireland can do.

Omagh is making the case that it is an area that needs to have services provided. I am very mindful of the case put forward by elected representatives.

Mr McCrossan: I thank the Minister for his answer. Can the Minister outline why the Omagh jobs and benefits office did not get the IPCC jobs, considering it has a telephony system already in place? Is the Minister concerned that a number of the current employees in Omagh failed to get jobs in other offices, which clearly shows that these staff have been disproportionately impacted the punitive welfare cuts and the rationalisation of the welfare state?

Mr Givan: Obviously, Omagh's telephony is an asset and places it well should there be opportunities in the future, and I am actively looking at that.

We have identified where the key hubs are going to be for welfare reform. Newry, Foyle and Dungannon are going to be major centres, and all of these places are outside of Belfast, because I am keen to make sure services are delivered across Northern Ireland.

Through any change process, there is going to be change. Even in the absence of the welfare reform agenda taking place, there is always a normal cycle of assessment about the caseloads that exist within these offices, and as that changes, the staff complement changes as well. I appreciate this is a time of change, but ultimately, it is important we respond to the changes that are coming and provide the most effective and efficient service possible.

From listening to other Ministers, I know they are facing pressures in the Department of Health and the Department of Education, and I have pressures upon my budget across a plethora of areas. I want to ensure the administration costs are at a minimum and we maximise what we can achieve on the front line. Services will be delivered using the best possible practice we have to maximise all of those things.

Mr Speaker: Question No 2 has been withdrawn.

Regeneration Powers: NILGA Consultation

T3. **Mrs Palmer** asked the Minister for Communities what consultation he had with the Northern Ireland Local Government Association (NILGA) before he announced that he would not be devolving regeneration community development powers to local councils in this mandate. (AQT 608/16-21)

Mr Givan: I have met NILGA, the National Association of Councillors and representatives of the 11 councils through the partnership panel. In all those engagements, the issue of regeneration powers was raised and a decision was sought. I indicated to Members that I would consider regeneration powers in the context of my new Department, and I outlined in detail the rationale for the decision that was taken. Having now made that decision, I think that it is important that people apply themselves to maximising the opportunities that exist for local government, which can very much be the driving force behind regeneration programmes in taking forward initiatives and work with my Department and the Executive to maximise the benefits for the people whom we represent.

Mrs Palmer: I thank the Minister for his responses so far. Will he confirm whether, in light of the Finance Minister's comments, the decision not to devolve the powers was an Executive decision or a solo run?

Mr Givan: I have been able to clarify that issue with the Minister of Finance. Obviously, like me, he is keen to make sure that we use the opportunities that we have to regenerate our towns and villages, so there is no disagreement on the issue. The Executive are clear that they want to have our towns and villages regenerated, as does local government. Collectively, we will be able to achieve that together. I know that some elected representatives have focused on the issue, but all the community organisations that I have met have said that they are delighted that the power is not going to local government and that they wanted it to stay within my Department's remit. People should move on now; the decision has been taken. We have the lifetime of this mandate to make sure that we work together. The public do not distinguish between what local government and central government do. What they want, though, is the job to be done, and, collectively, we can work together to achieve that.

HMO Legislation: Effectiveness

T4. **Mrs Little Pengelly** asked the Minister for Communities for his assessment of the effectiveness of the houses in multiple occupation (HMO) legislation in dealing with the ongoing challenges in the Holylands area of South Belfast, including repeated antisocial behaviour, noise and littering, particularly by those living in HMOs. (AQT 609/16-21)

Mr Givan: I know that the Member has raised concerns about the issue before. The new Houses in Multiple Occupation Act (Northern Ireland) 2016 provides for the regulation of HMOs but is not a way of reducing the number of existing premises. The Department is finalising a review of the private rented sector with a view to making changes that strike the best balance between the rights and responsibilities of tenants, landlords and letting agents.

Mrs Little Pengelly: I thank the Minister for that answer. I am sure he will understand the significant pressure that this puts on local residents who have to deal with it weekend in and weekend out, and many of them have repeatedly raised their concerns with me. Will the Minister consider including a review of the HMO Act as part of the review that his Department is doing? Although it is relatively recent legislation, there are clearly some issues with its enforcement against rogue landlords and those who will not take control of the situation.

