



# Official Report (Hansard)

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Woods, Miss Rachel (North Down)

# Northern Ireland Assembly

Tuesday 6 July 2021

*The Assembly met at 10.30 am (Mr Deputy Speaker [Mr Beggs] in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

### Ministerial Resignation: Mr Frew

**Mr Deputy Speaker (Mr Beggs):** I advise the Assembly that the Minister for the Economy, Mr Paul Frew, resigned his office at 9.30 this morning.

### Ministerial Appointment: Mr Lyons

**Mr Deputy Speaker (Mr Beggs):** Further to that, I advise the Assembly that Jeffrey Donaldson MP, as nominating officer for the DUP, nominated Gordon Lyons MLA as Minister for the Economy. Mr Lyons accepted the nomination and affirmed the Pledge of Office in the presence of the Principal Deputy Speaker and the Clerk/Chief Executive this morning.

## Ministerial Statements

### British-Irish Council Summit

**Mr Deputy Speaker (Mr Beggs):** The Speaker has received notice from the First Minister and deputy First Minister that they wish to make a statement. Before I call the deputy First Minister, I remind Members in the Chamber that, in light of the social distancing being observed by parties, the Speaker's ruling that Members must be in the Chamber to hear a statement if they wish to ask a question has been relaxed. Members who are participating remotely must make sure that their name is on the speaking list if they wish to be called. Members present in the Chamber can do that by rising in their place or by notifying the Speaker's Table directly.

I remind Members to be concise in asking their question. A statement is not an opportunity for debate, and long introductions will not be allowed. I also remind Members that, in accordance with long-established procedure, points of order are not normally taken during a statement or the period for questions afterwards.

**Mrs O'Neill (The deputy First Minister):** I wish to make the following statement on the thirty-fifth summit meeting of the British-Irish Council (BIC), which took place on Friday 11 June 2021. I hope that the Assembly will understand that recent events regarding the position of the First Minister meant that it was not possible to make this statement as promptly as is customary following a summit.

The summit was hosted by the Executive and attended by the then First Minister, Arlene Foster MLA, and by me as deputy First Minister, as well as by Minister Poots, Minister Swann, Minister Mallon, Minister Long, Minister Murphy, Minister Hargey, junior Minister Kearney and former junior Minister Lyons. They have agreed that I will make this statement on their behalf.

The Scottish Government delegation was led by Nicola Sturgeon. The Welsh Government delegation was led by Mark Drakeford, the First Minister, who attended virtually.

The British Government were led by the Chancellor of the Duchy of Lancaster, Michael Gove. The Government of Guernsey were led by the Chief Minister, Peter Ferbrache, who also attended virtually. The Government of Jersey were led by the Chief Minister, Senator John Le Fondré. The Irish Government were led by an Taoiseach, Micheál Martin. The Isle of Man Government delegation was led by the Chief Minister, Howard Quayle. The full list of delegates who attended the summit is attached to the copy of the statement provided to Members.

This was the first summit to be hosted by the Executive since 2013, and we were delighted to host the meeting in Fermanagh. We welcomed the attendance in person by representatives of other Administrations despite the difficulties imposed by travel restrictions. The focus of the summit was on recovery from COVID. It is important that, as we move through recovery, we do so both informed of and learning from the approaches being taken across member Administrations. Our engagement in the British-Irish Council enables that to happen.

Ministers discussed the impact of COVID-19 across member Administrations and reflected on the need for approaches to recovery that are sustainable and that address the potentially long-lasting impacts. The Council also discussed areas of coherence across member Administrations for recovery, as well as planning for potential future impacts of COVID-19.

The COVID-19 pandemic has presented unprecedented challenges to all the BIC Administrations, as it has done globally. Other Administrations are, like us, operating and planning for recovery in a still-evolving situation, as the vaccination programme progresses but new variants emerge. All recognised the need to remain alert, flexible and responsive as external factors change around us.

A common theme of the members' reports was the way in which the crisis has acted as a driver for change to ways of working, and that has created changes in approach that are irreversible. Societies have had to innovate rapidly, and positive developments have taken place that may not have occurred without the challenge of combating the impact of the pandemic. To cite a few examples, digital transformation has been essential to the

delivery of our public services and is becoming the norm; sustainability efforts have been enabled through new ways of working; and a greater and very important focus is being placed on the mental health of the population.

Administrations at the summit also discussed the latest political developments across their jurisdictions and noted the recent elections held in a number of the jurisdictions. Ministers provided an update and engaged on a number of topics of mutual interest, including the EU-UK relationship.

Ministers took the opportunity to reflect on the period since the establishment of the British-Irish Council and on how the Council had evolved to adapt to a changed context. They welcomed the fact that, despite the pandemic, the British-Irish Council had continued to meet by virtual means. Ministers considered a number of potential developments that would further develop the role of the Council in responding to new and emerging trends and challenges and in promoting its objective of positively strengthening links and relationships among the people of these islands. The latest BIC annual report has now been published on the Council's website.

Finally, the Council noted the secretariat's 2020-21 end-of-year report and welcomed the publication of the Council's annual report for 2020-21. The next summit will be hosted by the Welsh Government later this year. I commend the statement to the Assembly.

**Mr McGrath (The Chairperson of the Committee for The Executive Office):** I thank the joint First Minister for her statement, and I welcome the fact that the British-Irish Council meeting took place, albeit in difficult circumstances. It is really important that everyone working for people and in communities right across these islands be given the opportunity to come together to discuss matters of common interest and to share ideas and practice that will help develop the work that we do. COVID recovery was high on the agenda, but COVID is still very much on people's minds. People are still worried about the virus, and the numbers that we are hearing over the past week are very worrying. There is some comfort to be taken from the fact that hospital admissions and serious illness from the virus are not translating into intensive care admissions yet, but the key word is "yet".

Bonkers Boris announced yesterday that he intends to relax many of the key regulations that are in place in England, and that is being done in the face of many of the scientific facts. Even

his most senior advisers suggest that they will continue to wear masks in crowded environments whilst telling everyone else that they do not have to and that it is a choice.

**Mr Deputy Speaker (Mr Beggs):** I remind the Member that this is an opportunity to ask questions.

**Mr McGrath:** Thank you, Mr Deputy Speaker. Chairs of Committees are also afforded the opportunity to make a few introductory remarks.

**Mr Deputy Speaker (Mr Beggs):** As I have allowed you to.

**Mr McGrath:** What does that therefore mean? That the Chief Medical Officer and the Chief Scientific Adviser will still wear masks but that everyone else is OK? That type of mixed messaging is ludicrous. Will the Minister tell us in detail what discussions there were, at the summit meeting and since, about the different paces of relaxation to COVID and whether the different pace in GB and the island of Ireland will have any impact upon people here?

**Mrs O'Neill:** I thank the Chair of the Committee for his question. He is right to reflect that people are still worried about the pandemic and about the fact that, with the new delta variant becoming our dominant strain, people are right to be cautious and anxious. However, I always point to the positive, and the positive is that the vaccination programme is rolling out very well, and we need to continue to see uptake. I encourage all Members to use their good office to try to promote the uptake of the vaccine because that is our best defence.

Boris Johnson made announcements yesterday, and, as I noted in the statement, throughout the pandemic, all member Administrations of BIC have, at different times, been in different positions and taken different paths. We have prided ourselves on taking our own path, based on our own information and advised by our own Chief Medical Officer and Chief Scientific Adviser, and that remains the case.

With regard to the announcement yesterday, personally, my view is that it is far too much far too soon, albeit we want to keep making progress, and we want to keep lifting the restrictions where we can. Our Executive will meet this Thursday, and our Executive will decide collectively on our next step.

With regard to the issue of masks that the Member referred to, the Health Minister and the

Chief Medical Officer have been very clear in saying that we are not there yet. That will be up for discussion on Thursday, but I will be supportive of that view.

We want to keep making progress, but the best way that we can do that is by going steadily, continually making progress and getting the maximum number of people vaccinated. I will keep repeating this message: please encourage people to come forward and take up the vaccination.

**Mr Robinson:** Will the Minister provide an update on the ongoing work of the Council?

**Mrs O'Neill:** It was useful that we were able to meet in person at this time. We were able to have a very frank conversation around where we all are with the COVID crisis, but we are very much looking towards the future and other ways that we can work together.

There have been four virtual ministerial meetings, including a joint housing and collaborative spatial planning meeting held recently. The housing and collaborative spatial planning work sectors are chaired by our Executive colleagues, so there is a lot of work going on there. There is also a lot of work going on around the misuse of substances. That work sector will be renamed drugs and alcohol, and there is a lot of work going on there.

There is a lot of conversation and work being done around a review of how we work. It will take a very different approach like a task-and-finish approach, so it should allow us to be able to look at areas where we can collectively work and be able to find ways to do things better and more speedily.

We have 11 live work sectors across a whole range of things. Those are: creative industries; digital inclusion; drugs and alcohol; early years; energy; environment; housing; social inclusion; indigenous, minority and lesser-used languages; and transport. There is a lot of work being done around the future of the Council and how we can work more collaboratively and share information. That is advantageous to us all.

**Mr Sheehan:** Gabhaim buíochas leis an Aire as ucht a ráitis ar maidin. I thank the joint First Minister for her statement this morning. Does she have any concerns about the delivery arrangements for the Levelling Up Fund and the Shared Prosperity Fund?

**Mrs O'Neill:** I do indeed. The delivery arrangements for the Levelling Up Fund and the Shared Prosperity Fund pilot programme cut across the responsibilities of a number of Executive Departments. The Executive continue to consider the impact of the loss of EU funding and the approach to replacements in Whitehall Departments.

It is very clear that the British Government intend to use the financial assistance powers in the Internal Market Act to deliver those funds intended as EU replacements and funding streams where we would have expected to receive Barnett allocations. That approach directly bypasses the devolved structures, so it is a matter of concern that the Westminster Government approach clearly does not build on existing and well-established structures that we have in line with the Executive's agreed position, nor does it give the Executive or our Ministers the normal role that they would have had in devolved functions.

#### 10.45 am

The way that they are to be financed is a matter of concern. The Levelling Up Fund, which you referred to, is to be financed using spending power that was promised to us in the spending review, and the Shared Prosperity Fund is to be a replacement for our income from EU programmes. Urgent clarification is required to ensure the effective delivery of this funding locally. It is essential that the Executive's reviews and spending priorities are taken into consideration in the delivery of these funds to ensure that there is maximum benefit and delivery from the support that is provided.

**Mr Stewart:** I thank the deputy First Minister for her statement and answers. You referred to attendees' difficulties with travel. Was there any discussion about when we will see an end to the inconsistencies and inequality within the common travel area, particularly from GB to the Republic of Ireland? Does she agree that the current travel rules are surprising and potentially outdated given that, over the past six months, the Republic of Ireland has consistently had a much higher infection rate than Northern Ireland?

**Mrs O'Neill:** The issue of travel was touched upon and continues to be touched upon because we are at different places in the virus spread. That has been the case the whole way through the pandemic. The Member should not get too excited if the South of Ireland's cases are higher than ours at the moment or vice versa because, at times, we were the best in

Europe and there were times when we were the worst. It is important that we work together and finally see a resolution to the travel issue, particularly the travel locator forms, which has been ongoing for some time. We have encouraged a resolution to that, and progress has been made.

As travel starts to open up — and that seems to be the direction of travel across the board; excuse the pun — it is important that we are as aligned as we can be across these islands. I have always advocated that two-island approach. That is the best way. It is simpler for people to understand if there is no conflict in messaging, for example. I would like us to be as aligned as we can on travel, whether that is within the common travel area or as we start to see international travel open up.

**Mr Dickson:** Thank you, deputy First Minister. Given the Member of Parliament for East Antrim's, quite frankly, offensive and unnecessary remark about our Health Minister yesterday, what work was done in your Council meeting on harmonising restrictions across all the jurisdictions? What actions are you taking to expand the green list for travellers?

**Mrs O'Neill:** As I said, travel was discussed. Each Administration is coming at this with their own data and information, and taking decisions based on what they think is in the best interests of their people at that time. The better aligned that we can be, the easier that it will be for all of us, and the public at large, to understand.

On the comments about the Health Minister, the Health Minister has a very difficult job at a very difficult time. He deserves the support of the Executive and other MLAs. Quite frankly, unless you have been in his shoes, you will not understand the level of the decisions that have had to be taken. People should be very focused on recovery, which is what the public want. We should focus on taking decisions to remove the restrictions as quickly as we can and getting people back to some sense of normality as quickly as we can. So many people have lost their jobs. The economic consequences of the pandemic are dire. We have a big job of work to do. We should be focused on working together to do that as opposed to taking pop shots at the Health Minister, or anybody else for that matter.

**Mr Stalford:** I am looking at the list of ministerial delegates at this event. It includes the Taoiseach, Micheál Martin, his deputy, Mr Leo Varadkar, and the Minister for Foreign Affairs, Mr Simon Coveney. The event was held in Fermanagh, and presumably they were able

to cross our border to attend it. If the Minister was listening to Radio Ulster this morning, she will have heard the story of a Northern Ireland family that has been effectively placed under house arrest in the Republic of Ireland. Has the issue of the Irish Government providing the necessary information to those arriving in Dublin and travelling on to Northern Ireland been satisfactorily resolved? It is ridiculous that Irish Government Ministers are able to cross our border but Northern Ireland citizens are not.

**Mrs O'Neill:** That family's situation was brought to my attention just before I came into the Chamber; I did not hear about it on the radio. Obviously, we will work to try to get a resolution for that family, which, I believe, has issues with young children at home, and perhaps sickness in the case of one of the individuals. I hope that there is a speedy resolution to that.

Again, it is back to what I have said previously: it is important that we share information and data so that people are very clear about the travel limitations or otherwise, the testing policy and the information. It falls to the two Health Ministers and the two Chief Medical Officers to make that as simple as possible. I welcome the fact that there was a meeting last week, I believe, between the two Chief Medical Officers. I hope to continue to see progress around the sharing of data and making sure that we are as joined up as we can be in this period. That is in the interests of all the people who live on this island and the people who travel right across the common travel area.

**Ms Sheerin:** I thank the joint First Minister for her statement. The BIC was COVID-focused, which created opportunities for discussion about its impact and the recovery, and a good platform for sharing information. Given the scale of the challenges facing our health and social care services, including the crisis with waiting lists, the problems facing families when they try to access packages of domiciliary care and the ongoing fight against COVID-19, does the joint First Minister agree that those issues transcend party politics and that a health summit involving all Executive parties should now be called to agree an urgent and joint response?

**Mrs O'Neill:** Thanks. I absolutely agree. As a former Health Minister, I am very aware of the challenges facing the health and social care system, which was already stretched due to Tory austerity over many years. The pandemic has very much heightened those challenges. Addressing all that in ordinary times would be difficult enough. We have faced the growing

waiting list situation in a pandemic. It is clear that we need an urgent and unified approach to tackle waiting lists and to make sure that people get access to healthcare as and when they need it. I welcome the recent initiative by the Health Minister, who has brought forward mechanisms to deal with the waiting list situation, including using all-island healthcare. That is practical and makes sense. It is evidence that positive outcomes can be achieved when you work together. Hosting our own Executive health summit would certainly be a very positive step forward. I certainly look forward to that discussion. It will take heavy lifting from all of us to turn that situation around. The waiting list situation at the moment is atrocious. We have to fix it collectively.

**Mrs Dodds:** I thank the Minister for her statement. During the BIC meeting, the Foreign Minister of the Irish Republic took the opportunity to state his views on the protocol. Will the Minister, who, quite rightfully, did not respond to him in that forum, indicate whether she thinks that that was an appropriate use of that forum? He would be better keeping his views to himself in places where they are not appropriate.

**Mrs O'Neill:** The Member is right: Minister Simon Coveney, and maybe the Taoiseach as well, raised the issue of the protocol, and rightly so; they were speaking about current political developments. It would have been to ignore the elephant in the room for it not to be mentioned at a summit of that nature, given the implications that Brexit has on our people, our economy and wider society. It was appropriate that it was discussed there. The Member may shake her head, but we would not have a protocol today if we did not have Brexit, which you and your party ably championed.

**Ms Anderson:** Gabhaim buíochas leis an Aire as ucht a ráitis. I thank the Minister for her statement. Minister, even Minister Michael Gove has said that the challenges that are in front of us because of the protocol can be resolved. Do you agree that the focus now needs to shift to maximise the opportunities and minimise the challenges for our businesses so that they can enjoy the access that we now have to numerous markets, such as the British market, the EU market and the rest of the world, and that having such access really enables us to mitigate some of the worst impacts and effects of Brexit?

**Mr Deputy Speaker (Mr Beggs):** Again, that question goes beyond the statement, but the Minister may wish to respond.

**Mrs O'Neill:** It was referred to, insofar as it came up under current political issues. I will address it, given that I answered Mrs Dodds's question.

It will come as no surprise to the Member who asked the question that the disruption and difficulty that we are experiencing is a direct result of Brexit — the hardest possible Brexit and one that was rejected by the majority of people in the Assembly.

To go back to my previous answer, those who championed Brexit need to own some of the economic consequences and uncertainty that have flowed from it. However, our collective effort and focus now needs to be on protecting jobs and livelihoods. As the Member knows, the protocol is our only protection against the hardest possible Brexit and its worst excesses. Businesses want the protocol to work, and they want solutions to the challenges that we face. In my view, there are solutions to be found via the Joint Committee. The CBI recently acknowledged that the protocol is already working for many businesses and presents many exciting opportunities.

All of our collective effort, as the Member said, needs to be to minimise the challenges and maximise the opportunities. Let us make the protocol work smoothly and give our manufacturing and agri-food industries, our food processors and all other businesses the certainty and stability that they require to take advantage of the dual market access now available to them.

**Mr O'Toole:** Brexit has damaged relationships on this island and between Britain and the island of Ireland. Given that many in the Chamber have focused on what they see as the damage done to east-west relationships, is it not the case that, given that the British-Irish Council is literally the first item in strand 3 of the Good Friday Agreement, it is precisely the forum for these issues to be raised and discussed? Was a specific work stream agreed to mitigate some of the outworkings of Brexit and, yes, maximising the opportunities for all the people of these islands?

**Mrs O'Neill:** I thank the Member. The summit focused on COVID, so that was the main topic of conversation, but, of course, it is the natural forum in which to have those conversations. When we talk about the Good Friday Agreement, we talk about the totality of relationships. It is about relationships and about having honest conversations, and the British-Irish Council, the North/South Ministerial Council and this Chamber are the places where

we should have those discussions. It should come as no surprise to anybody that the summit took the time to have a conversation, albeit a brief one, on that issue. I have no doubt that we will have to come back to a lot more conversation in the next format later this year in Wales. There will be an opportunity again for us to speak about the current political situation, and I am sure that Brexit will still be on the agenda.

**Ms Á Murphy:** The pandemic has had a disproportionate impact on many sectors of our society that were already disadvantaged, including children, young people, women and those on low incomes or with disabilities. Will the joint First Minister confirm that building a better and fairer society will be core to recovery?

**Mrs O'Neill:** I welcome Áine, the new MLA for Fermanagh and South Tyrone, to our team on her second day in the role and wish her the very best. I have no doubt that she will be a champion for the people of Fermanagh and South Tyrone. I stand to be corrected, but I believe that she may be our youngest MLA. It is important that the interests of young people are reflected in the Chamber, so congratulations and good luck.

I agree with you about the need to tackle the high levels of poverty, inequality and disadvantage that exist across our communities; that has to be at the core of our approach to recovery. I am also particularly aware that the social and economic impact of the pandemic has fallen hard on women, and we have talked about that on a number of occasions in the Chamber. Many of those women are in low-paid, precarious employment while many others have lost their jobs. As we step out of the restrictions, we must develop more sustainable and strategic responses that, at their core, break those endless cycles of poverty, exclusion and inequality. Looking after the most vulnerable, the lonely, those in housing need, those in poverty, families with disabled members, those with a disability and workers on low incomes must be core to the recovery strategy. That will mean doing things differently and, often, doing things more effectively.

Work has been ongoing to develop the draft integrated recovery plan, which is focused on delivery over the next 24 months.

The four main areas are economic growth; tackling inequalities; the health of the population; and green growth and sustainability.

That will be a longer-term, strategic approach, and it will be incorporated in the Programme for Government and the work that we are doing there. There is a lot to be done, but the recovery plan will identify ambitious opportunities to break, as I say, those longer-term cycles of poverty and exclusion.

**11.00 am**

**Mr Allister:** It turns out that the protocol was discussed and raised by the Dublin Government. Why was that concealed from the House in the statement, given that there is a statutory duty to report the goings-on at the Councils to the House? If it was raised, did no Unionist Minister raise the economic dislocation that is being caused by the protocol? If they did, why have we not heard about that? If they did not —.

**Mr Deputy Speaker (Mr Beggs):** There are a number of questions there.

**Mr Allister:** Well, Mr Deputy Speaker, we are in a strange circumstance —.

**Mr Deputy Speaker (Mr Beggs):** Order. I have allowed the Member to ask a number of questions.

**Mrs O'Neill:** Towards the end of the statement, it says:

*"The Summit also discussed the latest political developments across their jurisdictions".*

Obviously, that includes political developments around Brexit and the protocol.

**Mr Allister:** Obviously.

**Mrs O'Neill:** Absolutely —.

**Mr Allister:** Why are we not told?

**Mr Deputy Speaker (Mr Beggs):** Order.

**Mrs O'Neill:** Absolutely, it is "obviously", because it is a recent political development.

**Mr Allister:** Why did you not tell us?

**Mr Deputy Speaker (Mr Beggs):** Order. Allow the Minister to speak, please.

**Mrs O'Neill:** I encourage the Member to read the statement.

**Mr Allister:** It does not mention the protocol.

**Mr Deputy Speaker (Mr Beggs):** That is the end of questions —.

**Mr Allister:** On a point of order, Mr Deputy Speaker. Section 52C of the Northern Ireland Act 1998 is clear that, following meetings such as this, there shall be a report to the House on the goings-on at those meetings. We had a circumstance this morning where a statement was produced that concealed the fact that the protocol was even discussed. The word "protocol" is not mentioned. Is it in order and is it compliant with section 52C for a Minister to come to the House and conceal from it a relevant aspect of the proceedings on which she is allegedly reporting? Is that in order?

**Mr Deputy Speaker (Mr Beggs):** It is clear from the answers that there was discussion on the issue. I will pass the matter to the Speaker's Office to make a declaration on it and to determine whether anything needs to go forward. The Member has rightly raised the matter and put it on the record.

I ask Members to take their ease for a few moments until the next item of business.

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

## **North/South Ministerial Council: Education**

**Mr Principal Deputy Speaker:** I have received notice from the Minister of Education, Miss Michelle McIlveen, that she wishes to make a statement.

**Miss McIlveen (The Minister of Education):** In compliance with section 52 of the Northern Ireland Act 1998, I will make the following statement, on behalf of former Minister Weir and Minister Hargey, on the meeting of the North/South Ministerial Council (NSMC) in education sector format that was held on Wednesday 9 June 2021.

The meeting was conducted via videoconference owing to current COVID restrictions. Minister Foley TD, the Minister for Education in the Republic of Ireland, Minister Hargey as accompanying Minister and the then Minister of Education, Peter Weir MLA, attended the meeting. The meeting was cordial and productive, and progress was made on a number of key issues, including the education implications of the UK's withdrawal from the EU;

the response to COVID-19; a review of the work programme; an update on EU funding; educational underachievement; special educational needs (SEN) and cooperation between the inspectorates.