Mr Givan: Certainly, the Department engages with council officials, from Belfast City Council for example, and there is opportunity there for that engagement. As the Department engages with the council and given what the Member has said, if gaps are identified in the legislation and in its effectiveness, I will want to know about them. Where corrective action can be taken, I will certainly be open to looking at that.

Sports Clubs: Historical Sexual Abuse

Ms Bradshaw: Before I ask my question, on behalf of the Alliance Party, I wish to extend our thoughts and prayers to the family of Austin Hunter as this very difficult time.

T5. **Ms Bradshaw** asked the Minister for Communities what discussions he has had with the IFA, the PSNI, the NSPCC and other stakeholder bodies to provide localised mechanisms through which historical sexual abuse can be reported in sports clubs. (AQT 610/16-21)

Mr Givan: I am obviously aware of the issue, which has been raised at a national level. It is important that, if people believe there are issues, they can report them, and I am happy to engage with stakeholders on that. To date, no one has come forward to indicate that there has been an issue at a local level; however, given the nature of what has happened at a national level, it is important that people are alert to that. It is something that has happened in other walks of life, and there has been a response from government to tackle those issues. That can be seen in the importance placed on child protection. That is something that we are alert to. As issues emerge, we will certainly respond.

Ms Bradshaw: Minister, do you have any plans to allocate additional funding to Sport NI to ensure that additional training in the safeguarding of children and vulnerable adults can be delivered to coaches and volunteers in clubs across the region?

Mr Givan: If the issue emerges as one that requires resource, I will want to hear from the organisations involved. Given the issue that we are talking about, where support can be found, I would certainly be open to doing that.

Having met a huge number of sporting clubs involved in youth activities, I know that their volunteers do work that is vital and always with

the best intentions. In any walk of life, it is important that protections are in place, because, where young people are involved, there will be individuals who will seek an opportunity to take advantage. It is important that organisations protect themselves in that respect. I have met organisations and youth organisations, and I know that there are robust processes in place that are being looked at. Should an issue emerge, I will certainly play my part in supporting those organisations.

Mr Speaker: Question 6 has been withdrawn.

Regeneration Powers: Local Councils

T7. **Mr Lyttle** asked the Minister for Communities to outline the key reasons why he disagrees with the Belfast city growth strategy, which says that it is essential that regeneration powers that have been available to other UK cities for decades be devolved to Belfast City Council. (AQT 612/16-21)

Mr Givan: The reasons were laid out in great detail in a statement that was made to the House, after which Members had the opportunity to ask further questions. That decision has been taken.

I am keen to ensure that we maximise our regeneration powers. That will also be in the interests of councils, whose representatives I met recently. They recognise that the decision has been taken and want to work together. I am sure that that is also something that Belfast City Council will want to do.

Mr Lyttle: OK. One of Belfast City Council's growth strategy's key asks to drive economic growth, transform public services and address inequality is a single mechanism for regeneration and place-making powers. In the absence of the transfer of such regeneration powers, how will the Minister work with Belfast City Council to deliver that aim?

Mr Givan: I have a very positive relationship with Belfast City Council. I have met its chief executive and a delegation of councillors representative of all the political parties. We went in detail through areas where there was mutual interest in seeing development. The Belfast regeneration office engages with Belfast City Council. Where there are opportunities to work together, that will happen.

Of course, Belfast City Council received considerable public funding through the

previous Department for Social Development, and I have engaged with the council on its Streets Ahead project. When Belfast City Council looks to what Stormont has provided, I do not believe that it will be able to point to any unfair treatment by any Department; indeed, it will continue to get support from the Executive to deliver services to the public. It is an issue on which we should move forward together to focus on getting the regeneration that the public want.