The NSMC noted the current assessment of the education implications of the UK's withdrawal from the EU, and welcomed the ongoing engagement and implementation of all measures necessary to ensure that the agreed common travel area (CTA) rights and privileges are protected. Ministers also welcomed the commitments made on future funding for education programmes and the work that is under way to develop them.

Ministers noted the Irish Government's decision to facilitate continued access for Northern Ireland higher education students wishing to avail themselves of ERASMUS mobilities in another participating country in Europe and reaffirmed their commitment to continued cooperation on education in the new relationship between the EU and the UK. Ministers also noted the UK's proposed funding of the Turing scheme.

Ministers noted the successful implementation of measures to facilitate the safe reopening of all schools, following the school closures in January and February 2021, and the continued support provided by teachers to their pupils through the delivery of online provision. The Council noted the role played by education agencies in supporting pupils' well-being, particularly those vulnerable from interruptions to direct contact with teachers and the wider education community. The Council was also advised of the response by those delivering programmes in youth and other non-formal education provision.

Ministers also noted that both Education Departments continue to liaise and share learnings on the development and delivery of response and supports to schools. The Council commended the efforts of all educators and support staff to deliver as normal an education experience as possible to the 1.3 million pupils across both jurisdictions during the past 18 months, typifying the unspoken vocation associated with education.

The NSMC noted the commitment to reviewing the work programme and the plan to convene a meeting of senior officials from relevant Departments, co-chaired by the secretary general and the permanent secretary of the respective Education Departments, to make recommendations for the future work programme.

Ministers noted the continuing impact of COVID-19 on Peace IV-funded shared education projects and the enhanced use of online technologies to overcome the challenges posed by the pandemic. The developments made on Peace IV shared education programme delivery, including proposed extensions, and the positive findings of the recent Peace IV shared education impact evaluation, published in April 2021, were noted by the Council.

The NSMC noted that the expert panel, appointed by the Northern Ireland Minister of Education under the New Decade, New Approach (NDNA) agreement to examine the links between persistent educational underachievement and socio-economic background, delivered its final report in June 2021.

Ministers also noted that research on the Delivering Equality of Opportunity in Schools (DEIS) programme has been provided as part of the evidence base to the panel. The Council also noted that evidence gathered as part of 'A Fair Start' and the DEIS programme can be used as a basis for developing joint actions under the PEACE PLUS programme.

Ministers received an update from Gary Cooper, CEO of the Middletown Centre for Autism (MCA), and welcomed the progress made by the two Education Departments and the Middletown Centre for Autism to facilitate and maintain the delivery of the centre's range of services since the previous meeting in 2016.

The Council welcomed the efforts of the MCA management and staff to remain operational and the continued delivery of elements of their service throughout the period of COVID-19 restrictions. The proposed delivery plan for the centre and the fact that the new board has been in place since April 2021 were noted. The NSMC noted that the MCA's day-to-day operations have been largely unaffected by the UK withdrawal from the EU, but matters of data transfer and recognition of professional qualifications remain under consideration. The Council also noted recent developments in the delivery of special educational needs programmes in both jurisdictions.

Ministers welcomed the continuing collaborative work of the education inspectorates, albeit online due to public health advice.

My officials and I look forward to working with Minister Foley and her Department as we continue to meet the challenges presented by the COVID-19 pandemic.

**Mr Lyttle (The Chairperson of the Committee for Education):** I think that the Education Minister was replaced the last time I spoke in the Chamber on education. I hope that the current Minister does not meet with the same fate. I am grateful for the early engagement that the Minister has given to me and the Education Committee in her role.

Equal educational opportunity is key, and we hear increasingly that, to achieve that, equal digital educational opportunity is key. Other jurisdictions are working towards one appropriate digital device and internet connectivity per pupil. What is the Minister's assessment of the extent of the digital inequality in Northern Ireland that is faced by pupils? Will she work towards that aim of one appropriate device and internet connectivity per pupil in Northern Ireland?

**Miss McIlveen:** I thank the Chair of the Committee for his comments, particularly those in relation to digital devices and the ongoing issues relating to internet access. They create a problem and, obviously, relate to inequality among pupils. He will be aware that, up until 21 June, 24,824 new devices had been provided through the Education Authority (EA) to schools to lend to pupils. Schools have been informed that devices will remain with them into the next year for ongoing support for learning for disadvantaged and vulnerable pupils. A small contingency of devices has been kept in case of further lockdown or to replace damaged devices. It is an issue that is ongoing in the Department, particularly in discussions with EA, and anything that we can do to address it is on our radar.

**Mr Newton:** I thank the Minister for her statement. She made a brief reference to cooperation between the inspectorates. Obviously, that is an important area of work. Will the Minister expand or elaborate on what that area of work has entailed?

**Miss McIlveen:** I thank the Member for his question. I welcome the cooperation that has taken place between both inspectorates. I am pleased that the Education and Training Inspectorate (ETI) has been able to share its knowledge, skills and insight with other inspectors and learn from its counterparts. Over the past year, for example, the ETI has shared practice on its approach towards inspecting how schools in Northern Ireland address bullying. Since the beginning of the pandemic, the senior management of both inspectorates have continued to engage regularly and have shared information and practice with the heads

and deputy heads of inspectorates across the United Kingdom and the Republic of Ireland. That has enabled important learning to be shared in relation to remote learning, support for schools, Education Restart, public examinations, recovery and transition through to a resumption of inspection. As the Member will appreciate, this has been a particularly challenging time across education, and it is good to know that inspectors have been continuing on work and learning of best practice from others.

**Mr Sheehan:** Gabhaim buíochas leis an Aire as ucht a ráitis ar maidin. I thank the Minister for her statement this morning. Educational underachievement and the shared challenges that it presents across the island were discussed at an NSMC meeting last year.

Since then, we have had the 'A Fair Start' report. How will cooperation in this area be enhanced?

**11.15 am**

**Miss McIlveen:** I thank the Member for his question. As he will understand, I was not present at the meeting to get the full report of the engagement on educational underachievement. The work that we have done in Northern Ireland will be useful as a reference point to those in the Irish Republic as well. As you know, the work recommended by the panel through 'A Fair Start' has a substantial budget attached to it. We will be working towards it as an Executive. Sharing best practice is useful, and I am confident that that will continue in the discussions.

**Mr McNulty:** I thank the Minister for her statement. It is good to see such positive references to the Middletown Centre for Autism. I welcome its incoming board and wish all the members well in their very important roles.

There is one line that concerns me, and it is about Brexit. It states that the UK withdrawal from the EU means:

*"data transfer and recognition of professional qualifications remain under consideration."*

I am not really worried about the transfer of sausages west-east, but I am really worried that Brexit has the potential to have an adverse impact on children's education. Can you give some more information on that, please, Minister?

**Miss McIlveen:** I thank the Member for his question. That issue was primarily about data sharing and data adequacy. Since that meeting, the issue has essentially been resolved. Alongside the recognition of professional qualifications, data issues fell in with other implications for the EA, CCEA and the Middletown Centre for Autism in providing services in, and employing staff from, Northern Ireland and the Republic of Ireland. Sharing information was a concern at that meeting. However, since then and after more than a year of discussions, the European Union has formally recognised the UK's high data protection standards. That will allow the seamless flow of personal data from the EU to the UK, which will address the concerns that were raised at the meeting.

**Mr Butler:** I welcome the Minister to her first box. She is no stranger to the box and giving information.

I have been contacted by many groups that will fall through the cracks in the transition period between Peace IV and Peace V funding. There does not seem to be anything to catch them. Will the Minister update the House on any of the shared education projects that may fall foul of lack of funding between Peace IV and Peace V, and any steps that she has taken to address that?

**Miss McIlveen:** I thank the Member for his question. I understand that there have been some concerns about that. There are two main shared education Peace IV projects for which the Department of Education was identified as the accountable Department: Collaboration and Sharing in Education, which takes place in primary, post-primary and special schools; and Sharing from the Start, which takes place in early years settings. Both projects have been impacted by COVID and the associated periods of school closure, as you would imagine.

I understand that there have been requests for a temporary variation arrangement. That has provided some flexibility and ensured that schools and early years settings have not been penalised for an interruption to delivery. Principals and leaders have been working hard to try to fulfil the needs associated with shared education programmes. Obviously, face-to-face contact was missing during that period and has been replaced, to a certain degree, by online technology.

Work to deliver on those projects has continued. Both projects have sought an extension for a further year. The Special EU Programmes Body (SEUPB) has approved the

extension for the Sharing from the Start project. The extension for Collaboration and Sharing in Education is under consideration and will require approval from SEUPB. Work to reach a solution is continuing.

**Mrs Dodds:** I thank the Minister for her statement. I was interested in the question that the Chair of the Education Committee asked about digital poverty, and there is no doubt that children and young people's experience of COVID has exacerbated that and made life incredibly difficult. The Department has made enormous strides towards helping young people with that issue, but I am keen that our education system also develops a digital spine for Northern Ireland so that young people are taught the technologies that will help them to gain employment in the future. Does the Minister agree that it is appropriate and desirable to increase young people's knowledge of the digital sector earlier in life and that we can work together to do that so that young people are ready to take their place in the economy of the future?

**Miss McIlveen:** I thank the Member for her question. She brings her own experience from the Department for the Economy and, no doubt, from her grandchildren. My nieces and nephews were digitally aware from the age of about three. They can probably work my phone better than I can. I absolutely agree with the Member's sentiment. We need to be much more cognisant of that and to focus our funding on it. That very much ties into the commentary from the Chair of the Committee.

**Ms Brogan:** Gabhaim buíochas leis an Aire fosta. I thank the Minister for her statement. In relation to ongoing and future cooperation, what is the Minister's assessment of the impact of COVID on cross-border shared education projects?

**Miss McIlveen:** I thank the Member for her question and will refer back to my response to Mr Butler. It has had quite a significant impact, in that they have not been able to have face-to-face engagement, which is critical, particularly to the shared education experience. Although online technologies are beneficial, they have not been able to replace that face-to-face engagement. I am glad that we are in a situation where we are able to seek an extension of that funding so that that invaluable work can continue.

**Mr Harvey:** Thank you, Minister, for your statement. Yesterday, the Autism (Amendment) Bill had its First Stage in the House. We are all

aware of the outstanding Middletown Centre for Autism and the support that it provides for parents. Can the Minister provide details of the level of funding that the centre receives and of the work that it carries out?

**Miss McIlveen:** I thank the Member for his question. The Middletown Centre for Autism is absolutely known for its outstanding work. If the Committee gets the opportunity, and if visits are permitted post September, I recommend that it takes the opportunity to go to the centre to see the work that it has been doing. I had the opportunity to do that when I was on the Committee.

The Middletown Centre for Autism received a total annual resource budget of £2.5 million for 2021-22. The Department provided £1.25 million of that. The allocated capital budget for that period is £0.2 million, of which the Department provided £100,000.

As you know, the Middletown Centre for Autism was established in 2007. It supports the delivery of services for learning support and assessment as well as training and research. The learning support and assessment service is a second-level service that delivers intensive assessment and learning support — it has been adapted to meet COVID-19 regulations — to around 60 children and young people with autism through a transdisciplinary approach. It also has three whole-school referrals, facilitating school staff to create an autism-friendly environment on an annual basis in Northern Ireland. There were also 12 referrals to the learning support and assessment service in the Republic of Ireland, where overall delivery is much more focused on training. In 2021-22, the centre aims to provide 3,300 training opportunities to professionals, as well as to 1,000 parents in Northern Ireland. It also aims to provide 7,000 professional training opportunities alongside 7,000 parental training opportunities in the Irish Republic.

**Mrs Barton:** Minister, what sharing is taking place on both sides of the border to deal with the challenges of persistent educational underachievement and its links with children's socio-economic background?

**Miss McIlveen:** I thank the Member for her question. I refer to my previous response to Mr Sheehan. I was not present at the meeting, so, at this stage, I am unaware of the ongoing work on underachievement. I know that an update was given on 'A Fair Start', which is the document that was published on educational underachievement in Northern Ireland. I would

like to think that lessons will be learned on both sides of the border from that ongoing work.

**Mr Boylan:** I thank the Minister for her statement. I ask for some clarity on the issue of mutual recognition of qualifications. Was it a data transfer issue, or was that a separate issue? It was discussed last year at the North/South Ministerial Council. There have been recent developments in both jurisdictions on special educational needs programmes. Will the Minister provide an update on what is taking place there?

**Miss McIlveen:** I thank the Member for his question. I understand that the issue related to data sharing. There may be a bit of an issue with how the regulators continue their work in developing responses. I am mindful that there is cross-border mobility for teachers, and the General Teaching Council for Northern Ireland and the Teaching Council have engaged with each other and, I understand, with other UK teaching regulators to mitigate any immediate issues. Moreover, policies have been put in place to ensure that suitably qualified teachers continue to be able to register and work in either jurisdiction. That facilitates mobility while ensuring that all necessary safeguards are put in place and observed. That may have been discussed at a previous meeting. However, I understand that the issues about which there were concerns at the meeting were of data adequacy and data sharing.

**Mr Weir:** I thank the Minister for her statement. As someone who has visited the Middletown Centre for Autism, I encourage anyone, and particularly the Education Committee, to visit it. It is very worthwhile to do so.

The Minister said that the UK-wide Turing scheme was raised at the meeting and that she received information on it from the Republic of Ireland. Will she give more background information on the Turing scheme and on what encouragement will be given to schools in Northern Ireland to participate in it?

**Miss McIlveen:** I thank the Member for his question. I could put the question back to him, as he was at the meeting. Gavin Williamson, the Education Secretary, announced last December that a pot of around £100 million would be provided to enable over 35,000 students to go on placements and exchanges overseas. That was to start in September 2021. The Member will know that the Irish Government have also put a scheme in place that will allow higher-education students from Northern Ireland to have continued access to

and to avail themselves of Erasmus mobilities in Europe.

The majority of the Turing scheme funding is focused on higher education and really falls within the remit of the Department for the Economy. To apply for schools projects, schools must provide general vocational or technical education at any level from primary to upper secondary or be a national schools consortium such as the Education Authority and be applying on behalf of a number of schools. Unfortunately, to date, no schools from Northern Ireland have applied to the Turing scheme. I understand that the Minister for the Economy will meet the Minister of State for universities at the Department of Education in England to discuss how to raise awareness of the scheme to schools and colleges.

That meeting was scheduled to take place in May, and I understand that it will now take place in September. I do not have further details on that.

**11.30 am**

**Mr O'Dowd:** Mr Weir may have just set a pub quiz question: which former Minister asked a question on a statement on a matter for which he was responsible? *[Laughter.]* My question to the Minister —.

**Mr Weir:** It takes one to know one *[Laughter.]*

**Mr O'Dowd:** Yesterday's significant announcement of €40 million from the Shared Island Fund for universities was welcome. Did Minister Foley give any indication that the Dublin Government are also interested in using funding from the Shared Island Fund for education, particularly along the border? Will the Minister lobby Minister Foley for such an investment in shared education along the border from that fund?

**Miss McIlveen:** I thank the Member for his question. As I said a number of times in the statement, I was not present at the meeting, so I am not sure whether anything further was discussed about any sort of prospective fund. I am happy to follow that up.

**Mr Principal Deputy Speaker:** Peter can tell you afterwards.

**Mr Muir:** First, I welcome the Minister to her role. We miss her as the Chair of the Committee for Infrastructure.

At the meeting of the North/South Ministerial Council in education sector format, the expert panel's report on educational underachievement was discussed. The report refers to the post-primary transfer process in Northern Ireland as a "systemic inequality". Will the Minister provide an update on the context of that? How many children are unplaced in the post-primary transfer process this year? That issue has come across my desk and, I am sure, many other Members' desks.

**Miss McIlveen:** I thank the Member for his question. As of today, 85 children are unplaced. As he will know, there has been work over the last number of weeks to rectify that. A number of challenges have been presented, and we have made some temporary variations to schools to alleviate some of the pressures. There are some areas in which it is more difficult to achieve extra places, because schools physically may not be able to take a larger school population. We have been working closely with the EA, schools and parents to find suitable places. I appeal to parents to identify a school for their child. If they do that, we can see where the true pressures are, and we can try to alleviate them. As of today, the number has decreased, but it is still a little too high for my liking.

**Mr Allister:** What do affirmations about the protocol's adverse impact on North/South meetings by the Minister's new leader mean, if such meetings continue in a routine fashion? If the Minister and her party are serious in opposing the protocol, when will we see an impact on "North/Southern", given that east-west relations continue to be seriously trashed?

**Miss McIlveen:** I thank the Member for his question. He will understand that we have ministerial duties and that there is a ministerial code that we need to abide by. However, all strands need to work together, and, clearly, if there are serious east-west issues, those will reflect on our North/South relationships. Those relationships will be impacted, and that will be demonstrated, as the Member knows.

**Mr Principal Deputy Speaker:** No other Member has indicated to me that they wish to ask the Minister a question. I ask Members to take their ease for a few moments before we move on to the next item of business.

## Executive Committee Business

### Private Tenancies Bill: First Stage

**Ms Hargey (The Minister for Communities):** I beg to introduce the Private Tenancies Bill [NIA 32/17-22], which is a Bill to amend the law relating to private tenancies.

*Bill passed First Stage and ordered to be printed.*

### Local Government (Meetings and Performance) Bill: Final Stage

**Ms Hargey (The Minister for Communities):** I beg to move

*That the Local Government (Meetings and Performance) Bill [NIA 26/17-22] do now pass.*

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

**Ms Hargey:** I welcome the opportunity to explain the progression of the legislation. The Bill's intention was always to support councils through the difficulties imposed by the pandemic and onwards through the recovery period. The changes set out in the Bill will provide much-needed support to councils, giving them again the ability to hold remote meetings. That will provide a valuable tool that will enable meetings to be held remotely or in hybrid form, allowing councillors to participate in democratic local government while social distancing and self-isolation remain. The Bill will also regularise the decision that I took at the height of the pandemic to set aside certain local government performance improvement duties for 2020-21 to ensure that no unnecessary burdens were placed on councils in that area, allowing them to concentrate on providing vital services to the community. The enabling powers in clauses 2 and 4 will provide the necessary flexibility to support the sector further as we move forward. They also provide the necessary powers should there be any future upsurge in cases of coronavirus.

I will take the opportunity to address a couple of issues that were raised during yesterday's Further Consideration Stage debate. Concern was raised about the lack of consultation with the sector on the Bill. Given the urgency of the provisions, it was not possible to consult in the normal manner. I can, however, assure the

House that there has been engagement with the local government sector. As I said yesterday, I spoke to NILGA about the issues, and my officials discussed the proposed meetings and performance clauses with Society of Local Authority Chief Executives (SOLACE) members and individual officers. My officials also wrote to all council chief executives before the Bill was introduced to the Assembly to update them on my intention to bring it forward.

Much has been made of the enabling power to extend remote meetings, with it being seen as a power grab because it also regularises the making of provisions on speaking, voting and participating in remote meetings and on public access to meetings and documents. To be clear, the intention is to ensure that the legislation that governs council meetings — Parts 7 and 8 of and schedule 5 to the Local Government Act 2014 — should apply whether a meeting is to be held in person, remotely or by hybrid means. Councillors should have the same voting, speaking or participation rights no matter what form the meeting takes. Provisions on public access to meetings and documents in the 2014 Act should also apply whether a meeting is held in person, remotely or by hybrid means.

The intention of the enabling power in clause 2 is to allow us to facilitate remote working. It will also enable my Department to make suitable adjustments to local government legislation to ensure that references to meetings, participation in those meetings and public access to those meetings include meetings that are held by remote or hybrid means; in fact, it will be something along the lines of the 2020 meetings regulations, which set out what references to "remote meetings" and "remote access" mean.

I am confident that the enabling power to extend or make permanent regulations in relation to remote meetings will provide the opportunity to put in place fully scrutinised legislation that will provide councils with a more flexible framework for meetings as they move forward post pandemic. I am confident that they will not restrict councils' autonomy but will facilitate them to ensure that decision-making can remain fully inclusive. In any case, any regulations to be made under clause 2 will be subject to the draft affirmative procedure. The Communities Committee will be able to thoroughly scrutinise the regulations, and, ultimately, it will be for the Assembly to decide which draft regulations should be made.

My Department will continue to liaise with councils on their statutory performance

improvement duties. Having the enabling power in the Bill, we will be in a better position to address any further difficulties that arise as a result of the pandemic during councils' recovery this year. I was asked yesterday when Royal Assent would be granted once the Bill had been passed. We hope to have Royal Assent in a matter of weeks, but that is outside my control.

I acknowledge and thank everyone who has been involved with the Bill for the quick pace at which it has moved. In particular, I thank Members for agreeing to the Bill progressing by accelerated passage and for their consideration throughout the various stages. I also thank the Communities Committee for making time for my officials to brief it at very short notice, as we moved to the Further Consideration Stage. I commend the Bill to the Assembly.

**Ms P Bradley:** I thank the Minister and the officials in the Department for the work that has been done so swiftly on the Bill. I also thank the Department for briefing the Committee a couple of weeks ago. We are all in agreement that accelerated passage is most certainly not our chosen way for any legislation, and the number of issues and questions that have been raised by Members about the Bill has shown that.

I am glad that our councils will be able, as soon as the Bill receives Royal Assent, to hold their meetings in whatever form, whether it is in person, fully virtual or a hybrid. None of us knows what lies ahead in the coming weeks or months or next year, so it is good that we will not be in the position that we were in in March of this year — sorry, maybe it was after March; I am totally confused — when councils were having to outlay money to hold their meetings in venues that were big enough to facilitate all their councillors. I am glad that we have got to this position.

Everyone knows my views on clause 2 from yesterday's debate, but I understand that the regulations will be subject to the draft affirmative procedure and that the Committee will have an input to any that may have to be changed.

Again, I thank the Minister and her officials for the work that they have done and for listening to the concerns of Members early on and setting about making changes to the Bill. I support the Bill.

**Mr Durkan:** The rationale behind the Bill, as outlined by the Minister and, once again, by the Chair of the Committee, is to allow councils flexibility in how they conduct their business and meetings in light of the COVID crisis — it is

hard to think of any sector that has not had to adapt to new ways of working — and afford them and us the agility, should we find ourselves back in a lockdown situation, to conduct meetings and make decisions in a lawful way.

**11.45 am**

I have previously stated in the House, and will again for the record, that accelerated passage is a suboptimal way to process and pass legislation. That has become painfully apparent during the accelerated passage of this Bill. We should only use accelerated passage to pass legislation that needs to be passed now. Members made the point quite well at Further Consideration Stage yesterday that some of what the Bill would do might go beyond what is strictly necessary. However, I am content that the safeguards are in place that, should changes be required, those changes will have to come back to us as an Assembly, we will have sight of and input into them, and, ultimately, we can stop them if we fear that they are damaging to democracy.

I thank the Minister for the flexibility that she has demonstrated on the Bill, and the officials who have given us a lot in the little time that we had to consider it. I hope that it works well and that the councils work well with it to continue to deliver vital services and value to our ratepayers. I support the Bill.

**Ms Armstrong:** As others have said, accelerated passage is not always the best way to do legislation. However, we all recognise the pressures that our councils have been under. We know that the legislation that allowed them to have remote access to meetings expired early in May and that, since then, as the Committee Chair mentioned, councils have been trying workarounds and hiring large premises to hold their meetings.

I appreciate the concerns raised by others at Further Consideration Stage that changes to the Local Government Act 2014 were being made and that the legislation would supersede standing orders of councils. The new clause 2(5) of the Bill specifies:

*"Regulations under this section may not be made unless a draft of them has been laid before and approved by a resolution of the Assembly."*

I am content that the Department and the Minister will engage with councillors and council bodies when bringing forward those regulations.

We all agree that co-production and co-design are the way forward for all legislation.

I, too, thank Julie Broadway and Anthony Carleton for their work and for engaging with the Committee when they did not have to. Thank you to the mayor — apologies; I have councils on the brain this morning — to the Minister for allowing those officials to meet the Committee at such short notice. It was much appreciated, and it helped to clear up a lot of my concerns.

I am grateful that the Minister took on board the concerns raised by the Committee and that changes were made. That is how we do legislation in this place; we can work together. I am pleased that the future of council meetings will be considered and that this issue does not relate only to COVID or the pandemic. How our councillors and, indeed, we in this place take our meetings in future will be different. At long last, we will be able to afford councillors access to remote meetings if they are on parental leave or if they have a long-term illness. When that measure is considered and brought forward, it can only be welcomed.

I am absolutely delighted that officials confirmed, when they met us in Committee, that no councillor will be denied a vote, placed on mute or silenced, and that points of order can be raised; that no chief executive, mayor or chairperson can deny our council colleagues the ability to take part in debate and play their role in the democratic process; and that regulations may not be made unless they are approved by the Assembly. Given that protection, I am delighted, on behalf of the Alliance Party, to support the Bill at Final Stage.

**Mr Principal Deputy Speaker:** No other Members have indicated that they wish to speak. I call the Minister to conclude the Final Stage.

**Ms Hargey:** Thanks to all the members of the Committee for their contribution over the past few weeks. Some of the negotiations took place just outside these doors. I thank the Assembly officials and my officials in the Department. We have all worked on amendments and made sure that the Bill was scrutinised in the short time that we had, while moving at pace to legislate before the end of the Assembly term. I commend the Bill to the House.

*Question put and agreed to.*

*Resolved:*

*That the Local Government (Meetings and Performance) Bill [NIA 26/17-22] do now pass.*

**Mr Principal Deputy Speaker:** We are flying through the Order Paper today. Members may take their ease for a moment before we move on to the next item of business. Thank you.

## Committee Business

### Financial Reporting (Departments and Public Bodies) Bill: Extension of Committee Stage

**Dr Aiken (The Chairperson of the Committee for Finance):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 17 December 2021, in relation to the Committee Stage of the Financial Reporting (Departments and Public Bodies) Bill.*

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

**Dr Aiken:** The Committee wishes to extend the Committee Stage of the Financial Reporting (Departments and Public Bodies) Bill because of the considerations that we need to have in Committee. Certain areas of the Bill will require significant work. In particular, we are looking at what are known as black-box procedures, where particular areas of finance have been laid out to look to how we manage those moneys. There are implications for the Bill having the potential to look at moneys of about £1.5 million, which, as the Assembly is fully aware, is about half a million pounds more than what is normally expected in black-box procedures. That is being opened up to potentially two years, and, as we are aware from numerous debates in the Assembly, there have indeed been occasions on which close to £1.5 billion has been hidden away in black boxes. That is not appropriate, so we need to consider the issue further. I ask the Assembly to support the motion.

**Mr Principal Deputy Speaker:** No other Members have indicated that they wish to speak. That being the case, it is not necessary for you to make a winding-up speech.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 17 December 2021, in relation to the Committee Stage of the Financial Reporting (Departments and Public Bodies) Bill.*

## Taxi Sector Support

**Mr Buckley (The Chairperson of the Committee for Infrastructure):** I beg to move

*That this Assembly notes with concern the falling number of taxi drivers in the industry and the impact this will have on post-COVID-19 economic recovery; recognises the impact that the delay in reviewing fare structures has had in exacerbating this decline; and calls on the Minister for Infrastructure to implement measures to address the fall in driver numbers, to expedite the review of fare structures, to work with her Executive colleagues to identify a suite of measures that can be initiated to make the sector more attractive to new entrants, and to review her decision not to issue sector-specific support to operators.*

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The Committee's amendment has been selected and is published on the Marshalled List.

**Mr Buckley:** I beg to move the following amendment

*Leave out all after the first "fare structures" and insert:*

*"and the complexity of taxi driver testing have had in exacerbating this decline; and calls on the Minister for Infrastructure to implement measures to address the fall in driver numbers, to expedite the review of fare structures and to work with her Executive colleagues to identify a suite of measures that can be initiated to make the sector more attractive to new entrants, including a review of sector-specific support to operators."*

**Mr Principal Deputy Speaker:** By convention, where the sponsor of a motion seeks to amend their own motion, they are invited to address both the motion and the amendment within the time allocated to them. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

I call the Chairperson of the Committee for Infrastructure, Mr Jonathan Buckley, to open the debate on the motion and the amendment.

**Mr Buckley:** I commend the motion and the amendment to the House. I stand as Chair of the Committee for Infrastructure to speak on

this issue. The Committee has long been a strong advocate for the taxi industry, for taxi operators and taxi drivers. The Department for Infrastructure has responsibility for the regulation of the taxi industry. To that end, the Committee has had close contact with its various representatives and has taken every opportunity to listen to their concerns and to advocate on their behalf.

During the pandemic, the Committee has doggedly promoted the issues faced by the taxi industry with the Minister for Infrastructure, her officials and her colleagues in the Executive. The Committee for Infrastructure has used every opportunity to champion the need for financial support for the taxi industry and to ensure that it is adequate and fair in its accessibility.

For the past year, the Committee has received briefings from the Minister and her officials and sought to find solutions to the problems faced by the industry during the pandemic and endeavoured to hold the Minister to account. Despite our best efforts, the pandemic has taken a toll on the taxi industry, and it faces a number of challenges in coming out of lockdown.

At its meeting on 23 June, representatives of taxi operators appeared before the Committee to bring to its attention the issues facing the industry and its proposals on what the Executive can do to help.

Due to the pandemic, taxi drivers stopped working. The reasons for that are obvious. During lockdown, there was very little available work, and drivers were trying to avoid infection for the sake of their own health and that of their families. As there was very little work, many drivers were forced to cancel their expensive insurance as they were unable to earn enough pay for it. Some even returned their cars, unable to maintain them.

Now that lockdown is easing and the world is opening up, taxi drivers are once again needed not only for the benefit of our hospitality sector and wider economic recovery but for the health and social care sector to ferry individuals back and forward to appointments. However, at our meeting last week, taxi operators wanted to highlight with the Committee their concern that taxi drivers are simply not returning to work.

The operators said that there were a number of reasons for that. Some drivers have left the industry, and some have yet to make up their mind about whether they will return. Sector representatives quoted figures that showed that

driver numbers have dropped by approximately 1,000 each year, from 16,000 in 2013 to around 8,000 now. They believe that there has been a further 30% decline because of the pandemic.

## 12.00 noon

The operators told the Committee that they estimate that they are trying to deliver services to Northern Ireland with around 5,000 active drivers. One said:

*"In any average week, between 1,250 and 1,300 of them were working ... Post-pandemic, we have an active fleet each week of between 850 and 900 drivers."*

Another operator said that 425 of his 800 drivers were back at work. He said that he knew of 100 who would not be back and another 150 who were unsure.

The operators' request is for a stimulus for their sector to bring more drivers into the industry. They see a need to incentivise drivers to come into the sector and to work the unsociable hours during which taxis are most essential. Drivers are self-employed for a reason. They choose their hours and do not have a fixed work schedule. Operators point out that many have chosen to work Monday to Friday during the day so that they can spend more time with their families and friends in the evenings and at weekends. That, the operators highlight, means that passengers find it increasingly difficult to get a taxi during peak busy hours.

The stimulus that operators seek, which the Committee for Infrastructure's motion endorses and supports, is an urgent review of taxi fare structures and the suspension, for the time being, of the practical and theory tests to become a taxi driver, to coax younger people into the industry and recognise it as a viable job.

The current tariff was calculated on 2011 prices and implemented in 2016 and has not changed since. That is tantamount to an earning cap for the past 10 years, making it a huge disincentive to those considering joining the industry. The fare structure that was introduced was based on a 2011 cost review. It was to be reviewed in 2018 under the Taxis (Taximeters, Devices and Maximum Fares) Regulations (Northern Ireland) 2015. Although operators were told that the review was carried out by the Department, no rise was given. The next review was in 2019, and, again, no rise in tariffs. Then, when the pandemic happened, work on this was set aside. Operators are calling for an urgent

review that will address the differences between days, evenings and weekends.

Furthermore, operators told the Committee that the current taxi driver licensing requirements are inhibiting entry to the industry, which is exacerbating the decline in driver numbers. Complex, lengthy and difficult licensing arrangements are an impediment to our taxi industry and must be grasped if we are to go forward and support the industry. The Committee for Infrastructure calls on the Minister to urgently implement measures to ensure that the taxi tests are less of a bottleneck in getting drivers into the sector. Prior to 2015, taxi drivers required a normal driving licence, a medical and Access NI clearance. The taxi operators who briefed the Committee advised that the number of applicants to take the taxi theory test last year was 111, which is much lower than the number needed to take the places of drivers who simply will not return. Pre 2015, it took six to 10 weeks to get people into the industry; under the current system, it takes between four and six months and, sometimes, much longer. That situation is simply unsustainable.

I urge the Minister to return to the issue of financial support for this delicately balanced and economically and socially vital sector. The sector's health and viability is your responsibility, Minister. Therefore, the Committee calls on Minister Mallon to take the lead and work with Executive colleagues to provide the support that the sector needs. To date, there has been no financial support from DFI for operators and only general support from other Departments for a small number of operators. The demand for taxis may be high, but, without the drivers to fulfil that demand, there will be greater implications when lockdown restrictions are completely relaxed. The taxi operators issued the Committee with warnings of an increase in drink-driving, of an increase in lifts in illegal and uninsured taxis and of the requirement for a greater police presence in our town centres at closing times to prevent antisocial behaviour due to increased numbers waiting for taxis.

I hope that, in the time that I have had, I have been able to give Members a sense of the abandonment felt by the sector and the challenges facing it, the proposed solutions that the Committee for Infrastructure has put forward and the concerns of the sector. Our economy and our communities simply cannot stand by without taking action.

I will make some brief comments as DUP spokesperson for infrastructure. Minister, the

industry is struggling. Drivers and operators under the remit of the Department for Infrastructure feel let down. For our road haulage, bus, coach and taxi operators and drivers, the continued passing of the buck and the blame to other Ministers will no longer cut it. Kind words of thanks and pats on the back will no longer cut it for those key workers, who have kept this wee country moving in difficult times. They have been met with a closed door from the Department for Infrastructure. It is time to step up and deliver for those drivers. I commend the motion and the amendment to the House.

**Mr Boylan:** I welcome the opportunity to debate the issue. I support the motion and the amendment. The Chair has left little for the rest of us to say, but I will try to make some key points. The most important thing is that the motion and the amendment are supported by the entire Committee. It is a Committee motion.

I appreciate what the Chair said about the principal argument, which is that responsibility lies with DFI. We do not mind working with the Minister and other Ministers to deliver. There needs to be a swathe of things done to facilitate the industry. The representatives from the industry who came to us most recently were the operators. That is fair enough, but a number of single taxi drivers also came to us with key points and asks. Driver numbers are down, and there are difficulties with testing that are plain to be seen. There are online portal issues, among others. It is also the case that a lot of people have carried out work throughout the pandemic to support key workers and deliver essential workers to their work. There are people out there who have carried on through all of this. I praise the drivers out there who have kept going.

The Chair mentioned a drop in a number of significant figures over a number of years. He went back to 2013. Commitments were made to look at the fare structure, which is vital. Driver numbers have been declining since 2013 for a number of reasons. The industry has said that it wants there to be a review of the Taxis Act 2008. There are a number of things in it. It has been tried and tested. No matter whether you go to single operators or taxi operators, they talk about the single tier and everything else.

I appreciate what is in the motion. I want to expand on it, however, because, if we are serious, we now have an opportunity to address the whole of the industry and look at taxi provision. The key element of the motion is economic recovery and fighting back after COVID. The industry made a number of points

to us. Fare structure, which the Chair outlined, is definitely one. That issue goes back a number of years. It seriously needs to be looked at. The Committee will work across the board on that. We need to see some of the reports and some of the figures that have been produced.

There needs to be a review of the Taxis Act. People have been talking about class A, class B and class C, and there are issues across the board. As part of her response, maybe the Minister will give us some detail on her thinking around that.

Turning to the financial side of things, I know that the Minister previously stated that it would take roughly £6,000 over a two-year period to support some in the industry. Others have intimated that certain schemes were run by different Ministers but some in the industry were not facilitated and could not get moneys. So, there is the £6,000 that was reported over a two-year period, and I believe that she has given out the £1,500 grant twice now — I stand to be corrected on that. There have been so many grants and funding streams and so many applications have been made, and I would like the Minister to comment on that as well. Online access has also been an issue.

I want to work with the Minister and the Committee, but, more importantly, we need to support the industry. When the night-time economy opens up again as, hopefully, it will shortly, we will need the taxi industry. I say that only in the context of having gone through the Taxis Act for a number of years, as have other Members, with a fine toothcomb to try to get the right solution. Sometimes it has worked, and sometimes it has not. That was a key element and a key argument, but my point is that the taxi industry has a big part to play in the economic recovery, especially in the cities.

I heard somebody use the terminology "town criers". The taxi industry are not the town criers in an urban setting. They are looking for support by way of regulation and financial support to ease their way back in and increase their numbers so that they can deliver the service and play their part in the economic recovery. I support the amendment and the motion.

**Mr Durkan:** First, I apologise on behalf of Dolores Kelly, who is our party spokesperson on infrastructure. She has been detained at a Policing Board meeting this morning. She had expected to be back in time for this debate, but the taxis arrived unexpectedly early today *[Laughter.]* It is always when you do not want them to.

This is a Committee motion, which demonstrates the fact that all of the parties want a better deal for taxi drivers and support measures to strengthen and support our vital taxi sector. I say "vital" because the taxi sector is vital. Taxis play a vital role in so many people's lives, getting them where they need to be, whether that is their work, important health appointments, shopping or leaving kids to school. We need them to do our daily business and, critically, to get us home after a night out.

Taxi drivers are much more than mere transporters. They provide a lifeline to many vulnerable people and a listening ear. However, as has already been pointed out, numbers of drivers are dwindling. That was an issue pre-pandemic, but the risk to drivers' health and that of their families, together with the shutdown of town and city centres, turned a hard job in which to earn a living into a virtually impossible one.

The Minister has provided assistance to drivers over the pandemic, but her powers to do so as Infrastructure Minister were limited, meaning that a scheme could only be delivered if it replaced or refunded costs incurred by drivers for insurance and PPE but not lost income. That was and remains the case. The Minister demonstrated flexibility and that she was listening to the sector by designing the second scheme, in recognition of the fact that so many drivers had been ruled out of the first scheme because they had paused their expensive insurance policies as a financial necessity while there was no money coming in.

The reality now is that the industry is suffering. When the taxi industry suffers and struggles, so does our wider economy. People will be more reluctant to go out to socialise and support city-centre businesses if they are not sure how or even when they will get home. We need to look at the fare structure. We need a fair fare structure to incentivise drivers to work difficult hours that are not just unsocial but, sadly, in many cases, antisocial, with drivers under regular threat of attack.

## 12.15 pm

The Taxis Act 2008 was one of the first pieces if not the first piece of legislation passed by the House. Part of the difficulty that we are still feeling the hangover from today is that that legislation, which was passed in haste, took so long to implement. I was the Minister of the Environment who finally implemented the final pieces. No review of that legislation could take place until the final pieces of the jigsaw were in place. It is essential now that there be a holistic

review of the legislation that looks at all the issues, including the fare structure and the evident barriers, which are more difficult to navigate than might have originally been anticipated or intended, to people entering the industry.

We need younger drivers coming in. If you have a look at any taxi stand or do a wee straw poll of the taxis that you get, if you use local taxi companies, you will see the age profile of taxi drivers. They are generally people who are moving on in years and are now moving out, due to issues that have been exacerbated by the pandemic. What is vital is that we, as parties, all work together. We did that quite well during work on earlier incarnations of the Taxis Act and on the issues, of which there were plenty, that arose throughout that process.

Another ask of the motion is support for taxi operators. Taxi operators absolutely need support. They lost huge amounts of rent. However, to put the responsibility for all of that on the Department for Infrastructure or the Minister for Infrastructure, who does not have the power or the vires to deal with such an issue, is short-sighted and smacks of political opportunism, particularly when coming from a party colleague of the former Minister for the Economy, who worked to exclude operators from some of the schemes that she designed. We need to move away from that politicking and work together to deliver better for our taxis, our taxi industry and our taxi drivers. Give them a fair deal.

**Mr Beggs:** Taxis and taxi drivers play a vital role in our economy. They can take people to work. They were important during and at the peak of the pandemic, when there was reduced public transport, because they took essential workers to hospitals, shops, garages etc. Taxis play a vital role for those who may not have their own transport. In normal times, they play an important role for parents, often assisting in delivering children to school. They are also vital in giving people a lift to an NHS appointment, be it with a doctor or a consultant. Frequently, people are not able to use public transport because of an illness. Then, there is the night-time economy, which is yet to fully reopen. There is some activity at present, but we expect it to gradually reopen fully. In rural areas, where there may not be any public transport, a taxi may be your only means of getting to a shop or an appointment. Therefore, they are vital.

It is clear from the evidence that we have been given that the taxi industry is experiencing difficulties. As others have said, taxi drivers are generally an older workforce, and many have

been driving for some time. However, some decided to shelter during the pandemic, and many have decided not to return to work. They have perhaps got used to other roles or are working in more nine-to-five jobs. Let us face it: taxi driving can be a very antisocial activity. You are required to work long hours, often late into the night and early morning. As others have said, the number of registered taxi drivers has dropped from 16,000 to about 8,000, but I understand that only about 5,000 are active. Many have not yet returned to work. They are waiting for better times or, perhaps, to see whether they can find another form of employment and not come back to taxi driving. In evidence given to the Committee by Value Cabs, it said that it had 800 drivers at one point but only 425 have come back. The company knows for certain that 100 drivers are not coming back. Some 150 drivers have still not decided what exactly they will do. We have a problem on the horizon, and it is important that we address it.

Tariffs cause difficulties. Taxi driving is not the lucrative job that it once was. The review was originally due after three years, in 2018, but it has not happened, and another three years have passed since then. That must be addressed urgently. We must make sure that the tariffs are reviewed. No one likes to pay more, but what would be worse than that would be being unable to get a taxi.

The review should look at whether there is a need to incentivise those who work longer hours, late into the night and the early morning, so that taxis will be available for the economy where there is that demand. Supply and demand are out of kilter at the moment.

Another issue that was highlighted was that class C taxis are unregulated and can charge whatever they want. Meanwhile, class A and class B taxis are limited to £1.57 per mile. There is clearly an issue with class C taxis. Are they operating fully within their remit? Is there a need to clarify that and protect the public from the higher costs that can result?

Most people recognise that taxi drivers are essential, and it is important that we address the issues. There is some time to do that. Schools will be back in September, so that pressure is coming. The night-time economy is opening, and we need to look at what we can do to improve things.

Tariffs are one thing, but I also ask that we look at issues such as the level of continuing professional development (CPD). Do we really need 35 hours per year of training for a fully

qualified taxi driver? There is a cost involved, and there is the cost in loss of work.

I ask the Minister to ensure that there are taxis for those who need them.

**Mr Muir:** On behalf of the Alliance Party, I support the motion. One of the few silver linings of the pandemic has been a much greater appreciation across society of key workers. Those on the front line of the NHS, the delivery drivers at our doors and the supermarket staff who kept the shelves filled are some of the people on whom we relied during these unprecedented and difficult times. To that list we must add taxi drivers. Throughout the pandemic, they have been on the front line, bringing health and social care workers to work and helping older people to get to where they needed to go. Much of that was during a time when people were told to avoid public transport if at all possible, and all of it was happening while there was a significant risk to the health of the taxi drivers.

Important as taxi drivers have been during the worst of the COVID-19 pandemic, it is equally important that we help them to recover. If we want people to return to our high streets and particularly if we want to support tourism and hospitality as they gradually return to full capacity, we must have a thriving taxi industry.

Through the Alliance Party's 'Green New Deal' document, the party is committed to a green and equitable recovery from COVID-19. The taxi sector is absolutely a part of that. Research from the Northern Ireland Consumer Council shows that people on low incomes and those with a disability are disproportionately more likely to rely on taxis. Furthermore, having a taxi industry that is affordable, safe and reliable means that more people can give up car ownership but still rely on car transport if they need to. There is no contradiction between a green recovery from COVID-19 and supporting the taxi industry. They can be complementary. Taxis are part of sustainable travel solutions today and going forward.

Positive steps forward have occurred since the introduction of the Taxis Act in 2008 and the subordinate legislation introduced in 2016. However, as was made clear by the taxi operators when they appeared before the Infrastructure Committee, problems in the industry have been building. The Driver and Vehicle Agency's (DVA) figures show a consistent decline in the number of active taxi drivers in Northern Ireland. That has been exacerbated by the pandemic. While there is hope that some of the worst of that will be

rectified once further restrictions are removed, many of the underlying issues from the past few years will remain. It is important that there be a thorough review of the fare structure. Operators have been able to attract new drivers into the industry with the prospect of a decent wage, but class A and B operators should not be at a disadvantage to those in class C. We support the call for the Minister for Infrastructure to work with her Executive colleagues on a suite of measures to attract new entrants to the industry. I caution that any change regarding any relaxation of driver testing and licensing requirements must go through proper scrutiny and consultation, as it is important that the public continue to have confidence in the industry. Any short-term moves in that regard could quickly backfire if confidence is undermined.

I move now to additional sector-specific support for operators. While we acknowledge that operators have been eligible for various forms of support during the pandemic, that has been comparatively low. There is still a case for considering whether anything more should be done with regard to how the pandemic has impacted on taxi drivers and taxi operators specifically and their ability, particularly that of the smaller operators, to rebound as we emerge from the pandemic.

Too often, during the pandemic, the taxi industry has been used as a political football for multiple sides, and the discussion has centred on a pre-emptive blame game rather than on collaboration and practical solutions. People look to this place to get something done. They do not want to hear blame; they just want something to be achieved. Blame serves nobody, least of all the taxi industry. I support the motion and call for Ministers to come together quickly, in collaboration, to respond to the concerns articulated by the industry.

Northern Ireland and the United Kingdom left the European Union. This is another demonstration and example of the issues relating to labour market mobility and access, alongside those relating to the logistics sector, which the Minister will be aware of. That also needs to be taken into account.

**Mr Robinson:** As a new member of the Committee, I am privileged to speak in the debate. The debate is aimed at ensuring that Northern Ireland has a viable taxi sector capable of meeting the needs of the public as well as contract work for the Health and Education Departments. Currently, there is a risk to the viability of the sector. In recent years, there has been a dramatic drop in the number

of taxi drivers throughout Northern Ireland. Some reports suggest that a drop of almost 50% has occurred. That has resulted in taxi services becoming more difficult to sustain, whether for the general public or contract work.