BBC Sports Personality of the Year

T8. **Mrs Cameron** asked the Minister for Communities whether he is concerned by the perceived lack of recognition by the BBC in its Sports Personality of the Year shortlisting. (AQT 613/16-21)

Mr Givan: Just this afternoon, before I came to Question Time, we recognised Jonathan Rea, who is a back-to-back world motorbike champion. That is a phenomenal success; only four individuals have achieved that. He is now working towards getting three in a row, which would be a first, yet someone of that calibre was not represented in the BBC's sports awards. In this Olympic year, which was part of the rationale for this, there are Paralympians on the list, but they did not include Bethany Firth, who happened to be the most decorated Paralympian and, indeed, UK Olympian. She did not make the list.

I entered into correspondence with the BBC head of sport and have just received a response. I will consider that response, which I do not believe has been helpful in determining the next steps that I will wish to take forward with the BBC. Ultimately, it is a decision for the BBC, but I do not believe that the process that it has in place is transparent or, indeed, fair in representing the people of Northern Ireland and the huge success of, not least, Carl Frampton, Jonathan Rea and Bethany Firth.

3.30 pm

Mr Speaker: There is time for a brief supplementary and a brief response from the Minister.

Mrs Cameron: I thank the Minister for his response. I will be brief. Bethany, Jonathan and Carl Frampton are examples of just the type of people whom we want to be recognised for their huge achievements for Northern Ireland. What can the Minister, in his capacity

as the Minister for Communities, do to redress the balance?

Mr Givan: Today, we recognised Jonathan Rea. When the Northern Ireland football team came home from the Euros, this Department hosted the homecoming event. I can inform the House that, in January, I intend to host a reception here at Parliament Buildings to give the recognition that is deserved to the success of the Olympians and Paralympians who represented our country. I will continue to do that in order to give them due reward for their success. Ultimately, the BBC needs to answer for itself. I am making the case with the BBC at the highest levels. This is a decision that it has taken and, at this stage, is standing over, but I will continue to give recognition to Northern Ireland sports stars for their huge success when representing our country.

Private Members' Business

International Human Rights Day

Debate resumed on amendments to motion:

That this Assembly acknowledges international Human Rights Day; notes the United Nations' comments that more should be done to raise awareness of human rights and the need to improve education about human rights; and calls on all Government Departments and public bodies to introduce human rights action plans. — [Mr Lynch.]

Which amendments were:

Leave out all after the third "rights;" and insert

"calls on the Executive to move immediately to ensure compliance with all minimum human rights standards; and further calls on all Government Departments and public bodies to introduce human rights action plans." — [Ms Bailey.]

Insert after the third "rights;"

"notes the requirement in the Good Friday Agreement of the incorporation into Northern Ireland law of the European Convention on Human Rights and the subsequent passage of the Human Rights Act; believes that the Human Rights Act 1998 is important for the protection of the rights of the people in Northern Ireland and an obligation further to the Good Friday Agreement;" — [Mr Attwood.]

Mr Boylan: Ba mhaith liom labhairt i bhfabhar an rúin agus ar son na leasuithe. I will speak in favour of the motion and both amendments. I welcome the motion. This is international Human Rights Week. It is unfortunate that, for us living in the North, human rights are still uncertain. We cannot celebrate international Human Rights Week without confronting the concerns about the potential repeal of the Human Rights Act.

The deputy First Minister, Martin McGuinness, stated during Question Time:

"Any attempts to displace the European Convention on Human Rights and to repeal the Human Rights Act will have enormous implications, particularly for compliance with the Good Friday Agreement. Any lessening of human rights law, and specifically the repeal of the Human Rights Act, would be a grievous breach of the Good Friday

Agreement and would mean that the institutional architecture of that agreement was seriously undermined, particularly in respect of policing and justice matters." — [Official Report (Hansard), 8 June 2015, p25, col 1].

This Assembly has the ability to pass legislation relating to equality and human rights. Equality and human rights legislation has been passed in Britain, Scotland and the Twenty-six Counties. How do we ensure that the people of the North of Ireland do not have lesser rights than people of other jurisdictions? There is a need to introduce equality legislation in the North of Ireland. The issue has been raised in three UN Committee reports. Equality protection includes issues of race, race discrimination and ethnic minorities. The Executive's desire is to make people's lives better and to deliver improved well-being to all citizens. The absence of an equality Act impacts those who are most disadvantaged, on people with disabilities and on children and young people.