Ways have to be found to make the taxi industry capable of meeting every demand placed on it. That can be fully addressed only by a cocktail of measures, from a temporary postponement of theory and driving tests — not the other checks that are required — and a review of the fares. The review of fares is to ensure that the industry provides a financially secure job for people who have families to support. It is important for any industry that participants can make a living from it. Therefore the review of a fare structure that is about 10 years old is essential for the industry to attract new entrants.

There is also concern that the loss of drivers is putting contract work, such as that for Education and Health, in jeopardy. There have to be enough drivers to cover that essential work, as it often involves dealing with vulnerable people who are dependent on taxis for everyday life. Taxis are not just to take people shopping or home after a night out; they are a foundation for the economic success of many sectors of the economy. They are an essential support to a good quality of life for mobility-impaired people, and they help to meet the needs of a rural population. To ensure that we meet all those demands, there must be a proactive drive to recruit taxi drivers as a matter of urgency, with some of the possible measures that I have outlined. Please remember that taxis are essential for travel in many areas, including health and education, as well as economic well-being.

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

**Mr Robinson:** Certainly.

**Mr Beggs:** The Member has indicated that he wishes to concentrate on attracting new drivers. Will he accept that it is important to ensure that we retain the qualified drivers that we have? They are the easiest drivers to get back into their vehicles and provide that service to the public.

**12.30 pm**

**Mr Principal Deputy Speaker:** The Member has an additional minute.

**Mr Robinson:** The Member has made a very good point. I fully endorse what he said.

Finally, I ask that the Minister and her Executive colleagues review the decision not to award financial support to operators due to COVID-19. The taxi industry has seen a drop in driver numbers, partly because the pandemic has made it not possible for drivers to earn a living. While the very limited support given to the taxi industry was welcome, it was nowhere near sufficient to prevent the exodus of drivers. With live music, hopefully, resuming shortly, the need for taxis will increase, and drivers will be needed for contract work. A package of measures for the taxi industry from the Executive in city, urban and rural areas is a must for the Northern Ireland economy and is the best chance for a speedy recovery. It will enable people to support business as normality begins to return.

**Ms Anderson:** Ba mhaith liom labhairt i bhfabhar an rúin. To fully comprehend the falling numbers of taxi drivers in the industry, as the motion notes, it is important to mention what the industry has gone through over the last year. As we went into lockdown, and as the Executive advised people to stay at home, the demand for taxis was almost upended overnight. Over the following months, drivers felt that they witnessed a ministerial ping-pong between the Minister for Infrastructure and the Minister for the Economy over a response and who was responsible for providing financial support. All the while, our taxi drivers, who are hard-working individuals, struggled to pay their bills, put food on the table and support their families. It is no surprise that, as the motion notes, taxi drivers began to leave the industry. As far as I know, not one operator in Derry received a single penny from the COVID restrictions business support scheme from the Department for the Economy.

On 1 April last year, in an open letter to taxi drivers, the Minister said that she would support taxi drivers and continue to press for more assistance. It took, however, five months to request powers to introduce the financial scheme for the industry: five months to ask for something that could have been done on day one. It took a very public campaign from drivers and the industry. Yet, still, when details of the scheme came to light, we discovered that any taxi driver who had paused or cancelled their taxi insurance, maybe because they were struggling even to live on the breadline, was not eligible for the first financial scheme. The second scheme deducted the time during which they could not afford insurance from the £3,000 grant.

It took almost six months for a financial scheme that provided financial support for drivers who

had paused their insurance to take effect. In total, that was a year after drivers and operators were told that they would get financial support. Is it any wonder that drivers are leaving the taxi industry in their droves? The operators need a sector-specific scheme. Many felt completely abandoned by the Department for Infrastructure, which gave them far too little, far too late. Indeed, it is estimated that there has been a 30% decrease in the number of working taxi drivers because of the pandemic. Clearly, the taxi industry is a vital industry that is in crisis. We need urgent and decisive action so that more drivers will join the industry, and there must be incentives for drivers to return to it.

Access to taxis is not just about ensuring that people have a safe way to get home after a night out in Derry, although that is a large part of it. It is also about the carer whose car has broken down and who has to care for five different people that day. It is about the elderly person waiting for a taxi to their local community centre to see someone in person, possibly the first person that week. It is about the schoolchild who has missed the bus and whose parents are unable to drive. If the taxi sector no longer has drivers available to meet demand, there will be a massive implication for the rest of the economy and for our communities and constituencies as people struggle to get from A to B.

As is noted in the motion, we need to make the industry "more attractive to new entrants". That also means making it easier to become a taxi driver, at least in the post-pandemic environment. Furthermore, we need to ensure that taxi drivers get a fair day's pay for a fair day's work. Consistently low fares have meant consistently low wages and long hours for drivers, and hence a review of fare structures —.

**Mr Durkan:** I thank the Member for giving way, and I agree with much of what she has said. Does the Member recognise that, in our shared constituency, fares are very low compared with those in other parts of the North, let alone with those on the Continent? Does she concur that those fares are set not by the Department per se but by the operators?

**Mr Principal Deputy Speaker:** The Member has an additional minute.

**Ms Anderson:** Fares across the city of Derry are consistently low. Many drivers who work very long hours do not feel that they are getting a fair wage. That is why a review of fare

structures is needed, and that is what I am calling for.

It is no surprise that more and more drivers are leaving taxiing to get better wages working with, for example, local delivery services. Sensible, practical, bespoke support requires ministerial willpower to help drivers and operators. That is what the industry needs and deserves, and it is what we, as Committee members, are calling for. Sinn Féin supports the motion and the amendment.

**Mr Catney:** I had reason to take a taxi from my home out to Moira on Saturday night. I got a text message telling me what colour the car was, its registration and what time it would be there. I took the taxi out and booked one to take me home at midnight, for which I got a similar message.

When I spoke to the taxi driver on the way back, he informed me that he does not have a work pattern or a 40-hour week to do. He can work whenever he wants to. He can come in and go out, 24/7. He can come in and go out at the busy times. I asked him, "How does that work at night-time?", and he said that it is up to each individual driver. He is with a large taxi company from Belfast that has now set up in Lisburn. Technology is therefore changing the way in which taxis drivers operate and the way in which they can switch on and off. It made me think about how, when I had the bar in Belfast, I had to have a relationship with all the taxi drivers. My office makes a joke that, every time that I mention the ring of steel that was around the city, I have to put money in a box. People coming out of bars late at night used to have to walk to one of the exit points of Belfast to try to get a taxi. Our taxi drivers kept the city going, and we know the difficulties that they experienced during the worst times of the Troubles. As an MLA, I know what they have done, the part that they have played in Northern Ireland, and the fun and the craic that tourists told me that they had with them.

I am pleased to be here speaking on behalf of the SDLP. There are problems, but our Minister has stepped up to the plate to help the taxi industry throughout the pandemic. While others ducked and dived, the SDLP Minister stepped up to provide not only regulatory support to the taxi industry but financial support of up to £3,000 for each driver. Many in my constituency of Lagan Valley have been so grateful for her Department's work. As we look to recovery, the industry will need our support, particularly to bring in new drivers to support the local economy. Those matters are on the Minister's radar, and she will ensure that the Department

works to support the industry through this period of recovery. It will be helpful if the Minister can outline the next steps and options that she is exploring to support the industry's recovery from COVID-19 and to support our town and city centres as we hopefully continue to work our way out of crisis and into recovery from the pandemic.

**Mr O'Dowd:** I apologise to those Members for whose contributions I was not in the Chamber. I have been listening to the debate from my office and have been back and forth.

There is general acceptance in the Chamber that our taxi industry and taxi drivers require support. There may be disagreement on where that support comes from and how it is delivered, but that is the nature of politics. The taxi industry and the drivers will want to know only when they will get the support.

If I may, I offer the Minister some advice on the next steps. I am a wee bit like the previous Member to speak, who hankers back to the ring of steel: sometimes I hanker back to when I was the Minister — once too often sometimes, perhaps. Sometimes, as Minister, your focus and that of your Department is on what you cannot do rather than on what you can do. The approach required for taxi drivers is this: what can the Department do and what can be done in conjunction with other Departments to support those drivers? As a number of people said, COVID has brought a reality check to many of us or, at least, to society. We took many roles and jobs in our society for granted, whether they were shop workers, taxi drivers or even, in some instances, healthcare workers. We now realise that our society cannot operate without many of our service industries, and taxis are one of those.

When I meet Translink and others to talk about funding opportunities for services, they tell me that, if they do not get more funding, they will cut rural bus services. I look at them and say, "That will be difficult for you, because there are very few already". Transport in rural communities is provided by taxis. If you do not have access to a car and the chances of you getting a bus are limited, you rely on a taxi. Taxis are a vital support for rural communities and those who are vulnerable or isolated. Taxis are not only about coming to pick you up to take you to where you are going. Often, they provide an important link for the elderly, the isolated and the lonely through the conversation that takes place on the taxi run, such as, "How are you keeping? Is everything OK? Do you need anything? Are you supposed to be at the doctor's?". Taxi drivers complete many tasks.

Moreover, the taxi industry brings in staff who are finding it difficult to find work elsewhere, and, as has also been said, the unsociable hours suit some workers. However, I urge that, even with the introduction of technology, basic workers' rights should be protected. We do not want the gig economy to create a scenario where taxi drivers have fewer rights than they have now.

The case has been made for financial support. The industry and the drivers need financial support. I urge the Minister to do everything in her power to bring that forward. I recognise the Committee's work, some of which I have followed. The Committee, including my colleagues, lobbied intensively on taxi drivers' behalf. The case is made; now, taxi drivers need to see it delivered.

I also note the comments on training, how often qualified drivers require training and how drivers access the taxi industry. Of course, there has to be safety for drivers, passengers and other road users. When you look at the timescales involved, however, a review is required. A review of fares is also required. As everyone who runs a private, family car knows, costs are always increasing. The costs, such as insurance, that are associated with running a taxi have increased.

I congratulate the Committee on its motion. Hopefully, the motion will be agreed today, and, as a result, we will see delivery for our taxi drivers.

**Mr Dickson:** I support the motion and the amendment, and I welcome the opportunity to speak on this important issue.

The taxi sector provides key services to people across Northern Ireland, as others have said. It is especially flexible in meeting the needs of many individuals in different places and at all hours of the day and night.

As Members have said, that includes accessing hospital appointments, shopping, school transport and many other activities.

#### 12.45 pm

As we reopen our economy, we see the need for taxis more than ever, particularly for our tourism and hospitality sectors. Taxis open up parts of Northern Ireland that are not accessible in any other way to tourists, for example. They also allow bars and restaurants to serve many more customers later and people to know that they can get home safely. However, as

shortages have become clear, there are risks that constraints to the taxi sector could limit the reopening and recovery of the hard-hit tourism and hospitality sector. We have seen changes to hospitality rules on licensing, which will be a further challenge for taxi operators. If people cannot go out with the confidence that they can get home safely, they may simply stay at home. It is vital that we do what we can to help to secure that sector and protect those services and the jobs that it provides.

Prior to the pandemic, the taxi industry was already facing considerable headwinds, including falling numbers of drivers and an ageing workforce. During the first and subsequent lockdowns, we saw the complete collapse of travel, which has started to recover but which is not yet at pre-lockdown levels. That meant low-earning potential and little reason for drivers to go out, spend money on fuel and, of course, put themselves at risk of COVID-19 infection. Unsurprisingly, many drivers left the sector or retired, leaving us with significantly fewer drivers.

That was, sadly, not helped by the lack of timely support from the Government. Unfortunately, support during the COVID-19 pandemic has been patchy. The taxi sector has fallen between the Department for the Economy and the Department for Infrastructure. While those two Departments disagreed with each other for months, time was lost to support the sector. Then, the Department for Infrastructure had to basically find a way to pay out funds, which it does not regularly do. Rather than the Department for the Economy, it was the Executive Office that, inexplicably, administered support schemes for travel agents. Similarly, it is clear to me that the Department for the Economy should have taken action to assist the taxi sector. I acknowledge, of course, that some non-specific assistance was provided to depots through the coronavirus restrictions business support scheme.

We need a comprehensive package of support to rebuild the industry, with the full engagement of the Economy and Infrastructure Ministers. The Department for the Economy needs to stop disowning whole sectors and to recognise that we have one integrated economy. As I outlined, there are real risks to our tourism and hospitality recovery, as well as a social impact, of losing taxi services. On the structural issues faced by the industry, it is clear that a package of support and incentives needs to be looked at to stabilise and rebuild the sector. Drivers are leaving the sector and not being replaced. It is vital that the Department for Infrastructure looks

at what needs to be done to tackle that now, before it further deteriorates.

The sector has also highlighted the regulation of taxis as a problem. I am well aware of the issues of taxi regulation, as I have worked on the issue, and the odd regulation of the wedding car industry that makes it a challenge to even operate that service. I know that the Minister is aware of that, and I have been in contact with her office on the issue on many occasions. Today, I would appreciate if the Minister would indicate what progress has been made on exempting wedding cars from the Taxis Act 2008 and the onerous and, in my opinion, unnecessary bureaucratic burden that it places on them. Let us be sensible: wedding cars are not taxis, not least because many drivers do not do that as their job. Legislation in Northern Ireland is a mess of red tape, and it is far behind the rest of the United Kingdom. For example, I recently read on the Driver and Vehicle Licensing Agency (DVLA) website about how easy it is for a family member or guest to hire a car for a wedding and drive it themselves on their regular licence. That simply cannot be done in Northern Ireland.

**Mr Buckley:** I thank the Member for giving way. It is a vital point. I, too, have been lobbied heavily about the inequalities faced by those who run wedding car businesses. Does the Member agree that red tape and bureaucracy are not only stifling their businesses but preventing part-time work? Many people who have retired from their day-to-day jobs look to that industry for part-time income to support their families.

**Mr Principal Deputy Speaker:** The Member has an additional minute.

**Mr Dickson:** Thank you. Yes, Mr Buckley, I wholeheartedly agree with you. There is a whole variety of reasons that people do that job, particularly as wedding car drivers. Some of them do it just because they love driving classic vehicles, others because it provides extra income or is their main income and, indeed, others because it is their business to supply the cars and drivers.

The DVLA advises that the quickest way to view or share driving licence information when hiring a car is to use its view and share driving licence service, but that service is not available in Northern Ireland. As the motion states, a review is needed, particularly of tariffs, which I understand were essentially set in 2011.

It is clear that we need to act now to stabilise and rebuild that broad sector, from taxis to wedding cars. The Infrastructure and Economy Ministers need to get together to sort it out and provide specific support. Long-term planning is also needed to encourage new drivers into the sector; that is important. I look forward to the Minister's response to those matters.

**Mr Carroll:** The plight of taxi drivers during the pandemic was sorely underestimated. Frankly, the way in which they were treated as far as receiving financial assistance is concerned was unacceptable for too long, and it was due only to their determination and protest that they were able to access help eventually. The decline in drivers is less of a concern for the economy getting back on its feet and more for the workers who were overlooked. Even now, some — many — are struggling to get into work because of overheads or do not see the job that they held as feasible or possible to maintain.

While I agree that having a transparent and capped fare structure is paramount to driver and customer trust, my party does not think that looking at taxi fares alone will ultimately provide the solution to the precarity of taxi drivers or having fewer drivers in cars, especially when that solution will presumably involve fares being increased. The main problem that needs to be addressed is the massive outgoings and overheads that have to be paid out in depot fees, insurance and other charges. The Assembly would do better to intervene to cap those costs in order to ensure that drivers can take home a fair wage for their work. By focusing on raised fares instead, the root of the issue is left untouched, and large depots will continue to make a killing at the expense of drivers and those who have to use private taxis because they have a disability or are elderly. Those customers face the harshest impacts of fare rises and, in some cases, will be priced out of using taxis entirely.

Ultimately, the solution is to have either a state-run or cooperative worker-run taxi fleet that pays drivers a fair wage, guarantees better conditions by capping outgoings and provides a service that is not too costly for some and that is run in an eco-friendly manner, with electric cars and the like. If the Department and the wider Executive take their duty to workers, communities and the environment seriously, that is the kind of plan that they should or would be putting in place, instead of focusing exclusively or narrowly on solutions that do not address the environmental impact of cars, the rising costs to customers and, most importantly, the ridiculous outgoings that workers are expected to fork out to drive for a living.

Ultimately, that is the kind of plan that we need to see being implemented through the prism of a just transition that puts workers at the centre.

I apologise to the House: I have to run out to the front steps for a protest. I will not be able to hear the comments of the Minister or the Chair, but I will be able to look back at them. It was important to put those matters on the record even if I cannot hear the responses to them.

**Mr Principal Deputy Speaker:** While Mr Carroll attends his demo *[Laughter]* I call the Minister for Infrastructure, Ms Nichola Mallon, to respond to the debate.

**Ms Mallon (The Minister for Infrastructure):** I thank the Chairperson of the Committee for Infrastructure for tabling this important debate on the challenges that are faced by the taxi sector.

The COVID-19 pandemic caused a significant and long-lasting impact on many businesses. At the onset of the pandemic, in recognition of the challenges that were faced by the taxi sector, I acted swiftly to put in place a number of regulatory easements, which amounted to over £1 million of support for the sector. During the pandemic, my resources have also been focused on providing financial assistance to those in the taxi sector who needed it most but could not avail themselves of the other grant schemes or loans: that is, taxi drivers. As Mr Durkan pointed out, through two bespoke taxi driver financial assistance schemes, my Department has provided £15.5 million in support to taxi drivers, having received new powers from the joint First Ministers under the Financial Assistance Act to do so.

We engaged with taxi drivers and the industry, and their analysis indicated that they would require £6,000 of support over two years. I was therefore pleased to have a grant scheme in place that paid out £3,000 over one year to taxi drivers. Of course, as Members have pointed out, as we worked through the schemes, it became evident that a number of taxi drivers had taken breaks in their insurance. That is why we tailored the second scheme to ensure that support could be provided to them and, importantly, also ensure that payments could be made retrospectively so that they were also paid for the duration of the year.

Of course, as we look to the future and turn our focus to post-COVID recovery measures, my Department has stepped up to ensure that the services that it provides are ready to support the businesses that it has responsibility for regulating. That includes the taxi sector. Vehicle

testing resumed for priority vehicle groups, including first-time taxis, on 20 July 2020. From 10 March 2021, DVA also resumed testing for taxis that qualified for the regulatory easements that I introduced, which allowed for the automatic renewal of taxi vehicle licences free of charge, including those without a prior test, for a period of 12 months. The DVA also resumed practical driving and theory tests for all categories, including taxi drivers, on 23 April 2021.

I am confident that applications for taxi-driving tests, vehicle tests and taxi-driver and operator licences are being processed in line with normal timescales. I am pleased to confirm to Members that there is no backlog. However, there is still work to do; we are not out of the woods yet. I accept that as we move into recovery from the challenges of COVID-19, unforeseen challenges will emerge. Regardless of our, at times, divided views on dealing with the pandemic, we have one thing in common: we are all in unfamiliar territory. It is about how we step up and deal with the challenges and find solutions to them that will be key to our recovery.

I am willing, as ever, to listen and carefully consider the concerns raised here, and I have asked my officials to continue to engage closely with the sector on issues as they emerge in order to gauge what additional practical steps we can swiftly put in place to assist those in the sector in getting back on the road to earn a living. However, as Minister for road safety, it would be remiss of me to consider or introduce any measures or easements that would compromise road-user standards, the safety of the public, or remove parity between drivers entering the industry and existing drivers who have worked hard to acquire the standards that are legally required of the industry through the current framework that the Assembly approved.

I do, however, recognise the pressures that the taxi sector has been under and remain committed to working with the sector in continuing to monitor the impact of COVID restrictions on it and consider, with my Executive colleagues, how we should respond to support our drivers and all other areas of the economy as we move towards COVID recovery.

I thank Members for drawing attention to the concerns of the sector and for providing me with an opportunity to set out my responsibilities to the sector and the actions that I have taken to support it. I have listened carefully to the views of all Members and will turn to some of the specific points that they have raised.

The decline in the number of taxi drivers has, as Mr Buckley and others pointed out, been happening over a number of years, but there is no doubt that it has been impacted on by the pandemic. In addition to some existing taxi drivers whose taxi licence expired in the period, a number of taxi drivers decided that they would not incur the cost of renewing their taxi-driver licence until the COVID restrictions had been lifted. We want to work with them, and we have reduced processing times for customers through our commercial licensing system. We are also doing what we can to redesign the portal page to make it easier for customers to navigate. The portal is an issue that Mr Boylan raised.

### **1.00 pm**

The industry is looking for measures that will support and improve it. That is why I am keen that we continue to work with it — with taxi drivers, operators and the wedding car industry — to support it through this difficult time.

The issue of a fare review was raised. As Mr Durkan said, we need a fair fare structure: I agree. The previous review, as Mr Boylan pointed out, was carried out in 2019. It was not implemented, owing to the suspension of the Assembly, followed by the COVID pandemic, but I am sympathetic to it. Of course, public consultation will be required to gauge the views of the taxi industry and other stakeholders, including the Consumer Council as a statutory consultee. Any changes to the minimum fare would require retesting, recalibration and the resealing of meters. There is work to be done, and that would need to be planned out. I am sympathetic on the issue, and I have asked my officials to look at it.

A number of Members raised points about barriers to entry and the taxi theory test. It is important to point out that DVA has already been proactive in introducing measures to support new entrants to the taxi industry. It has reduced the band score from 19 to 18; aligned the test pass with bus and lorry pass rates; developed practice papers and published them on nidirect; redesigned and improved training materials; English voice-over has been made available; and there is better signposting where candidates performed poorly. I take my responsibility as the Minister for road safety seriously, and, as Mr Muir pointed out, it will be important, if we are looking at changes in this area, that we make sure that they are thoughtfully considered, with all of the implications worked through.

Mr Beggs referred to training and continuing professional development in the industry. He identified a requirement of 35 hours of training over a year. The process actually involves 35 hours of training over five years. An important component of that is disability awareness training, which raises standards in the industry and is valued by the customer base. Again, it is about how we work through some of the issues without compromising road safety or standards.

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

On a review of the Taxis Act 2008, it is, of course, good practice to review legislation. The suspension of the Assembly and the pandemic are the reasons why we have not been able to progress that work. Prior to the pandemic, I engaged with the sector to discuss the issue. I assure Members that I have asked officials to look at that work, and I hope to be in a position to provide greater clarity on it once officials have worked through the details for me.

Stewart Dickson and other Members have raised the issue of wedding car operators on a number of occasions. I have had the opportunity to meet him and representatives of the wedding car industry. I will provide him with the update that he requested. He will know that we have received initial advice from the Departmental Solicitor's Office (DSO) on exempting wedding car operators from the current taxi regime. I have asked for further advice, because careful consideration and analysis are required on a range of issues before I am in a position to make a final decision. I will, of course, keep him updated.

On the lack of financial support for operators, when we engaged with the industry to devise the scheme, we were aware from the evidence submitted by taxi operators that a number of them were able to avail themselves of the £10,000 and £25,000 schemes. Some were also able to avail themselves of the rates and VAT deferrals and furlough. A number were also able to avail themselves of part B of the COVID restrictions business support scheme (CRBSS) from the Department for the Economy. I shared with the Committee correspondence from the Economy Minister that confirmed that. My officials have met taxi operators, and we will continue to meet and work with them and their drivers to ensure that we support them as best we can through this difficult time and beyond.