In the context of international Human Rights Week, it is important to highlight the Equality Commission's identification of disparities between the equality legislation in Great Britain and that in the North of Ireland. The disparities include the following: the Equality Act simplifies and harmonises legislation on discrimination across grounds; the definition of race in GB includes colour, nationality and ethnic origin; age discrimination extends beyond the workplace in GB; disability legislation is stronger in GB and includes, for example, discrimination arising from disability and the protection of people when accessing facilities, goods and services; equal pay provisions are stronger in GB, prohibiting employers to forbid employees from discussing pay in order to establish differences; positive action measures are permissible in GB across all equality grounds; and protection from discrimination by private clubs is extended to more equality grounds in GB.

The Equality Commission, in evidence to the Executive Office Committee, stated that, in GB, the Equality Act 2010 has been in force for six years and that each year, in some shape or form, we are falling behind in our equality protection. This is international Human Rights Week, and we have to ask ourselves, in the absence of an equality Act and a bill of rights and in light of the concerns raised by various UN reports and the deputy First Minister's comments on the repeal of the Human Rights Act, how the Assembly can enhance the protection of human rights and equality in the

North of Ireland and ensure that we do not have any diminution of rights. This year's Human Rights Day slogan is: "Stand up for someone's rights today". In our Programme for Government framework, one of our outcomes is a more equal society. Let us take a stand, make a difference and maximise the opportunities to promote equality and human rights.

With your indulgence, Mr Speaker, I will turn to some Members' comments. I thought that it was quite a reasonable debate. With some contributions, I honestly think that there was unnecessary commentary. I pay tribute to the proposer of the motion, Seán Lynch, who has a mandate from the good people of Fermanagh and South Tyrone to stand here and represent them. Some people want us to go back to the past, and some comments were not very helpful at all.

I will start with the proposer of the motion. The biggest part of his contribution was on how human rights are slipping down the ladder. This is against a background of austerity and everything else. He made the key point, and there has been a good discussion today. We have to keep this on our agenda. The proposer of amendment No 1, Clare Bailey, made quite a good contribution. She mentioned the European Convention on Human Rights, the right to marriage and the right to respect for private and family life. I think that she also mentioned protocol 2 on protection of property. Her key point was on the annual report and putting it on the clár here for discussion in future years. That is quite a good suggestion.

Mr Attwood moved amendment No 2. To my recollection, most of his approach was about legislating in the Assembly. It was a good contribution, and he is right. He mentioned a charter of rights, homelessness and everything else, and we have a responsibility for that. After all, we are a legislative Assembly.

Mr Phillip Logan, who is not in the Chamber, and Doug Beattie made very good, positive personal contributions on their experiences. Those contributions resonated with some of us. Doug Beattie mentioned the likes of Rosa Parks and her contribution, and I thank him for his positive speech.

Stewart Dickson talked about the Council of Europe, and he does not seem to think that we will have an issue. We have talked about this in the Executive Office Committee, and I think that there are genuine concerns because nobody knows what is coming. Nobody knows about Brexit or anything else, so nobody can look into

the future and tell us exactly what is going to happen. We have not even invoked article 50, and everybody is saying that there will be nothing wrong. We have grave concerns.

Christopher Stalford talked about fundamental rights, including the right to life. He is opposed to the 1967 Act. It is a pity that the other parties across the Floor do not feel that they can support us at this time. Caoimhe Archibald used most of her contribution to talk about exploring the Convention on the Rights of Persons with Disabilities, the Convention on the Rights of the Child and the Convention for the Elimination of All Forms of Discrimination against Women. She also called for an equality Act and a bill of rights, as did many Members today.

I thank Mr Danny Kennedy for his contribution. He said that we have made some progress but recognised that there is more work to do. Mr McPhillips spoke next, followed by Mr Allister. What more can I say about Mr Allister's contribution? If I said any more about some of the contributions, it would make you cry. Mr Speaker, I conclude at that. I support the motion and both the amendments.