**Mr Boylan:** I thank the Minister for giving way. In light of the motion that we have discussed today, will the Minister commit to working with

the Committee? That is important, because, as she knows, while she will have discussions with the taxi industry, if its representatives do not get enough from the Minister or the Department, they will run to us. I suggest that we close that communication gap; otherwise, they will keep coming back to the Committee. That is all that I ask the Minister to commit to today.

**Ms Mallon:** I thank the Member for his intervention. It is an important point. One of the regrettable things from the pandemic is the ping-pong between the Economy Minister and me that Martina Anderson mentioned. Early on, there was, regrettably, a ping-pong match between me as Minister and the Committee about establishing where the vires lay. I stated on a number of occasions that I did not have the power to bring forward financial assistance, and we had to go through the rigmarole of trying to get new, additional powers. We should learn from that. I have provided multiple briefings to the Committee, but it is clear that, going forward, the Committee wants to see the right level of support given to the industry, and I am committed to providing that.

**Ms Anderson:** Will the Minister give way?

**Ms Mallon:** In a wee second.

I commit to keeping the Committee updated. I will work with the Committee but also with Executive colleagues, because, as Members rightly pointed out, I am the regulator of the taxi industry, which is critical to our tourism industry and to our night-time economy. As Mr O'Dowd said, it is critical to our rural communities. As Mr Robinson said, it is critical to providing school transport. It is also critical to getting people to their health appointments. It is therefore really important that we work at all levels to try to support the industry as we emerge from the COVID pandemic. I am happy to give way to Ms Anderson.

**Ms Anderson:** Thank you, Minister. As Members, we were acutely aware that you did not have the vires, but we were also acutely aware that there was the Financial Assistance Act 2009 to help you get the assistance. We were delighted that, when you put in for it on the Friday, we were notified on the Saturday that you had received it. Financial assistance was available and accessible, and, thankfully, you asked for it and got it the next day.

**Ms Mallon:** I thank the Member for her intervention. That is the point that Mr Dickson highlighted. We all have to learn from the process, and, when I reflect on the learning, my

view is that much greater benefit would have been derived from taking a more holistic and inclusive approach to providing support to those who are vital to the economy. There was a fracturing, but we are where we are now. I am pleased that I was able to provide financial support for taxi drivers by putting money in their pockets.

The taxi operators themselves raised an important point. Their view was that they would have highly rated giving the indirect intervention to themselves through the individual taxi drivers. We gave that support, and we provided the regulatory easement of £1 million. As I have committed to today to Members, I have asked my officials to look at providing me with options, taking the can-do approach that Mr O'Dowd highlighted, to see what more we can do. Whether that is on the regulatory side, on the fare review side or on the Act itself more widely, I am committed to trying to do more.

**Mr Deputy Speaker (Mr McGlone):** I call Mr Jonathan Buckley to conclude and wind on the debate on the motion and the amendment. The Member has up to 10 minutes.

**Mr Buckley:** I thank Members and the Minister for their responses. We have heard much today about the issues affecting the taxi industry, both drivers and operators, and I thank all those who have contributed to the debate. There will be many listening in who will take much encouragement from Members' words, but, as I said in my opening comments, we must now move beyond words. Action must soon follow.

Collectively, Members spoke about how vital the industry is to our broader economy and to our community, both rural and urban. Members reiterated how the COVID pandemic had worsened the issues affecting the sector. They also highlighted the legacy difficulties that need to be addressed, which are fare structures as a priority and the taxi licensing complexities, albeit there were different views on how far and how quickly we could move on that. It is a welcome start, however, that there is a recognition that there is an issue that must be looked at. Members highlighted the need to encourage younger drivers into the industry to revitalise it in a post-COVID environment and the need to incentivise work in unsocial hours through bespoke policies and financial packages. That would recognise the need that our economy has for taxi drivers to work sometimes very unsocial hours to provide safe and practical solutions for the general public. There was also a desire to see a collaborative approach taken across the Executive, with a clear lead taken by a designated Minister, to

ensure that the Committee can scrutinise actions for the industry and, indeed, give some reassurance to the industry and to Members.

It is clear that there is no disagreement about the dire situation facing the taxi industry. Everyone here today recognises the concerns of the individuals and organisations involved and the impact on their lives and those of their families. We have heard that this is an industry that has been in decline for a number of years: since 2013, in fact, when it provided employment to approximately 16,000 drivers. Year on year, however, that figure has dropped, until, by 2020, only around half of that number remained. We have also heard much about the impact of COVID and how it has further driven down numbers so that post-COVID economic recovery in the industry is now being supported by around only 5,000 drivers. That is a totally unsustainable situation. That is a shocking figure. It is less than one third of the number in 2013.

We have also heard that drivers are self-employed and thus are responsible for the cost of insurance, vehicles, training and the personal cost of unsociable hours that many work to provide a service to society. That service not only benefits our hospitality sector, reduces drink-driving and contributes to wider economic recovery but assists the health and social care sector and the education sector by ferrying individuals back and forth for various appointments and by taking children to school.

We have heard rehearsed the reasons why, during the pandemic, taxi drivers stopped working because of the drop in demand for their services and to keep themselves and their families safe. That led to many having to cancel their insurance and even return their vehicles as they were unable to maintain payments without the necessary income, which, in turn, impacted on their ability to access some of the packages that were in place.

Now that lockdown is easing and the world is beginning to reopen, taxi drivers and the vital services that they offer are needed more than ever. Yet, we find that many drivers do not wish to return to the industry, and few new drivers are being coaxed into joining it. That is something that we have to grasp because, as we emerge from the pandemic, we undoubtedly face a lack of workers in the industry. It is not only impacting on the taxi industry; I hear concerns from road haulage drivers and other industries that are vital to Northern Ireland and its functioning that we have to be really live to and aware of in the days ahead. The Committee for Infrastructure heard calls from

the sector about how it is in need of support to mitigate the decline in driver numbers, and it is for that reason that today's motion was brought to the Chamber. There is clear evidence from the sector to suggest that an intervention or a stimulus is needed to reverse the downward trend and assist in the recovery not just for the benefit of the sector but for the wider economic recovery of Northern Ireland post COVID. The industry has offered solutions on what those interventions could be, and the Committee has lent its support to those in the Chamber today, collectively with one voice.

The call for an urgent review of fares is not unreasonable. The current taxi fare tariff is tantamount to a 10-year earnings freeze. It is a huge disincentive to joining the industry, as is the complexity of taxi driver testing with set test periods, both practical and theory. I thank the Minister for her indication that she recognises the inequalities in that taxi fare system and the need for a fair fare system.

The contributions in the Chamber today have acknowledged those areas of concern and echoed the calls for action. Therefore, we urge the Minister for Infrastructure to recognise those factors and take the action that is required. Measures include an urgent review of the taxi fare tariff and working with her Executive colleagues to see what other measures can be initiated, including a review of sector support for operators. We all recognise the problem and know that support is needed. That is a good place to be, and we must recognise that. Politicians are united in their desire to help the industry, and we must now get to work and ensure that that happens. I commend the motion and the amendment to the House.

*Question, That the amendment be made, put and agreed to.*

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly notes with concern the falling number of taxi drivers in the industry and the impact this will have on post-COVID-19 economic recovery; recognises the impact that the delay in reviewing fare structures and the complexity of taxi driver testing have had in exacerbating this decline; and calls on the Minister for Infrastructure to implement measures to address the fall in driver numbers, to expedite the review of fare structures and to work with her Executive colleagues to identify a suite of measures that can be initiated to make the sector more attractive to new entrants,*

*including a review of sector-specific support to operators.*

**Mr Deputy Speaker (Mr McGlone):** I ask Members to take their ease while we move to the next item of business.

1.15 pm

## Private Members' Business

### Small Scale Green Energy Bill: First Stage

**Mr O'Dowd:** I beg to introduce the Small Scale Green Energy Bill [NIA 33/17-22], which is a Bill to make provision for the establishment of a scheme to promote the microgeneration of renewable electricity; and for connected purposes.

*Bill passed First Stage and ordered to be printed.*

### Political Appointments Bill: First Stage

**Mr Allister:** I beg to introduce the Political Appointments Bill [NIA 34/17-22], which is a Bill to amend the law on public appointments in Northern Ireland and amend the Commissioner for Public Appointments (Northern Ireland) Order 1995.

*Bill passed First Stage and ordered to be printed.*

**Mr Deputy Speaker (Mr McGlone):** Members, just take your ease again while we move to the next item of business.

### Integrated Education Bill: Second Stage

**Ms Armstrong:** I beg to move

*That the Second Stage of the Integrated Education Bill [NIA 23/17-22] be agreed.*

**Mr Deputy Speaker (Mr McGlone):** In accordance with convention, the Business Committee has not allocated a time limit to the debate.

**Ms Armstrong:** I will just take a breath because I am quite nervous on the Bill. Thank you to all in the House for coming along to the Second Stage of the Integrated Education Bill. I appreciate that the Bill is the last piece of legislation that we will debate before the summer recess and I am keeping you from a summer spent in your constituency offices, so my apologies.

The Bill makes provision for integrated education and its promotion. It will also provide for reform and expansion of integrated education. The sole topic of the Bill is education.

In advance of coming to the House, I consulted over an initial period of 12 weeks during the 2016-2017 mandate. That consultation took the form of online surveys, one for adults and one for children, resulting in over 800 written responses. I also had face-to-face discussions with educationalists, academics, including the local teacher training colleges, and many organisations and individuals interested in the provision of education here. I wrote to the Minister of Education and the Committee for Education to seek clarification that no similar legislation was being brought forward.

After the collapse of the Assembly in 2017, I continued to work on the Bill to refine and define content. When the Assembly returned in January 2020, the Bill was accepted by the Speaker and allowed to continue with the existing consultation findings and the work already completed by the Assembly research team to be included. I thank the Bill Office for its work to enable the Bill to reach this stage.

I wrote again to the Minister of Education and the Committee for Education to ensure that no similar legislation was going to be brought forward and that nothing had changed in the interim. On that basis, the Bill was submitted to the Speaker and subsequently allowed to go forward for drafting. I admit that I found the drafting, like this debate, quite nerve-racking. When you have worked on a Bill for so long and there has been such in-depth research and discussion, it is hard to hand it over to someone else. However, the drafter, Mr Daniel Greenberg, who is a barrister specialising in legislation and was commissioned by the Assembly's Bill Office, managed to convey in legislative language what I hope to bring forward. I extend my sincere thanks to Mr Greenberg and the staff in our Bill Office, including James Gilson and Denise Morgan, who patiently produced the Bill. It is the first private Member's Bill in this mandate that has been crafted with the support of our Bill Office. The legislation has followed all of the stages, consultation requirements and drafting processes outlined in Standing Orders, and it is within the legislative competence of the Northern Ireland Assembly.

The Integrated Education Bill has nine policy objectives. The first is to place a duty on the Department of Education and other education bodies to promote — not merely to encourage

and facilitate — the development of integrated education. That will require the Department to ensure that resources are dedicated to the sector for that purpose. Secondly, it will require the Department to ensure that there is proper auditing of demand on a biennial basis for integrated education in Northern Ireland by area. Thirdly, it will require the Education Authority (EA) to report on and publish the auditing of demand to the Department and take account of it in budget and planning decisions. Fourthly, it will establish a presumption to overarch area-based planning that all new schools should be either integrated or otherwise non-single identity schools. The fifth objective is to require the development of an integrated education strategy that will be published six months after the commencement of the Act. It will report on the implementation of the Act, along with regular biennial reporting on the implementation of the provisions of the Act, a post-legislative scrutiny clause.

The Bill will require funding to be dedicated by the Department of Education, according to the remit of the strategy, to be available for the facilitation of integrated education and resourcing in the Department itself of a dedicated team for that purpose. The seventh objective requires a standardised and accredited diversity and all-inclusive module on how to teach in a truly inclusive and integrated classroom for primary and secondary schools and for PGCE for schools in initial teacher training provided by the teacher training education providers. The eighth objective requires the Department to ensure that there is a dedicated departmental resource to help schools to strengthen their ethos and to make sure that all integrated schools put an integrated ethos at the heart of everything that they do now and in the future. Finally, the ninth objective requires integrated schools to be inspected by the Education and Training Inspectorate (ETI) team as part of its usual programme of inspections to ensure that they uphold their integrated ethos.

**Mrs Dodds:** Will the Member give way?

**Ms Armstrong:** Not just at the moment, thank you. I will move on to the clauses, and maybe we will come back to that.

The explanatory and financial memorandum (EFM) provides you with commentary on the 15 clauses of the Bill. I will now detail the clauses as introduced.

Clause 1 defines the meaning of "integrated education" as:

*"the education together, in an integrated school, of—  
(a) those of different cultures and religious beliefs and of none, including reasonable numbers of both Protestant and Roman Catholic children or young persons" —*

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

**Ms Armstrong:** Not just at the moment, please. I would like to go through the clauses.

The definition in clause 1(1) continues:

*"(b) those who are experiencing socio-economic deprivation and those who are not; and  
(c) those of different abilities."*

I draw it to Members' attention that the term:

*"reasonable numbers of both Protestant and Roman Catholic children"*

is already stated in the Education Reform (Northern Ireland) Order 1989 and that clause 1(1)(b) has already been agreed by the House in the Shared Education Act (Northern Ireland) 2016. However, I have added to and updated the definition to reflect the changing demographics of Northern Ireland and the actual mix of children who attend integrated schools. I have added children of other faiths "and of none", "socio-economic" and "different abilities". None of those additions causes any issue for existing integrated schools. There are children of many faiths and of none. There are children who receive free school meals and those who do not. Children with differing vocational skills, special educational needs (SEN) and academic abilities attend integrated schools. The new meaning of integrated education adds further information to what is already in other legislation.

Clause 1(2) defines an "integrated school" as

*"a school which intentionally promotes, protects and improves an ethos of diversity, respect and understanding between those of different cultures and religious beliefs and of none, between those of different socio-economic backgrounds and between those of different abilities."*

I confirm to the House that that meaning of integrated education does not replace or change Mr Justice Treacy's ruling, in which he emphasised integrated education as a "standalone concept". That is:

*"that it cannot be argued that shared projects or mixed schools with a 'partisan board' or denominational ethos, are the same thing."*

The case outcome confirmed that the article 64 duty in the Education Reform (Northern Ireland) Order 1989 refers to integrated schools alone, not shared or mixed schools. The ruling reaffirmed that the Department of Education has a statutory duty to fulfil article 64 of the 1989 Order. It is also important at this point to confirm that the requirements to create or become an integrated school, as set down in the 1989 Order, do not change.

While schools, other sectoral bodies and even politicians, may use the word "integrated" to describe mixed schools, they are not integrated. Only schools that fulfil the requirements as set down in the 1989 Order can legally be recognised as integrated. Mr Justice Treacy, who confirmed integrated education as a stand-alone concept, said that the term cannot be used to describe any other school, no matter how mixed or how others might consider themselves to be.

I refer Members to clause 10(1), which requires that

*"The Department of Education must make regulations supplementing the provisions of this Act"*

and, in 10(2)(i), the

*"inclusion of matters relating to the provision of integrated education in the school inspection regime".*

That means that the Education and Training Inspectorate can now measure whether an integrated school is, indeed, meeting the meanings laid down by this legislation. An integrated school will be able to confirm how integrated it is not only by the number of types of pupils but through its intentional promotion, protection and improvement of its ethos of diversity, respect and understanding between those of different cultures and religious beliefs and none, between those of different socio-economic backgrounds and between those of different abilities. To clarify, that applies to pupils, teaching staff, non-teaching staff and the board of governors. As we all know, an integrated school does not just consider the ethos of the school from the viewpoint of pupils attending; it seeks a balance across all persons involved in the school body.

Clause 2 defines the purpose of integrated education. While some Members have commented to me that all schools have that purpose, the unique position of integrated schools is that the promotion of equality, good relations and respect for identity, diversity and community cohesion happens every day in every class under one roof, as children are educated together, learning about themselves and their friends together from teachers, non-teaching staff and governors who are all integrating.

In clause 3, I have not defined what the advisory body is, as it is left to the Department to recognise any body that includes in its objectives the provision of support and advice to the Department in its promotion of integrated education. I expect that the Department will continue to engage the Northern Ireland Council for Integrated Education (NICIE), as the Department already recognises and engages with that body as part of its encouragement and facilitation of integrated education.

Clause 4 amends the Education Reform (Northern Ireland) Order 1989 to include a duty to promote integrated education as well as to encourage and facilitate it. Clause 4 also amends the Education Act (Northern Ireland) 2014 to require the Education Authority to

*"encourage, facilitate and promote integrated education."*

That subtle change will enable integrated education, at long last, to be placed on an equal footing with other education sectors.

In clause 5(1), I have defined that promotion means

*"(a) identifying, assessing, monitoring and aiming to increase the demand for the provision of integrated education (including, in particular, monitoring the number and success of applications for integrated education), and*

*(b) providing sufficient places in integrated schools to meet the demand ... and without treating the religious demographics of an area or spare places in existing schools as evidence of lack of demand for integrated education)."*

Importantly, clause 5(2) states that, in clause 5(1)(a):

*"'monitor' means monitor by reference to data collected in respect of relevant catchment and other areas."*

The word "relevant" has been used specifically to counter the ongoing argument that, if you look at integrated education, you can identify a number of empty desks across Northern Ireland. When you look at the whole of Northern Ireland, you see that all sectors have empty desks. It is worth noting that integrated education happens to have the fewest empty desks. It is vital that the relevant catchment area is considered.

In my constituency, more children are refused a place at a post-primary integrated school than can attend one. Integrated schools have fewer unfilled places than the Northern Ireland average, and some of the post-primary schools are among the most oversubscribed in Northern Ireland. Lagan College, as we know, turns away an average of 200 plus pupils per year. Priory College in Holywood is oversubscribed. Strangford College — I am member of the board — turns away over 100 per year. That is a full year group of pupils denied the opportunity to attend an integrated school. If the House supports parental choice, where is the parental choice for families who want to send their child to an integrated school?

Under "Planning and strategy", which is clauses 6, 7 and 8, clause 6 places a general duty to include provision for integrated schools when:

*"(a) developing, adopting, implementing or revising policies, strategies and plans; and (b) designing and delivering public services."*

Why is that needed? It is because, unlike the controlled or maintained sector, there is no planning for integrated education. New integrated schools are set up by parents, many of whom have remortgaged their homes to fund a school. An integrated school depends on charitable funds raised by the Integrated Education Fund to support the building or rental of premises; to fund the recruitment and hiring of teachers; and to survive for two years before the Department may consider funding the school. That does not happen in the controlled or maintained sector.

In clause 7, the presumption that a new school will be controlled or maintained based on:

*"the religious demographics of an area"*

or

*"the existence of spare places in existing schools"*

is flipped on its head to change the law to the presumption that any brand-new school will be integrated:

*"unless that would be inappropriate by reason of special circumstances."*

I have not defined special circumstances. I believe that the Department and the existing employing bodies will be able to agree that process. The 'Community Conversation Toolkit' created by Ulster University is one example that is already being used by the Education Authority. That toolkit allows a ground-up approach to decide the type of school that should be in an area. Not defining special circumstances allows the Department and the Education Authority to provide a special school, should they need to meet a growing demand for that. For clarity, a "new school" is a brand-new school. I have not intended "new" to include amalgamations or shared campuses. It will be for the Department to define how it will use the clause.

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

**Ms Armstrong:** Not at the moment.

I remind all Members that we have already agreed to the independent review of education and to the panel considering a single education system. That review report will, hopefully, be published in mid- to late 2022. The recommendations from that report, if accepted, will take years to implement. I expect that any fundamental changes to education that are proposed will take decades to implement. Bengoa will seem like a walk in the park compared with any attempt to change our education system, but we have committed to that. My clause 7 is an interim measure, with a get-out clause for where and when the local community decides something different from the presumption. I have spoken to parties already and highlighted the fact that there has not been a new school in years, and there is not likely to be a new school for quite some time. When there is, why do we not have a school that everyone can attend and that will allow all pupils and teachers to be together under one roof?

Clause 8 places a statutory duty on the Department of Education to:

*"prepare, publish and maintain a strategy for the encouragement, facilitation, promotion and provision of integrated education".*

The integrated education strategy must:

*"include provision for resources".*

— that means in the Department —

*"include provision ... to facilitate the maintenance and protection of the ethos of existing and new integrated schools ... identify funding ... for the promotion and provision of integrated education (including ... facilitating the establishment of new integrated schools, the expansion of existing integrated schools"*

— to meet parental demand —

*"and [enable] the transformation of existing schools into integrated schools)".*

It is worth noting that much of that is already being done through policy. I placed it as a requirement in the Bill, however, to ensure that, no matter who holds the Department of Education portfolio, resources and support for integrated education will continue.

The integrated education strategy must include an action plan that is co-produced, includes timetabled targets and benchmarks against which the success of the strategy can be measured. The Bill provides potential targets and benchmarks for the Department to include.

After the Bill receives Royal Assent, the strategy will be published and a report produced that updates the strategy every two years. That means that the Department of Education will be required to demonstrate how it has performed its integrated education functions. The report will not simply sit on a shelf. The strategy and all updates to it have to be laid before the Assembly. The Education Committee will then be able to scrutinise effectiveness of performance against targets. I felt that it was important that the Assembly be given a key role in scrutinising the strategy and the action plan.

Under "Final provisions", the Department of Education must make regulations supplementing the legislation's provisions. The Bill states what the regulations may include and allows the Department to add to the provisions listed in the Bill, where appropriate. The Department will confirm how it will set benchmarks, how data will be captured, and

how assessments and monitoring will take place and be measured. The action plan will set out how steps to promote integrated education will be taken, how mandatory standardised training for teachers, non-teaching staff, governors and education bodies will be provided, and how the school inspection regime will take forward its inspection of the integrated ethos.

The regulations require collaboration and coordination on integrated education among other stakeholders. For example, there is a clear recognition between the need for shared housing and integrated education to enable the community cohesion for which we are all striving to happen. Importantly, regulations will include those on integrated education in systems for the planning and development of urban and rural areas. The Department of Education has been given flexibility to develop and produce guidance on the legislation for education bodies and any other public authorities.

Clause 12 confirms the consequential amendments to legislation named therein as a result of the Bill.

Mr Deputy Speaker, I thank you for allowing me the time to go through the clauses. Since First Stage, I have spoken with all the parties, except Mr Allister's: I have not spoken to the TUV. I am looking forward to hearing from all who will contribute to the debate, and I will hopefully be able to answer any questions and respond to any points of clarification that anyone wishes to ask.

**Mrs Dodds:** Will the Member give way?

**Ms Armstrong:** I will allow you to respond when you are making your speech. I am just about to finish.

**Mrs Dodds:** I simply wanted to ask a question.

**Ms Armstrong:** You can ask it during your contribution.

I thank you, Mr Speaker, and your office, the Assembly Research and Information Service (RaISe), the Bill Office and the parliamentary drafter Mr Greenberg for all their work on the Bill to get it to this stage. I know that she is not going to be too happy with my saying this, but I pay tribute to my research officer, Fiona McAtteer, who has dedicated five years of her life to drafting the legislation and bringing it to this stage. Together, we have brought forward legislation for you to consider, and I look

forward to hearing your comments and questions.

**Mr Newton:** I will start from where I am coming from on integrated education. When my children were about to embark on their educational journey, it was my wife and my contention that we wanted to ensure that our children would mix with children from all backgrounds. Many others in the Chamber have taken a similar approach. We chose the schools with a degree of care, at primary and secondary level. They did not enter the integrated education movement. That is not to, in any way, take away from anyone who has decided on that approach. My children met with people from all religious backgrounds, and no religious backgrounds. Each of the schools, from their boards of governors to their principals and teachers, were extremely supportive of how the educational process was handled. My children had an extremely rounded education, certainly in respect of those whom they engaged with throughout their school years, to the extent that many of the pupils with whom they were friends at that stage remain friends.

It would be remiss of us not to acknowledge that principals and teachers in the main sectors of education handle those situations well. My office is located in an inner-city area, and I see children, particularly newcomer children, engaging and being educated together.

Kellie Armstrong is passionate about integrated education, and, when we were talking about her Bill previously, she indicated that she had made sure that her children were educated in the integrated sector. She is passionate about integrated education, to the extent that she is zealous about it. She is an ardent advocate for it. However, it was demonstrated in her presentation, to some extent, that the Bill is dictatorial. I will come back to that, Mr Deputy Speaker. I believe that she is sincere, but I believe that she is sincerely wrong in pushing this legislation, certainly at this time.

I wanted, and I know that many Members want, to see our children being educated together. As far back as when Peter Robinson produced his document on shared education and educating our children together, he said:

*"Shared education is a pathway that ultimately and logically leads towards integrated education so we would support both."*

*"We have to live in the world that we exist in, and you cannot have a revolution in education that would not be deeply difficult*

*and divisive by just imposing integrated education overall."*

Not too long ago, every party in the Chamber signed up to 'New Decade, New Approach'. That document deals with educational performance and states:

*"The Executive will establish an external, independent review of education provision, with a focus on securing greater efficiency in delivery costs, raising standards, access to the curriculum for all pupils, and the prospects of moving towards a single education system."*

*"To help build a shared and integrated society, the Executive will support educating children and young people of different backgrounds together in the classroom."*

The Minister may comment on this, but my understanding is that we are close to appointing the panel that will drive that initiative forward. If this Bill were to proceed, we would be standing on the toes of the 'New Decade, New Approach' document.

#### 1.45 pm

The Bill's Explanatory and Financial Memorandum indicates that the proposer has been working on this initiative since 2016-17. It states that she has had:

*"face to face discussions with educationalists and academics from local universities including the teacher training colleges. The Member also wrote to the Minister of Education and the Committee for Education to ensure similar legislation was not being brought forward by the Department."*

It is complimentary to me, as a member of the Education Committee, that the Bill's proposer wrote to the Committee, and we confirmed that no other similar legislation was going through. However, in doing her consultation since 2016-17, the Member has not discussed the Bill with the bodies that represent the education sectors. Mr Mark Baker, chief executive of the Controlled Schools' Support Council (CSSC), said:

*"The Controlled Schools' Support Council (CSSC) supports controlled schools, which are open to all faiths and none, in providing high quality education for children and young people to enable them to learn, develop and grow together, within the ethos*

*of non-denominational Christian values and principles. Our concern is that the Integrated Education Bill would result in the secularisation of controlled schools and the removal of their Christian ethos."*

That begs this question: why did the proposer, who has been working on the Bill since 2016-17, not have the courtesy to speak to Mr Mark Baker, as chief executive? He went on to make a number of other points. He confirmed:

*"CSSC has to date not been consulted on this Bill and would welcome the opportunity to discuss this further."*

He also said:

*"In its current form the Bill does not take into account the diversity of the controlled sector and neither does it acknowledge that the ethos of the controlled sector is 'open to all.' The New Decade New Approach priority to support educating our children and young people of different backgrounds together ... is delivered on a daily basis in controlled schools."*

I would have thought that anybody who wanted to produce a serious piece of legislation would have said, "Who do I need to consult? Who are the vested interests? Who are the interested bodies? Who are the bodies that are delivering on the ground?". Certainly, Mr Mark Baker should have been consulted.

On the other side of the cake, we have the Council for Catholic Maintained Schools (CCMS). Mr Gerry Campbell, chief executive of CCMS, indicated that he had not been consulted. Therefore, we have what might be regarded as the state schools and the Catholic maintained sector not being consulted. He makes a number of —

**Ms Armstrong:** Will the Member give way? I will say that I have consulted CCMS —

**Mr Newton:** No. Sorry, hold on. Chair?

**Mr Deputy Speaker (Mr McGlone):** If the Member assents to give way, that is grand, but, please, let us have no commentary from a seated position.

**Mr Newton:** On three occasions, the Member was asked to give way — by Mr Storey, Mrs Dodds and Mr Allister — as she made her remarks on her Bill. She refused to give way, and yet she is asking me to give way —

**Mr Deputy Speaker (Mr McGlone):** You well know, probably better than I do, that that is her prerogative, as it is yours.

**Mr Newton:** Yes, and I will give way.

**Ms Armstrong:** The Speaker's Office allowed me to carry out that consultation in 2016-17. I met CSSC and CCMS at that time. Since the Bill has been introduced, I have not had the opportunity to consult with them, but I had contact from CCMS today asking me to meet it for discussions following this stage of the Bill, if it is passed. There is plenty of opportunity to do that. The Bill has not been passed yet, unfortunately, but I will take that opportunity. I met those organisations many times, however. That may well have been before Mr Baker took up his post, but I met them on several occasions. You have to remember that controlled integrated schools also fall under the CSSC.

**Mr Newton:** It is somewhat rich that the Member says that she is prepared to meet with those bodies at this stage, after they have contacted her and after she has brought the Bill to this stage.

Anyway, Mr Gerry Campbell said:

*"Given the commitment made by all parties when they signed up to New Decade, New Approach, and that we expect the panel"*

— he is anticipating what I am anticipating —

*"to be confirmed shortly regarding taking forward the independent review of education, we are somewhat surprised and concerned that this draft Bill is being put forward in advance of the independent review process".*

**Mr Weir:** I thank the Member for giving way. Is it not particularly concerning that consultation on the draft Bill with the likes of CCMS is taking place only at this stage, particularly given that CCMS is actually named in the Bill? In fact, as it is listed as one of the education bodies that must do certain things, if the Bill is passed into law, some of the provisions will apply directly to CCMS, and yet the Bill has not been discussed with CCMS. At this stage, CCMS is an afterthought.

**Mr Newton:** The Member is one step ahead of me. CCMS made the point:

*"the proposal to place a duty on the Department of Education and other bodies"*

*such as CCMS to encourage the development of integrated education, how does this sit with the existing statutory duties held by CCMS with regard to Catholic education? Would this mean promoting integrated education over and above Catholic education?"*

**Mrs Dodds:** I thank the Member for giving way. The Member made some really important points about the lack of consultation on the Bill. When, as DUP members of the Education Committee, we carried out our consultation on the Bill and met all the bodies, what really concerned them — you were just making this point — was the fact that, for the first time in statute, there would be a legal obligation on the Department in clause 7 to impose integrated education on any new school that is built. Does the Member agree that that places integrated education in a different place from every other sector — indeed, a place above and beyond every other sector — and that all the sectors with which we consulted were extremely concerned about that aspect of the Bill?

**Mr Newton:** I thank the Member. That point is extremely concerning. In much the same way as Mr Weir did, she reached the point just before I did. That point was made by Mr Gerry Campbell. This is what he said:

*"The issue regarding building new schools, and that education bodies must apply a presumption that the school would be an integrated school, again this places one sector above others and gives no recognition to the fact that demand at a local level remains very strong for Catholic education".*

Those are the concerns of two bodies that represent our children's education.

**Mr Deputy Speaker (Mr McGlone):** Excuse me, Mr Newton. I am sorry for interrupting. Question Time is coming up at 2.00 pm. If you do not mind, we will allow Members to come in for Question Time, and you can resume your contribution afterwards. It is a management issue.

**Mr Newton:** You are in control, Mr Deputy Speaker.

**Mr Deputy Speaker (Mr McGlone):** You have been here before. I am sorry for interrupting. Thank you. Members should take their ease.

2.00 pm

## Oral Answers to Questions

### Infrastructure

#### Lisburn to Antrim Railway Line

1. **Mr Butler** asked the Minister for Infrastructure to outline her Department's plans for the reopening of the Lisburn to Antrim railway line. (AQO 2350/17-22)

**Ms Mallon (The Minister for Infrastructure):** Members will know that I am ambitious for our rail network, and I have a vision to enhance our rail connectivity to better connect our communities while delivering cleaner, greener and more sustainable transport. Alongside my counterpart in the Irish Government, Minister Eamon Ryan, I was delighted to announce the all-island strategic rail review, which will allow us to consider our network across the island and how we can improve it for everyone. The review will examine the potential for rail connections across the island, including how our existing connections could be improved and where new rail links would be best placed.

I want to ensure that any proposals for changes to the rail network include operational and financial viability and have a very clear focus on the part that rail can play in growing our all-island economy while improving people's ability to connect and access opportunities and addressing long-standing regional imbalances. The review's purpose is to allow data to drive how to improve and expand our rail connections, allowing us to press ahead, at long last, with enhancing our rail connectivity in Northern Ireland and across the island. The reopening of old railways, including the Lisburn to Antrim railway, will be considered as part of that overall review.

My Department is also preparing the regional strategic transport network transport plan for public consultation. It is anticipated that it will be published for consultation later this year, and I welcome all representations from the public, including those about reopening the Lisburn to Antrim railway line via Knockmore, through that process.

**Mr Butler:** I thank the Minister for her encouraging answer. The Minister is fiscally responsible in her outlook, and she should be commended for that. There are obvious financial burdens in providing new rail networks or opening up older ones. Does the Minister

accept that reopening the Lisburn to Antrim railway line might be one of the most cost-effective options available to her?

**Ms Mallon:** I thank the Member for his question. We always have to be mindful of fiscal constraints and the importance of fiscal responsibility. The Member may know that, since 2005, Translink has spent just over £2 million maintaining the line to allow for its current non-passenger use. While he makes a key point, the all-island rail review will allow us to consider our rail network and how we can improve it for everyone. It reflects the commitment in 'New Decade, New Approach' (NDNA), but I want to use the opportunity to examine the data and the operational and financial viability to ensure that we do what we can to enhance our rail network. There is a specific focus in the all-island strategic rail review on how we can connect our international gateways through rail. Our ports and airports are also important elements of the railway line highlighted by the Member.

**Mr Catney:** I thank the Minister for her answers to my elected Lagan Valley colleague. I know that the Minister knows how important rail connectivity is in helping us to reduce emissions. Will she provide an update on her work with Minister Ryan to improve all-island connectivity?

**Ms Mallon:** I thank the Member for his question. Of course, improving our rail network is about connecting communities to opportunities, and it enhances our tourist offering, but the Member makes a very important point: it is also about ensuring that we take action to encourage more people to use sustainable transport and public transport. Our rail network is an important part of that.

The procurement process for the all-island strategic rail review has begun. It is restricted to a maximum period of 12 months. As I said, it will be data-driven, and it will report back, but an important part of that process will be a public consultation exercise. I encourage the Member and others to make sure that they feed into that process.

**Ms Anderson:** Minister, as you know, I have been vocal — maybe too vocal sometimes — about rail connectivity, particularly in the north-west. It was welcome that my Adjournment debate received cross-party support a few short months ago. In light of that, will you provide an update on the feasibility study to improve the Derry line, such as the phase 3 works and the

consideration of the half-hourly halts at Ballykelly, Strathfoyle and City of Derry Airport?

**Mr Deputy Speaker (Mr McGlone):** As that is not necessarily the question that has been asked, it is at the Minister's discretion to answer.

**Ms Mallon:** Thank you, Mr Deputy Speaker. I am content to answer it.

As I have said many times in the Chamber and outside it, rail has huge untapped potential to deliver multiple benefits across our island. It is also an important component of addressing regional imbalance. That is why, as Minister, I have been very much focused on improving connectivity to the north-west.

In line with that commitment, I commissioned a feasibility study to get phase 3 of the Coleraine to Derry project back on track. As the Member highlighted, I also commissioned additional studies to explore the possibility of a half-hourly service between Belfast and Derry, as well as to provide additional rail halts at Ballykelly, Strathfoyle and the City of Derry Airport at Eglinton. I can tell Members that work on the phase 3 feasibility study is ongoing, with a number of topographical and pilot studies under way. A report is still on schedule to be completed by November of this year. A full and robust business case will then be prepared and submitted to me that will ensure that all future spend is fully informed by it and that there is high-level assurance on costs, risk and benefit realisation.

**Mrs Dodds:** The focus is rightly on the importance of connectivity and, in the original question, rail connectivity. Connectivity is hugely important for growing the economy. It is important for our relationships across this island. The Minister makes much of her engagement with all-island strategies. Will she tell the House what engagement she has had and continues to have with the Union connectivity review, which is extremely important for connectivity in the United Kingdom?

**Mr Deputy Speaker (Mr McGlone):** Again, that supplementary question is not specific to the question that was asked, so it is at the Minister's discretion whether she wishes to answer it.

**Ms Mallon:** Thank you, Mr Deputy Speaker. As I have demonstrated on multiple occasions, I very much value the importance of connectivity across these islands. I am also very committed

to partnership working across these islands. I have met the chair of the UK connectivity review, Sir Peter Hendy, and made a written submission to that review. As part of my commitment to working across these islands, I met my ministerial counterparts in Scotland and Wales as recently as last week to discuss a range of shared challenges and opportunities in transport, making a modal shift in people's travel and tackling the climate emergency. I remain very much committed to working across these islands to improve the lives of everyone in Northern Ireland.

**Mr Muir:** Reopening old and abandoned railway lines is a key aspect of our green recovery for which we need to plan. What is the situation with railway passenger numbers on our existing network? What more is being done to encourage people back on to the railways?

**Ms Mallon:** I thank the Member for his question. I do not have the most up-to-date figures to hand for the passengers who are travelling on our rail transport, but, from recollection, some of the most recent figures that I have seen are around the 60% mark. Of course, when we have periods of very good weather or a bank holiday weekend, we see an increase in passenger numbers. Translink has therefore put measures in to mitigate that, working with the PSNI.

Throughout the pandemic, we have put measures in place to give passengers the confidence to travel. The Member will know that we introduced the mandatory use of face coverings on our public transport. We have taken additional deep-cleaning measures and run a public awareness campaign. As a public transport provider, we take our safety responsibilities extremely seriously, but we remain committed to giving passengers the confidence to come back onto public transport safely. That will allow them to go about their everyday lives, but public transport is also an important part of tackling the climate crisis.

**Mr Allister:** Would reopening the Lisburn to Antrim line not greatly facilitate a connection to the International Airport? Is that not vital to its future success?

**Ms Mallon:** I thank the Member for his question. As I said in response to Mr Butler, part of the all-island strategic rail review is rail connectivity and the links to our international gateways. Those are our airports — Belfast International Airport, Belfast City Airport and City of Derry Airport — but also our ports. That provision for passengers is important, but it is

also important, as Mrs Dodds highlighted, for growing the economy and will therefore be a key element of that work.

**Mr Deputy Speaker (Mr McGlone):** Before we move to the next question, I remind Members that question 9 has been withdrawn. Also, topical question 4 from me has been withdrawn, as it could have presented some practical difficulties.

## Housing: NI Water

2. **Mr Chambers** asked the Minister for Infrastructure how many housing proposals have been delayed or abandoned because NI Water did not have sewerage or water infrastructure in place to facilitate additional housing in the last five years. (AQO 2351/17-22)

**Ms Mallon:** Northern Ireland Water is a statutory consultee in the planning process and, as such, does not make planning decisions. Local planning is the remit of local councils. Northern Ireland Water provides information and advice to the appropriate local council, and the council is obliged to take that advice into consideration. However, councils ultimately make the planning decision, which may or may not reflect the advice of the statutory consultees.

Northern Ireland Water does not receive notifications of the reasons for planning refusals or delays and is therefore not in a position to advise on how many planning refusals are related to sewerage infrastructure issues. Such information would be best obtained from the planning authorities based in our 11 local councils. However, Northern Ireland Water is due to roll out a new planning response template this month. The implementation of the template will help to facilitate the tracking of negative planning responses provided to the various planning authorities.

**Mr Chambers:** I thank the Minister for her answer. Will she detail any cooperation that she has had with the Minister for Communities on the issue? What solutions have been put forward to allow housing, particularly social housing, to be built in areas where Northern Ireland Water infrastructure is weak?

**Ms Mallon:** I thank the Member for his question. He raises an important point. We have an acute shortage of social and affordable housing in Northern Ireland, and we need to work collaboratively to address that. Part of the case that I made at the Executive to secure

funding was that, if we do not invest in our water and waste water infrastructure, we will not be able to build the many homes that we need.

As the Minister for Infrastructure, I have also engaged with the Northern Ireland Federation of Housing Associations, recognising the importance of the issue, and I am keen to work with them on any possible pilots for sustainable drainage systems. I also assure the Member that Northern Ireland Water has met the Northern Ireland Federation of Housing Associations and the chief executives of housing associations on several occasions. We are working with them to address the challenges. I can also advise that we are working with one of the housing associations — Choice Housing — to look at a pilot programme to address some of those issues.

It is an issue that we are very alive to. It is one that I have engaged with all Executive colleagues on, and we are working with the housing providers and developers on it.

**Mr Boylan:** I welcome the Minister's answers. Minister, you know that NIW received a budget of £344 million for the one year. You mentioned regional imbalance, and we need to avoid a regional imbalance in sewerage infrastructure. There are 100 areas of constraint for sewerage infrastructure. Do you have any indication of what areas will have those capacity issues and constraints addressed over the next year?

**Ms Mallon:** The Member is right to highlight the acute difficulties that present themselves when we try to address the historic underfunding of our water and waste water infrastructure. As a Committee member, Mr Boylan will also know that the Utility Regulator has identified an investment requirement of £2 billion over the next price control period. He rightly identified that, this year, I have allocated £345.5 million, which is the first time in a long time that the funding requirement identified by the Utility Regulator has been met.

We know that we have around 100 locations in Northern Ireland that are either at or beyond their developmental capacity. As a result of this year's funding, we should be able to address 40 of those locations. I am happy to provide the Member with a detailed list of the projects that we intend to take forward, because I have also ensured that, by allocating from my Department this year, we can accelerate some of the projects that were due to be worked on. I am happy to provide that detail to the Member.

**Mr McGrath:** I thank the Minister for her answers, which include the reference to the substantial investment that is being made in Northern Ireland Water. Northern Ireland Water has been looking for that investment for a long time, and it will undoubtedly also go a great way towards resolving a lot of the problems in the construction industry. Will the Minister detail how long it will take for Northern Ireland Water to assess the capacity concerns so that people can start to get some sort of timescale to assist them with their work?

**Ms Mallon:** Given the level of investment that is required, it is envisaged that it could take some 12 years, or two price-control periods, to address the issues with our water and waste water infrastructure that have been identified. It is clear that we need to have a plan. We, as an Executive, need to continue to prioritise investment in our water and waste water infrastructure if we are to realise any of the outcomes in our draft Programme for Government.

## 2.15 pm

**Mr Buckley:** While I welcome the Minister's response, and I know of the pressures that are on Northern Ireland Water and of the need for continued investment to allow development to continue, the Minister will know about my continual plea on behalf of residents of uncompleted developments that still cannot be connected with road and water infrastructure because of problems with legacy developers who are no longer on the scene. I think of Birchwood Manor in my constituency, for which I have repeatedly lobbied. Has the Minister engaged with NI Water about ways in which it can help to connect those forgotten developments so that citizens there can benefit from the full infrastructure that they deserve in their developments?

**Ms Mallon:** I thank the Member for his question. He has identified an issue. As I have said in response to previous questions, we are struggling to secure the requisite funding for Northern Ireland Water to fulfil its statutory obligations in respect of water and waste water infrastructure. A number of sites across Northern Ireland remain unadopted. Their water and waste water infrastructure is not under the ownership or within the responsibility of Northern Ireland Water. That having been said, Northern Ireland Water has engaged with residents across a number of those sites, and it remains willing, able and ready to engage with developers and residents to find some forms of resolution to that very difficult issue.

## Cycle Lanes: West Belfast

3. **Ms Flynn** asked the Minister for Infrastructure what investment is planned for the development of cycle lanes in West Belfast in this financial year. (AQO 2352/17-22)

**Ms Mallon:** Last year, I established my blue-green infrastructure fund to focus efforts on a green recovery. Out of that fund, I invested £6 million specifically in active travel schemes, including spend by my Department and grant funding for greenways delivered by councils. That is the highest level of funding for active travel projects in a single year. For 2021-22, I have more than doubled the commitment to active travel to £13.5 million.

I am very conscious of the need to develop better walking, wheeling and cycling infrastructure right across the city and particularly in areas, such as north and west Belfast, where there is a notable lack of facilities. To demonstrate my commitment to enhancing cycling connectivity in Belfast, I announced on 4 June 2021 the publication of 'Making Belfast an Active City – Belfast Cycling Network 2021'. The network publication provides a blueprint for the development and delivery of coherent, connected and safe infrastructure for everyday cycling in the city over the next 10 years.

As part of a £3 million investment in walking and cycling in Belfast, some £750,000 is earmarked for Belfast cycling network schemes in 2021-22 as a starting point. Work will also be undertaken on developing schemes for delivery in subsequent years. I want to move from plans to actual delivery on the ground. I have asked officials to focus on what can be delivered in all parts of the city in the short term and to work with stakeholders to make better walking, wheeling and cycling infrastructure a reality in west Belfast and throughout the city.

I met the West Belfast Partnership Board recently, to discuss its vision and ambitions for the development of safe, attractive, comprehensive commuter cycle routes in west Belfast. I very much welcome its positive response to the Belfast cycling network and the proposals for West Belfast. My walking and cycling champion continues to work with stakeholders from the partnership to increase active travel in the west of the city.

**Ms Flynn:** I thank the Minister for her detailed response. She has probably partially answered my supplementary.

The additional money for active travel, which is a big improvement on previous years, is welcome, but only a small percentage of that goes towards cycling. Although the Belfast cycle network plan is also very welcome, the funding has to be delivered to the areas that need it. West Belfast only has 1% of the city's cycling infrastructure. Beyond the meetings with officials and the West Belfast Partnership Board, can the Minister use any other initiatives to ensure that active travel is firmly rooted in her budget and to spread that evenly across all areas?

**Ms Mallon:** As the Member points out, it is important that we enhance our walking and cycling infrastructure, particularly in the areas across Northern Ireland where there is a dearth. In reality, we are starting from a very low baseline. Considerable time and effort has to go into the design of the schemes and doing community consultation. The other restriction that we have is that we are still operating from single-year budgets, so, while I have identified a £100 million investment for the Belfast bicycle plan over the next 10 years, of course I can commit only a single year of funding to that. I have given a commitment, and, as I said, I have put the greatest amount of investment into active travel compared with any other Minister. I remain committed to doing that, and, as I said, I have also increased the staffing resource in each of the divisions across Northern Ireland so that, at the heart of each of our roads divisions, we have a very clear focus on active travel and the design and expansion of our networks.