Mr Speaker: Before I put the Question on amendment No 1, I remind the House that, if it is made, I will not put the Question on amendment No 2.

Question put, That amendment No 1 be made.

The Assembly divided:

Ayes 57; Noes 34.

AYES

Mr Agnew, Mr Aiken, Ms Archibald, Ms Armstrong, Mr Attwood, Ms Bailey, Mrs Barton, Mr Beattie, Mr Beggs, Mr Boylan, Ms Boyle, Ms S Bradley, Ms Bradshaw, Mr Butler, Mr Carroll, Mr Chambers, Mr Dickson, Ms Dillon, Mrs Dobson, Dr Farry, Mr Ford, Ms Gildernew, Ms Hanna, Mr Hazzard, Mr Kearney, Mr Kelly, Mr Kennedy, Mrs Long, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr E McCann, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCrossan, Mr McElduff, Mr McGrath, Mr McGuigan, Mr McKee, Mr McMullan, Mr McNulty, Mr McPhillips, Ms Mallon, Mr Maskey, Mr Milne, Mr Mullan, Mr Murphy, Ms Ní Chuilín, Mr Ó Muilleoir, Mr O'Dowd, Mrs Overend, Ms Seeley, Mr Sheehan, Mr Smith, Mr Swann.

Tellers for the Ayes: Mr Agnew and Ms Bailey

NOES

Mr Allister, Mr Anderson, Mr Bell, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mrs Cameron, Mr Clarke, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mrs Little Pengelly, Ms Lockhart, Mr Logan, Mr Lyons, Mr McCausland, Miss McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Robinson, Mr Ross, Mr Stalford, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McQuillan and Mr Robinson

Question accordingly agreed to.

Main Question, as amended, put.

The Assembly divided:

Ayes 58; Noes 34.

AYES

Mr Agnew, Mr Aiken, Mr Allen, Ms Archibald, Ms Armstrong, Mr Attwood, Ms Bailey, Mrs Barton, Mr Beattie, Mr Beggs, Mr Boylan, Ms Boyle, Ms S Bradley, Ms Bradshaw, Mr Butler, Mr Carroll, Mr Chambers, Mr Dickson, Ms Dillon, Mrs Dobson, Dr Farry, Mr Ford, Ms Gildernew, Ms Hanna, Mr Hazzard, Mr Kearney, Mr Kelly, Mr Kennedy, Mrs Long, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr E McCann, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCrossan, Mr McElduff, Mr McGrath, Mr McGuigan, Mr McKee, Mr McMullan, Mr McNulty, Mr McPhillips, Ms Mallon, Mr Maskey, Mr Milne, Mr Mullan, Mr Murphy, Ms Ní Chuilín, Mr Ó Muilleoir, Mr O'Dowd, Mrs Overend, Ms Seeley, Mr Sheehan, Mr Smith, Mr Swann.

Tellers for the Ayes: Mr Boylan and Mr Lynch

NOES

Mr Allister, Mr Anderson, Mr Bell, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mrs Cameron, Mr Clarke, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mrs Little Pengelly, Ms Lockhart, Mr Logan, Mr Lyons, Mr McCausland, Miss McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Robinson, Mr Ross, Mr Stalford, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McQuillan and Mr Robinson

Main Question, as amended, accordingly agreed to.

Resolved:

That this Assembly acknowledges international Human Rights Day; notes the United Nations' comments that more should be done to raise awareness of human rights and the need to improve education about human rights; calls on the Executive to move immediately to ensure compliance with all minimum human rights standards; and further calls on all Government Departments and public bodies to introduce human rights action plans.

Regulatory Reform and a Regionally Balanced Economy

The following motion stood in the Order Paper:

That this Assembly notes the draft Programme for Government's commitment to a strong, competitive, regionally balanced economy; recognises the importance of regulatory reform in achieving this outcome; and calls on the Minister for the Economy to ensure that regulation for business in Northern Ireland is proportionate, effective and not unnecessarily burdensome on, or a hindrance to, economic growth and development. — [Mr Lyons.]

Motion not moved.

Adjourned at 4.06 pm.

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