**Mr Catney:** Minister, what plans are there to expand the greenways and cycling across Belfast and Lagan Valley?

**Ms Mallon:** To deliver my ambition of £13.5 million specifically to active travel, as I said, I have resourced additional staff in all four roads divisions. Those staff, along with existing staff, are working on bringing forward schemes for delivery this year and next year. Officials are also working on a delivery plan for the Belfast cycling network, which I plan to publish in the autumn. The delivery plan will identify key schemes throughout the city, with a particular focus on areas where there is currently little separated or traffic-free infrastructure. It will also provide a focus on linking pieces of isolated infrastructure into a more coherent routes network. A key element of securing delivery is communication with stakeholders and consultation on proposed designs. That is resource-intensive and inevitably means that that will form a greater proportion of the work in the earlier years of delivery. Consequently,

capital expenditure will be low in year 1, but it will build year-on-year over 10 years to deliver the £100 million that I have identified as being required for implementation.

**Ms Bradshaw:** Thank you, Minister, for answering the questions for written answer that I submitted about South Belfast, where there are a lot of very keen cyclists. Thank you also for the information on the Belfast cycling network. You mentioned stakeholder engagement. I would appreciate a bit more detail on that. Also, how will you cope with arterial routes, especially in South Belfast, where cars are parked in the middle of cycle lanes at present?

**Ms Mallon:** As I said, an important part of this work is to bring communities with us, so we carry out community consultation. For example, in the Member's constituency of South Belfast, there is a pop-up cycle lane on the Dublin Road. The Member will know that there are two current petitions: one to have it removed and another to keep it. That is an example of the difficulties and challenges that you can face when you try to bring about change. That said, in respect of that cycle lane, we are engaging in a survey that we hope will be completed by September. The survey will get the views of people and, hopefully, build on that. There will be challenges in South Belfast, which is why we are trying to take a pragmatic and flexible approach.

The best approach is to advance those schemes where they are easily implemented, because I am a believer that, when you demonstrate success, you can build momentum. We will be very much led by that, but, of course, we will continue to work with elected representatives and councils so that we can make as much progress as possible. Related to that is pavement parking, which is an issue that I am keen to explore, so I am working with officials on that. We need to take a more comprehensive and holistic approach to these matters rather than just looking at cycle lanes on their own. It is about how people can move about much more freely and how we can maximise the opportunities to engage in safe active travel as much as possible.

## Planning Policy: Review

4. **Ms Sugden** asked the Minister for Infrastructure to outline her plans to review planning policy in order to ensure its consistent interpretation across all local council areas. (AQO 2353/17-22)

**Ms Mallon:** A primary function of the Department with respect to planning is to formulate and coordinate policy for securing the orderly and consistent development of land and the planning of that development. The transfer of powers to councils and the introduction of the two-tier planning system was intended to enable councils to interpret and apply strategic policy, as set out in the strategic planning policy statement, for their areas through their local development plan and development management responsibilities. That has empowered local government to meet the needs and aspirations of local communities, taking account of the particular context and circumstances that they face. There will, therefore, be some different local planning policies and decisions to reflect the differing circumstances of each of our councils.

However, it is also important for the integrity of the planning system that the wider regional policy objectives set by my Department are maintained across Northern Ireland. The Department has a number of powers and functions that enable it to monitor the operation of planning matters by councils to oversee and secure the implementation of regional policy and good practices. The Department's interest in exercising those powers is not to interfere with a council's right and responsibility to take its own decisions but to consider the exercise of its strategic functions and to safeguard against systemic risks to the achievement of regional planning objectives.

**Mr Deputy Speaker (Mr McGlone):** I invite Claire Sugden for a supplementary question. Can you hear us OK? We cannot see you, Claire. *[Pause.]* We will try to come back to you if we can establish connectivity.

**Ms Ennis:** With regard to planning, there is probably no decision more anticipated than that of Casement Park. We know the huge cultural and economic benefits that that Executive flagship project will bring. When will the Minister be in a position finally to approve planning permission for Casement Park?

**Ms Mallon:** I thank the Member for her question. Casement is a hugely important application. As with all applications, my officials are working to progress it properly and at pace. My planning officials went to Belfast City Council for a consultation, as required under the legislation. My understanding is that we have just received a formal response from Belfast City Council. My officials will review it and will continue to work hard to ensure that we can get this application process through while,

obviously, correctly following all the statutory procedures and requirements.

As I have stated many times in the House, rugby has its home, soccer has its home, and it is only right that Gaelic games have their home, and in Ulster.

**Mr Beggs:** How homes and businesses are developed across each council in their area plans can have huge long-term implications for energy requirements for transport and for heating. How can we ensure that there is a consistent approach and, in particular, ensure that climate change implications are taken on board?

**Ms Mallon:** The Member raises a very important point. As I said in response to Ms Sugden, we need flexibility so that councils can tailor their local development plans to meet the needs of the local population. We also need consistency and adherence to wider strategic policy. The strategic planning policy is on sustainable development, so that has to be a key component.

The Member will know that I recently announced that I am taking forward a review for renewable and low-carbon energy development within the wider context of the climate emergency. That is part of our efforts to support a green recovery from the pandemic. It is also one of the reasons why I am keen to pursue the independent infrastructure commission, as it would have an important role to play in ensuring that we bring experts in, that we have the important element of public consultation, and that we have a 30-year vision for our infrastructure and planning that has at its heart the need to be ambitious in tackling the climate crisis.

**Mr Buckley:** The Committee will follow closely the review of planning policy as it is a key priority area for it. While I recognise that area plans will allow councils to rightly tailor plans to local needs, which was the primary purpose of those powers, will the Minister look into whether planning powers that were devolved to councils have been operating efficiently and effectively for the constituents whom we all serve? Many in the planning system are frustrated by the long delay in planning applications, not in any particular area but across the board. Will the Minister look at that in a review?

**Ms Mallon:** There are two elements. There is a need to monitor our local councils' planning performance review, and there are a number of ways in which my Department is doing that. The

second element is what my Department is doing to improve its performance when it comes to the planning system. My Department is working closely with key stakeholders in a number of ways to improve the processes and increase the efficiency of the planning system to ensure that planning applications are processed in a timely manner.

As the Member will know, we are carrying out a review of the implementation of the Planning Act 2011. That will provide an opportunity to consider any improvements that may be required to the way in which the Act has been commenced and implemented in subordinate legislation.

### 2.30 pm

Work is ongoing with statutory consultees through a cross-government planning forum to improve processes around statutory consultation and statutory consultation response times. In addition, my Department, as part of a collaborative project with 10 councils, will deliver a new planning IT system next year that will improve the submission and processing of planning applications.

Community engagement is an important part of our planning process, and is an area that should be improved. That is why I established the planning engagement partnership to look at how to enhance the quality and depth of community engagement in the planning process at regional and local levels.

I recognise the need for regional and local improvements in our planning system. We remain committed to doing what we can in the Department, and, given the importance of planning to growing our economy, which is particularly acute as we emerge from this pandemic, we are also working with councils.

**Mr Deputy Speaker (Mr McGlone):** That ends the period for listed questions. We now move on to 15 minutes of topical questions.

### Driving Test Backlog

T1. **Mr Dunne** asked the Minister for Infrastructure what further affirmative action she will take to address the unacceptable backlog in practical driving tests, which she will be aware of, with many people simply unable to book a test. (AQT 1521/17-22)

**Ms Mallon:** First, I pass on my condolences to Mr Dunne on the death of his father. The Member is very welcome to the Chamber.

The Driver and Vehicle Agency (DVA) has 38 full-time driving examiners and 39 dual role examiners. The dual role examiners conduct both vehicle and driving tests, and they can be utilised across the network of test centres to meet driver testing demand. A further 10 new dual role examiners have been identified for driving examiner training. The first of those examiners is conducting category B private car driving tests. A further tranche, if training is successfully completed, will commence driver testing by mid-July.

In addition, the DVA is progressing an external recruitment competition for 10 full-time driving examiners, whom we expect to start testing by mid-September. The DVA has identified four additional departmental buildings — in Belfast, Coleraine, Cookstown and Omagh — that can be used as temporary test centres if needed and if there is sufficient driving examiner capacity.

The new temporary test centres at Cookstown and Omagh have opened for appointments. This has been communicated to all approved instructors and customers through the normal channels, including nirect and social media. The DVA is offering driving tests on Sundays for heavy goods vehicles and buses at Belfast, Craigavon and Derry when it is suitable to do so without compromising the integrity of the test. The DVA is offering category B and certificate of professional competence (CPC) module 4 tests in some locations on Sundays, again, when it is suitable to do so without compromising the integrity of the test.

The lighter nights provide the opportunity to increase the number of driving tests that DVA can conduct each day. Each category B driving examiner is conducting between six and nine driving tests per day. Extended opening hours will require the use of overtime to provide the additional capacity, which is being offered to all trained driving examiners on a voluntary basis and in line with Northern Ireland Civil Service terms and conditions.

**Mr Dunne:** I thank the Minister for her answer and for her welcome. I certainly welcome those actions. It is very frustrating, particularly for young people who are trying to get a test. In late April, over 22,000 people who held a valid theory test were waiting to take their practical driving test. What are the latest figures?

**Ms Mallon:** Given the public interest in the statistics that the Member has requested, the Department now publishes provisional testing statistics on a monthly reporting cycle. They are all available on the Department's website. The latest monthly report, for May 2021, was published on 15 June. The monthly report for June is scheduled to be released on 20 July.

I assure the Member that the Driver and Vehicle Agency has worked hard, and continues to work hard, to increase its capacity to meet the high demand from all customers for driving tests. I am pleased to say that, in May, the DVA, through increasing its capacity, conducted 5,476 driving tests, which is 35% higher than the five-year average for that month.

I remain committed to minimising disruption and ensuring that our plans for the restoration of services are in hand. However, all driving test services across these islands are experiencing high demand and longer than usual waiting times. We ask customers for their continued patience while we work as hard as we can to get through the backlog.

## Northern Ireland Water: Long-term Funding

T2. **Mr Chambers** asked the Minister for Infrastructure what she is doing to secure a long-term plan and funding for Northern Ireland Water (NIW), albeit there has been a welcome increase in capital funding for NIW this year, it needs a long-term plan, with significantly greater funding in subsequent years, to develop the water and sewerage infrastructure to allow new homes and businesses to be built and, importantly, to mitigate localised flooding. (AQT 1522/17-22)

**Ms Mallon:** I thank the Member for his question. As we have discussed, there has been historical underinvestment in our water and waste water infrastructure. I do not need to rehearse the social, economic or environmental reasons for why we need to correct that failure.

The Utility Regulator has identified £2 billion as the funding requirement for the next price control period, which is the next six years. As I said in response to a previous question, it is estimated that it will take us 12 years to correct all the challenges to our water and waste water infrastructure. We are severely hampered by the fact that we are still operating from single-year Budgets. Although I am pleased that, this year, I have been able to allocate enough funding to meet the Utility Regulator's requirement, there is a significant challenge

every subsequent year. For as long as I am Minister for Infrastructure, however, I will continue to make the case around the Executive table. If we do not invest in our water and waste water infrastructure, we simply will not create the jobs that we need, we will not grow the economy in the way in which we want to, we will not be able to build the many homes that we need, and we will certainly not be able to tackle the climate emergency.

**Mr Chambers:** I thank the Minister for her answer, and I recognise and acknowledge her difficulties. She may have answered my supplementary question in that answer, but what are the consequences for our water and sewerage infrastructure if Northern Ireland Water is not properly funded in subsequent years?

**Ms Mallon:** Since taking up this post, one of the things that I have realised is that we take for granted our access to safe, clean drinking water and to a clean and efficient waste water system. In fact, if we had any severe difficulties in that area, our society would grind to a halt. It is a public health issue, an economic issue, a societal issue and an environmental issue. It is perhaps one of the most important areas requiring sustained investment that we have right across our economy. I make the point again that we may have our difficulties in the Executive, but we all believe in ensuring that, through our Programme for Government, we get the right outcomes for our citizens. None of us — not the Minister for the Economy, the Minister of Education, the Minister for Communities or me — will be able to achieve those outcomes if we do not invest in our water and waste water infrastructure.

### **Integrated Transport: Ballymoney**

T3. **Mr Storey** asked the Minister for Infrastructure whether she will give serious consideration to an integrated transport facility in Ballymoney, the only regional town without such a facility, so that bus and rail services are integrated in a way that gives passengers the best possible experience, given that, although it is an issue that she has sought to champion, Ballymoney, where he lives, does not have integrated transport, meaning that when you step off a train, you cannot get a bus from the train station: you have to walk to the centre of the town or to the outskirts of the 30 mph zone. (AQT 1523/17-22)

**Ms Mallon:** I thank the Member for his question. If I am being honest, we could do a lot more about having a more integrated transport

system if we were to look at how all the components of a transport system come together. It is about maximising active travel opportunities and encouraging people on to public transport. It is also about the role of taxis — we had a debate earlier about the importance of our taxi industry — our private bus operators and community transport, and how all of them come together. The Member may know that my officials are working on the regional strategic transport network transport plan, which will look at our transport system — bus, road and rail — up until 2030. That will go out for consultation later this year, and I encourage the Member to respond to the consultation.

If the Member wants to write to me about the particular issues in Ballymoney and make specific asks, I am happy to look at whether there is something that we can do in advance of the regional strategic transport network transport plan. I am certainly happy to hear him out and have the case made to me at least.

**Mr Storey:** I thank the Minister for giving us that opportunity, and we will respond. Will she also keep in mind that it is not just about the impact that it has on local commuters in Ballymoney? The town of Ballycastle is very dependent on its bus connection to Ballymoney for the train service, which has been a phenomenal success. Will she ensure that regional towns like Ballycastle have interconnectivity so that, whether you are a visitor or a resident, there is an integrated approach to transport? It is not a case of either/or; it is a combination of both rail and bus services.

**Ms Mallon:** I thank the Member for his question. Some people say that I speak very passionately about rail connectivity, but I do so because it has been neglected. It is a huge untapped resource on our island and in Northern Ireland in particular. I do not say that because I want it to grow to the detriment of our bus network. I believe in growing our public transport network. For me, it is very much about looking at both networks to see how we can maximise that resource. The Member will know that there has been significant investment in our bus provision and in hydrogen buses, for example. I am very much committed to greening the public transport network, including the bus network, and I will remain committed to doing so.

**Mr Deputy Speaker (Mr McGlone):** The Member is not in his place for the next question.

Therefore, I call Declan McAleer on the screens, please.

### **Gold Mine: Sperrins AONB**

T6. **Mr McAleer** asked the Minister for Infrastructure for an update on the public inquiry into the proposal for a gold mine in the Sperrins area of outstanding natural beauty. (AQT 1526/17-22)

**Ms Mallon:** The Member will be aware that I announced my clear commitment to a public inquiry. The Planning Appeals Commission (PAC) has indicated that it wishes to have all the relevant information before it ahead of giving us a date for the hearing. The Member will be aware that information about power lines has still to be gathered. When all that is received, we will, at the earliest opportunity, submit it to the PAC. As the Member will know, it is up to the PAC to set a date for the public inquiry. It is important to give everyone, particularly the local community, the opportunity to have their say and for their views to be listened to. *[Interruption.]*

**Mr Deputy Speaker (Mr McGlone):** Declan, an bhfuil tú ansin ar fad? Are you still with us, Declan? *[Long Pause.]*

**Mr McAleer:** I seemed to be having technical difficulties. The Minister will be aware that this is a very contentious local issue and that almost 40,000 people have registered objections. Can she give a timeline for the inquiry and an assurance that it will be accessible and will carefully take on board the views of the local community?

**Ms Mallon:** I recognise that this is a hugely complex and controversial application. That was why I was very clear on my commitment to go to a public inquiry. The Member will know that that is an independent process; therefore, the date for that hearing is outwith my gift as Minister for Infrastructure. However, I can assure him that we are doing everything that we can to ensure that all the information is available as quickly as possible and that it is provided to the public inquiry. I recognise the importance of giving people the opportunity to have their voices and their views heard on this really important and difficult application.

**Mr Deputy Speaker (Mr McGlone):** The Member is not here to ask topical question 7, so we will get Mr Irwin's question in.

### **Road Maintenance Budget**

T8. **Mr Irwin** asked the Minister for Infrastructure whether she plans to increase the road maintenance budget, given the gross underspend in recent years, with contractors in the southern division recently pulled off the roads, having been told that morning that the money had run out. (AQT 1528/17-22)

**Ms Mallon:** Road maintenance is a hugely important issue. I have said in the House that we need to get the basics right for people to have confidence in the Executive and in me as the Minister, but we also need to be doing the transformative pieces of work as well.

**2.45 pm**

I bid for £120 million for road maintenance in this financial year. That is an increase on last year. The Member may know that I have increased the rural roads fund by 50% so that we now have £15 million set aside specifically for rural roads. The Member may also know that the asphalt contracts were subject to legal challenge. My officials are working through interim solutions to address that, because I want to make sure that we get work on the ground as quickly as possible. I reassure him that none of that will impact on the rural roads fund.

**Mr Deputy Speaker (Mr McGlone):** A brief supplementary, Mr Irwin.

**Mr Irwin:** I thank the Minister for her response. She is, I am sure, acutely aware of the dire state of some roads. It is vital that as much as possible be put into those roads.

**Ms Mallon:** I thank the Member, because he continually raises that issue and gives it the recognition that it deserves. He will know that the Barton report identified an investment requirement of about £140 million per annum just to maintain the road network as is, so the financial situation is hugely challenging. However, I will continue to do what I can to ensure that we get our roads fixed. I am mindful of the state of roads in our rural communities, which is why I am advancing the rural roads fund.

**Mr Deputy Speaker (Mr McGlone):** Members, that ends topical questions. Please take your ease before we move to the next item of business, which is the continuation of the debate on the Integrated Education Bill.

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

## Private Members' Business

### Integrated Education Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Integrated Education Bill [NIA 23/17-22] be agreed. — [Ms Armstrong.]*

**Mr Deputy Speaker (Mr Beggs):** I invite Robin Newton to resume his contribution.

**Mr Newton:** This is the second time that, in the middle of speaking, I have suddenly been cut short because of Question Time.

**A Member:** Scalped.

**Mr Newton:** I obviously have been scalped [*Laughter.*] It is difficult to pick up your thread, but I will do my best as I make a few more points.

Before we finished for Question Time, I referred to Mr Gerry Campbell, chief executive of the Council for Catholic Maintained Schools (CCMS), and to a number of his concerns; indeed, he has major concerns about the Bill and its implications for his sector of the education system. I am absolutely certain — I said this before Question Time — that the Member, in proposing the Bill, has been discourteous to the education sectors in not consulting them. It is somewhat concerning that they have had to contact the Member to ask for a debate or a discussion on the issue.

There are other areas, and we have talked about the initiatives that are already under way through the Assembly. I refer to another document. It is produced by the Integrated Education Fund (IEF). It refers to 'New Decade, New Approach', and the headline on its website reads:

*"Assembly agrees that educational review is urgent".*

The Integrated Education Fund indicated that it was pleased to see that 'New Decade, New Approach' (NDNA) pledged an independent review of our education system, which it had called for and for which research shows overwhelming support. Even the Integrated Education Fund, as a way forward, supports 'New Decade, New Approach' and a review of the education system.

There are other publications. Danielle Blaylock and Joanne Elizabeth Hughes of Queen's University Belfast have published a paper, 'Shared Education Initiatives in Northern Ireland: A Model for Effective Intergroup Contact in Divided Jurisdictions'. I refer only to a small part of what is, in my opinion, a good study of ethnicity and nationalism. Towards the end of the document, they say:

*"Despite the challenges involved in overcoming operational difficulties, the growing body of evidence from Northern Ireland suggests that the separate school can be harnessed to offer the type of intergroup contact that leads to more positive relationships. The shared education model foregrounds education outcomes as opposed to reconciliation goals and is thus non-threatening to advocates of separate/faith-based schooling, whilst also appealing to those who are in favour of more radical integration solutions. In this way, despite the obvious difficulties, shared education can represent a middle ground from which different groups in tension can come together to promote more positive relations".*

That supports a way forward that the Assembly has already embarked on, and the impetus is already there and is driving us forward.

The Institute for Conflict Research, supported by the Belfast Interface Project and the Integrated Education Fund, published 'Identifying Potential for Shared Education in Interface Areas'. I will read a small piece:

*"Opportunities to increase shared education are visible in all the schools in question. The continuum of approaches to sharing in education means that while some of the schools are at different stages of the process, they are recognised in their attempts to build relations in these areas. It is therefore an issue for 'top level' stakeholders to support these initiatives to embed this work as a key priority."*

That is shared education.

As I said at the beginning, I want all our children to be educated together in the future in whatever form that might take. One hundred years ago, at the formation of Northern Ireland, our forefathers wanted to have a single education system, and, for its own reasons, another sector wanted to have an education system based on the Catholic faith. I imagine that the Catholic ethos was the big issue. That

was agreed to and supported, by stages, as we have gone along.

As I said at the beginning, I think that Ms Armstrong is sincere in the Bill that she has produced. She is sincerely wrong, but she is sincere. She is an advocate of integrated education. She read out the nine objectives of the Bill. I refer to three, about which there are, I think, concerns. One is:

*"To place a duty on the Department of Education and other education bodies to promote, not merely encourage and facilitate, the development of integrated education."*

Furthermore, as we go through an area-based planning exercise, another policy objective is:

*"To establish a presumption to overarch area-based planning that all new schools should be either integrated or otherwise non single-identity schools."*

Another of the objectives is:

*"To require a standardised and accredited diversity and all-inclusive module on how to teach in a truly inclusive and integrated classroom for primary and secondary schools and Postgraduate Certificate in Education for schools - in initial teacher training provided by the teacher training education providers."*

In many ways, our principals and teachers already do that. It is concerning that we would think that they were not doing that in our education system and that we had to legislate for them to do so. Another policy objective is to:

*"require funding to be dedicated by the Department of Education ... for the facilitation of integrated education",*

including an additional new team in the Department of Education.

Those are concerns that I and, I believe, my colleagues on these Benches have. If we were to support the Bill, the education bodies would have genuine concerns that Ms Armstrong and her Bill, according to my interpretation of it, would not be able to assuage. There are many areas of excellence in the current education system, but our aim must be to ensure that opportunities and educational outcomes improve across every school in every sector in every part of Northern Ireland. We should

always strive for better results for all our pupils and learners.

**Mr Sheehan:** I welcome the opportunity to speak in this important debate. Instinctively, I support greater integration in our schools; I think that most people would be of the same opinion. Instinctively, most of us believe that it is good for children to meet other children from diverse backgrounds, be that different religion, ethnicity, socio-economic background or ability. We think that that is important, and, of course, it is.

If we were setting out today, in 2021, rather than 1921, with a blank sheet of paper, we would have a different education system. Unfortunately, back then, the people responsible for setting up the education system did not have progressive views on diversity in that system. No one from a nationalist background believes that aspects of the Irish culture, such as the Irish language and Gaelic games, including Gaelic football and so on, would have been taught in state schools.

**3.00 pm**

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

**Mr Sheehan:** Yes, I will.

**Mr Storey:** Not for the first time, the Member opposite has a narrow and particularly republican view of history. In 1830, there was a multi-denominational common school system. In 1921, when Northern Ireland came into existence, the Roman Catholic Church decided not to take its place in a multi-denominational education system. Maybe the Member, not for the first time, needs to get his historical context correct.

**Mr Deputy Speaker (Mr Beggs):** I urge Members not to get bogged down in historical arguments and to concentrate on today's Bill.

**Mr Sheehan:** Of course, I would never challenge the authority of the Speaker. However, when we talk about change in these debates, it is important to contextualise the situation that needs to be changed. Of course, Mr Storey has a particular perspective, and I have a different perspective. We will agree to disagree on that.

The difficulty is this: even if children had been integrated since the foundation of this state, would it have made any difference? My answer is, "No, it would not". Structural inequalities

existed outside the school setting, and that was the problem. Unless we can resolve the structural inequalities in society, we will face the same difficulties over and over again.

We need only look at other international examples. In the former Yugoslavia, all education was integrated. When that country imploded, that did not stop people who had been at school together engaging in conflict and even killing one another. Therefore, it is important that, yes, there is greater integration, but it is more important that we finally resolve the structural inequalities that have existed in this state since its foundation.

Of course, I will mention the Irish language again. We still face strong opposition from the party opposite to the integration of the Irish language and culture into society, never mind our education system.

Although I have said that we all instinctively support integrated education, I am not aware of any real evidence that integration will have longer-term benefits for society. That does not mean that I do not support it, but integration, to me, is more than Catholics and Protestants going to school together. One of my criticisms of the current integrated movement is that there are still schools in that sector that select children on the basis of the post-primary transfer test. Therefore, it is not properly integrated. If we are talking about integration, there has to be an end to academic selection.

One of the other issues that have arisen has caused some resentment in the maintained sector. In some ways, that sector feels that it is blamed for sectarianising society here.

Many of us, including the proposer of the Bill, have been through the Catholic sector. I doubt that even she would argue that sectarianism was in any way promoted in the school that she went to. If you speak to teachers, principals and pastoral leaders in the maintained sector, they will tell you that they teach respect and try to give children a rounded education in order to have them come out of school as better people overall and people with respect for others in society. It is unfair that it is often that sector at which many people point the finger in debates such as this.

One important issue in education is that parents want to have the choice to send their children to the best schools, where they will get the best education. I will make a distinction between what, I think, the proposer advocates, which is a system of greater integration, and the current integrated system. I have already highlighted

the point that some integrated schools use academic selection, which undermines the concept of integration. The current integrated system is also the lowest-performing when it comes to educational outcomes, whereas the maintained sector is the highest-performing.

The important people in the debate are not so much those of us sitting in the Chamber, although many of us have children and make decisions about what school we want to send them to; the important people are the parents who are thinking about the educational opportunities that they can provide for their children. I appreciate and understand what the proposer said about the integrated sector being oversubscribed. That is also the case with the Irish-medium sector. Coláiste Feirste, which is the biggest post-primary Irish-medium school in Ireland, is absolutely bursting at the seams. There is a need for another post-primary Irish-medium school in Belfast, but that looks to be a long way off being delivered at the moment.

How would greater integration affect education outcomes? Do we have evidence that it would improve them or disimprove them? Those are the important questions that need to be answered.

**Mr Storey:** I thank the Member for giving way. The Member again conveniently forgets about the Northern Ireland Audit Office report. He talks about inequalities and blames everybody for the ills in society, including the British Government and probably the famine, but more than £100,000 — millions of pounds, in fact — was spent on interventions, and the Audit Office has said that those have not changed anything. Something is fundamentally wrong that you cannot blame on academic selection or unionist politicians.

**Mr Sheehan:** The evidence against academic selection is absolutely overwhelming. No other area of public policy has as much evidence stacked against it. I know that the Member is a great advocate of academic selection, but his position goes against all the evidence from the OECD, the Children's Commissioner, the Equality Commission, the Catholic hierarchy and so on. That is to name but a few, and you will know that the list is long, Mervyn. I say again that the evidence is absolutely overwhelming. Whatever type of education system we have, we will have difficulties until we sort out that issue.

The Integrated Education Bill requires significant changes. A lot of its language is positive, but other parts require clarification and need to be teased out. For example, the term

"promotion" is included with regard to integrated education. What impact does that have on other sectors? Does that disadvantage them in some way? I am not sure that that would be good for other sectors and therefore good for our education system in general. There is also the presumption that any new school must be an integrated school except in special circumstances where it need not be. We do not have a definition of "special circumstances". We need to tease that out. The Bill says:

*"the religious demographics of an area or spare places in existing schools"*

cannot be used as a reason for a school not to be integrated, but we do not know what other reasons can be used. Those are important issues that we need to tease out.

I support the Bill going through its Second Stage, but it needs significant changes to make it fit for purpose. We agree that it should go through Second Stage so that essential improvements can be made to ensure that it is fit for purpose and that it does not disadvantage any section of our education system.

**Mr McCrossan:** As the SDLP spokesperson on education, I welcome the opportunity to contribute to the debate. I thank Mrs Armstrong for tabling the Bill.

The SDLP believes fully in integrated education and believes that more should be done to support and enhance our integrated education sector. We have concerns about the Bill in its current form, and we will work carefully with colleagues across the House to ensure that it becomes fit for purpose as it proceeds.

When Mark Durkan was Finance Minister, the SDLP increased the education budget generally for three years running, and, in cooperation with the then Education Minister, Martin McGuinness, made specific provision for an uplift in resource to integrated education. The rationale was that we needed to make integrated education a more real and viable choice for parents. We need to invest more in integrated education. Despite having come some way with provision here, having 65 fully integrated schools and another nine in the pipeline, we have not come far enough.

This is part of a wider debate. Whilst integrated education is important, there is other work to be done on integration and a shared future on shared housing, shared sport and shared social pursuits. There is no point in having integration in schools but not in other places. We can educate children together, but they live apart.

We need to deal with the housing issue in many parts of Northern Ireland.

It is important to recognise the valuable contribution that all education sectors made towards promoting peace and reconciliation over the troubled years of our history and acknowledge the work of schools through the education for mutual understanding (EMU) programme, which, from the early 1990s onwards, resourced schemes to bring children from different schools together to share educational and social opportunities. In more recent times, that work has been targeted more precisely and advanced by the shared education programme endorsed by the Executive Office. The integrated sector has, of course, made an important and valuable contribution throughout that time.

Integrated education has existed here since 1981 and the formation of Lagan College, and it has produced some positive outcomes. Thirty years later, however, it is disappointing that only around 7% of our population attends integrated schools. That is despite the benefits of integrated education having been well documented for decades and the fact that it has helped us move forward and towards peace by reducing prejudice and widening friendship networks among all our children.

### 3.15 pm

Like many Members, I have seen some great work being undertaken in the integrated sector. In my constituency of West Tyrone, Drumragh Integrated College is one such example and has been a beacon of top-quality education in the wider Tyrone and Omagh areas. It provides an outstanding resource and service for many local children in my constituency. It is a school that I have visited on many occasions. There are countless other integrated schools across the North that also deliver first-class education for their pupils.

The SDLP is broadly — broadly — in support of the Bill brought forward by Mrs Armstrong. We generally accept her claim that not enough children who want integrated education can get places in integrated schools because the sector is much too small. That has to change if this society is to move forward. Mrs Armstrong also claims that the problem is particularly bad at post-primary level, and that around 20% of children seeking post-primary places in integrated schools are not successful because the existing integrated school estate is too small. I agree with her on that point. In that context, there is a need to create a level playing field for the integrated sector by ensuring that

children are able to get into their school of first preference. However, it is important to note that any change cannot happen overnight and that, to put it very simply, there is not a one-size-fits-all fix to the problem.

Our priorities should be the quality of education provided and how that can be done sustainably without the need for school closures or any decision that has a hugely disproportionate impact on parts of our society. Completely abandoning our faith-based schools or Irish-medium schools is not the way forward. I must reinforce that very strongly. I shared those concerns with the Member when we met. She was very kind to meet us and give us a heads-up, but I have very clear concerns on that.

**Mr Storey:** I thank the Member for giving way. I am glad that he has, at last, come off the fence, because, for some time, I wondered where he was going. Is he in favour of the Bill or not? As someone who values the controlled sector and the maintained sector, does he genuinely believe that there are no concerns and that there are no issues in the Bill that will have massive financial, practical and legal implications for those sectors, including the Irish-medium sector?

**Mr McCrossan:** It is ironic to hear a DUP Member talking about sitting on the fence, given the previous Minister's reputation in the House on dealing with education matters during a crisis. Thank God that we now have a new Minister, who hopefully will not sit on the fence.

The points that you made about concerns around CCMS and the controlled sector are absolutely right. I am a product of the controlled sector. I went to a controlled primary school. It has shaped me in a very positive way. I went to school with other children, and I did not care what religion they came from. There was a natural integration in that school, and I am a product of that. I benefited from it, and I cannot sing enough praise of the controlled sector. Equally, when I went to secondary school at Holy Cross College, I had a different experience. We must value the work that is done in these schools and these sectors.

I do have concerns about the Bill; I will not stand and say that I do not. I absolutely have concerns about the Bill, and it needs to be shaped. However, we have to recognise that we need greater integration of children in education, and that it needs to happen sooner rather than later. That is roundly where I am at. We will work with the Member to do what we can to shape the Bill and — to steal Mr Sheehan's phrase — make it fit for purpose. I

will not stand up and say that we are against the Bill. There is something here. I have a lot of concerns about many things in it, but we want to work with the Member to shape it.

The Bill places a duty on other educational bodies to promote integrated schools, including the Department of Education, the Education Authority, CCMS, the Youth Council and CCEA. Whilst that seems attractive on the face of it, Mrs Armstrong needs to explain how the responsibility of that duty to promote will work with the existing responsibilities that those organisations have towards their own sector. That is where this gets quite complicated, in my opinion. The idea, therefore, requires careful consideration and consultation — quite a lot of consultation — with all sectors. We look forward to supporting that process. It is a vital process that needs to happen.

Clause 7 requires all new schools to be integrated unless there are "special circumstances". Mr Sheehan also made this point: those "special circumstances" are not expressly specified in the Bill. More work — much more work — is needed to clarify that at Committee Stage should today's Second Stage be agreed.

The Bill also addresses a number of other issues. It proposes developing an integrated education strategy with mandatory reporting by the Department of Education, including on how the Department, the Education Authority, CCMS, the Youth Council and CCEA have performed their functions in respect of integrated education. The Bill also provides for training in diversity at initial teaching training (ITT) and continuing professional development (CPD) levels, including with other school staff and governors. Again, we have no issue with that. Finally, it proposes inspections of integrated schools by the ETI to ensure that they are upholding their integrated ethos. However, there is a need to clarify some of the language that is used in the Bill and define how it will work in real terms. That is where a lot of the focus needs to be.

As stated earlier, the SDLP broadly supports the Integrated Education Bill. However, we believe that many of the issues that arise from the application of the provisions of the Bill need further clarification and work. We would welcome the opportunity to discuss and debate the provisions at Committee Stage, where the Bill should receive considerable scrutiny to ensure that it is shaped properly and where members of the Education Committee can thrash out any problems.

Although I broadly support the Bill, I was concerned when it was tabled. We have had much discussion in the House about the independent review of education. We support that and most — probably all — Members support that. Therefore, it is disappointing that we have that review coming down the tracks and we have the Bill. I would rather that we had waited until the independent review of education had happened before the Bill was introduced. The Bill pre-empts some of the outcomes of the review. We will have to wait and see what the wider review throws up, but I fully support the review, and I do not see why the Bill has come first. I say that openly and honestly. I ask Ms Armstrong to explain how the Bill will fit with the review to which all parties committed in New Decade, New Approach and the majority view of the House that the transfer test needs to be replaced with a fairer system.

Notwithstanding those concerns, the SDLP will support the Second Stage of the Bill, and it looks forward to considering the details at Committee Stage. The Bill needs considerable work; I cannot put it any other way. I understand what the Member is trying to achieve, and, for that reason, I broadly support it, but I have considerable concerns about some of the details and the problems that could arise for other sectors that are doing invaluable work in supporting our children and teachers and providing a first-class education service for so many. We are up for the discussion and debate and to shaping the Bill, and we look forward to moving forward with it. We will vote to agree the Bill's Second Stage today.

**Mr Butler:** The Member from Strabane — Dan from Strabane — said something that triggered something in me. I want to address it now in case I forget to pick up on it later. The independent review of education will possibly be the single biggest transformation opportunity for education and will, perhaps, encompass and embody all the issues and wrinkles that need to be ironed out across the education system. That is an important point. The Member is absolutely correct: had that review been rolled out before now, perhaps the Member from Strangford would not have needed to pop the Bill in front of us.

Like the party opposite, the Ulster Unionist Party will support this stage of the Bill, but with serious health warnings. The reason for that, with regard to the independent review, is whether anybody here could, hand on heart, say that they trust these institutions to be standing next year or the year after. We have just gone through a period of three or four weeks when one of the two parties that sit

opposite each other to my left made one or two veiled threats to bring the institutions down. That should not stop us from taking every opportunity to legislate or make things better, whether through legislation, regulations or amendment.

If this were the final iteration of the Integrated Education Bill and this were Final Stage, the Ulster Unionist Party would not support it. I need to be really clear about that. I have spoken to Kellie at length about the Bill. I believe that the intention is good and if, as Mr Sheehan said, we reached out and asked individuals and parents whether they support integrated education, the answer would be a resounding yes. Parental choice needs to be listened to and upheld. However, that is not reflected in certain aspects of the Bill, and I will get to that. Regarding parental choice, the Member raised the issue of academic selection, and, although I am not a champion of it, we saw the problems this year from acting too soon. Twenty-five thousand pupils transferred to year 8, with the parents of more than 14,000 of them choosing academic selection because it is the system that we know. If we are serious about parental choice, we have to encompass it in every conversation, even the painful ones.

**Mr Sheehan:** Thanks for giving way. That is where the Member is mistaken. The parents or the children do not select the schools; the schools select the children on the basis that they are the cream of the crop. That is what academic selection is about.

**Mr Butler:** I thank the Member for his intervention. If he is speaking to the children and parents who are suffering because they had a seven-year contract — from P1 to P7 — and were let down last year, I am sure that that would be of great comfort to them.

**Mr McCrossan:** I thank the Member for giving way. I think that you will find that the children who have been let down are those who have been in tears for much of this year as a result of the failure of those in positions of leadership to act sooner. The previous Minister did not act quickly enough on that; he should have acted a lot sooner. Does the Member agree? Does he also agree that the transfer process is not fit for purpose in its current form and that that is not news?

**Mr Deputy Speaker (Mr Beggs):** Can I bring the Chamber back to the Bill?

**Mr Butler:** Yes, absolutely. I can see the Member for Strangford getting a bit frustrated,

and, to be fair to her, we need to bring the debate back to the Bill. We do not agree on this, guys: we put it around the Committee for a while. I am sure that we will learn from this experience — everyone of us — and put the kids first this year. I will not take any more chuntering on that if that is OK.

We do not support the Bill in its current form; I do not think that any party here would. However, as I said to its sponsor, the intent is good and, with certain tweaks, it could be transformed into a useful Bill.

I am also a product of the controlled sector. Some of the Bill's provisions rankled with me. Its purpose is to educate our children together, perhaps to make them more rounded beings, but I suggest that I am pretty rounded. I think that it was Carál Ní Chuilín who said a few weeks ago that there is not a sectarian bone in my body. I hope that everyone picks up on that. Perhaps what we are trying to fix is not the fault of our education sector; it is how we are, it is how we communicate, it is part of our environment. However, educating children together, in whatever form, is a component part of making things better in Northern Ireland.

To go back to what I said at the start, the rationale exists for exploring every opportunity to integrate and bring our children together for educational purposes. My party's mantra is to try to create a Union for all. I had a little chuckle with the Bill's sponsor that if we got this right, it would probably add to the ethos of my party. I talk to my party colleagues, and the Chair of the Committee would join us on this, about the Fair Employment and Treatment Order (FETO). We have so many inequalities, not just regarding our children but our teachers. Our teachers are trained in two separate colleges, and then there is an obstacle to employment opportunities for them. We need to see that removed as well.

As I said, the Bill, in its current form, speaks unkindly, although perhaps not intentionally, of the controlled and maintained sectors in particular; even the Irish-medium sector misses out a little. In its current form, the Bill goes beyond its intent. It contains the instruction to "promote" — something not afforded to any other sector. The Bill's sponsor will say that it uses the word "promote" in reference to shared education, but shared education is not a sector; it is an ethos and a principle. The maintained and controlled sectors do not have the opportunity to promote what they do. If we are trying to create a level playing field, we can do that by amending or removing certain clauses. For instance, clause 4 needs to be amended to reflect that.

Clause 3 seeks to provide a consultative element not afforded to any other sector.

It is a bit like offering a section 75 element, if you like, to one sector. In my reading and without further explanation, it seems to say that any decision made by the Department will have to pass through a consultative body like the Northern Ireland Council for Integrated Education (NICIE). That is not stated, but it could be NICIE. However, that facility is not afforded to the controlled sector or the maintained sector. That is the elevation of a sector. I know that that is not the sponsor's intent, but that is why we need to be clear when we bring potential legislative changes to the Committee and then through further legislative stages — so that we get it right.

### 3.30 pm

I am sure that some of you guys were there when we were doing NDNA. It was an interesting time down at Castle Buildings. I heard the phrase, "Let's return to the spirit of the Good Friday Agreement" many times. It sounds great. Unfortunately, none of the authors of the Good Friday Agreement was there, and the spirit of it meant a different thing to each of us. We need things to be codified and written down so that they are not left to the interpretation of someone who follows. That is why we need to amend or remove clause 3.

Arguably, the meaning of "promotion" in clause 5 could be seen to be against parental or community choice. It needs to be changed. The addition of factors that cannot be used as an objection to an integrated school means consulting the community and parents on the type of school that they want while saying to them, "It cannot be based on the demographics, and it cannot be based on empty school desks".

We know that the Assembly Budget is huge; it is massive. The Education budget, at £2.3 billion to £2.4 billion a year, is the second biggest departmental budget. In some ways, parts of the Bill are contradictory. Clause 2(b) specifies as a purpose of integrated education:

*"to promote the efficient and effective use of resources".*

However, if, for whatever reason, you go past a school that has empty desks to build another school when you could fill those desks with pupils, I will argue that that is not a good or effective use of resources. We need to make sure that other clauses in the Bill do not contradict that one.

Clause 7 — the sponsor will know this already — is perhaps most significant among the issues that my party and I have. In its current form, it has to be removed; it is as simple as that. It just cannot float. There cannot be a presumption, without consulting the community, to put a name on a school, whether that be maintained, controlled or integrated. If the intent is a level playing field, we can deliver that. We all should put our shoulder to the wheel to deliver it. In its current form, however, it lifts integrated education. It would tell every child in this country that integrated education produces a slightly better pupil, maybe not academically but in the more rounded sense, but it does not. It absolutely does not. It produces every bit as good a pupil as a maintained, Irish-medium or controlled school. That is just the nature of —.

**Mr Weir:** I thank the Member for giving way on that point. The Member mentions the signal or impression that it sends to pupils, but it also sends a signal to parents that, by choosing one route as opposed to a range of other routes, whether controlled or maintained, they are somehow making a superior choice. That seems to devalue the rights of parents who may say, for instance, that they want a faith-based, maintained Catholic education for their child. It creates a sort of moral hierarchy of school choices.

**Mr Butler:** I thank the Member —.

**Mr Lyttle:** I thank the Member for giving way. Much has been made of moral choices. Does the Member agree, as the Department of Education has stated, that the education system in Northern Ireland is in financial crisis? Does the Member accept that separation in our education system in some way contributes to that financial crisis? If, indeed, he objects to the proposals, does he have alternative proposals to support a more integrated, sustainable approach to education in Northern Ireland?

**Mr Butler:** Absolutely. The Chair of the Education Committee may be picking me up incorrectly. There is an independent review of education that will address that point. Every one of us recognises that the independent review will do that. To be fair to the Chair, the purpose of the Bill is not to save money. It is not about filling the empty seats. That is not its purpose, so I am not sure of the point that he is making. Part of the Bill does talk about efficiencies, but it also talks about empty desk spaces not being a justification for not building an integrated school.

This goes to the heart of what we are talking about. Every one of us wants to deliver for our constituents, and we listen to our constituents. That is why parental choice is incredibly important. We also need to ensure that each of the sectors is upheld. The promotion of one cannot be done by putting another one down. We need to pull them up together, and we can do that with the Bill. I have no doubt that the integrated sector needs something. It needs to be brought on to a level playing field with the controlled and maintained sectors, but, unfortunately, the Bill would elevate it above them.

To go back to Mr Weir's point, Northern Ireland is a place in which we need to be very careful. This is me getting a bit preachy now. We run about using labels. Some of them are unionist labels, some are nationalist, some are republican, some are loyalist and some are neither, other or whatever. The thing is, however, that all those wee labels should be smaller than the reason that we are here to legislate, which is to look after everybody in Northern Ireland and to do our very best for them. Education could fall into the same trap. We see that, to be fair. I suffered from it. I did not go to a grammar school, and, to be honest, a little bit of me felt that I was less than. You may think that I am totally for the transfer test, but, rather, I am for something better for our children. That may be something akin to the current system, or it may not. The independent review will pick that up. It is the same with the Bill: in its current form, it elevates one sector above the others and says that it will be treated a bit better, although that is not its intent.

Suffice it to say, the Ulster Unionist Party intends to work with the Member on the Bill in Committee. Individuals in the party will possibly table amendments to it. We accept, however, that the intent of the Bill is good and that there is scope to do something with it, so we look forward to further developments.

**Mr Storey:** I declare an interest as a member of the board of governors of Ballymoney High School, William Pinkerton Memorial Primary School in Dervock and Ballymoney Independent Christian School, albeit the last school does not receive one penny from the Department of Education. When my wife and I, as parents, made a choice to send our children to that school, we were happy to make that choice and to pay for making it. A lot of Members talk about having choice, but that is as long as somebody else pays for it. I have listened to Members pontificate about academic selection, yet some of their party colleagues and perhaps even they themselves are happy

to have been the beneficiaries of academic selection, including our Finance Minister. It is all very good to come to the House, read the script and give the party line only to make, when you go outside, a choice that it is the right one for you. Sometimes, pragmatism takes over from principle. Some Members need to be reminded of that.

It is said that all good sermons should have three points. Mine must be not be that good, because I have four. I will look today at the context and at consultation, both of which are important. I will speak a bit about the Bill's implications for the controlled sector and, at the end, about concerns.

Not for the first time, one of the Members opposite, Mr Sheehan, and I have locked horns. We have done so in the Chamber on many days, and I have no doubt that we will do the same again. I was interested to read an article by Tony Gallagher. Nobody can question the ability and knowledge that Tony Gallagher brings to debates on education. He wrote a report in 2013, and Mr Sheehan made a point about context and about history.

In the year that it is, this centenary year of Northern Ireland, while others might want to be disrespectful to it or deny that it is here, we are glad that we are celebrating 100 years of Northern Ireland. Tony Gallagher said:

*"There were attempts to encourage a multi-denominational common school system in the 1830s when the national system of schools in Ireland was being established, and in the 1920s when the schools' system in Northern Ireland was being reorganised in the aftermath of partition. However, the Churches always maintained close control on schools and thus they have always had a denominational character. Thus, for example, from the 1920s onwards the authorities of Catholic schools were never prepared to countenance handing their schools over to public ownership in Northern Ireland (as had happened in Scotland in 1918)".*

The Bill wants the maintained sector to come under the control of the Bill, but I have no doubt that there will be serious questions asked by CCMS, the trustees, the Catholic bishops, the controlled sector support body and many others about what really is going on here.

It is interesting how we have come to this point about integrated integration. I will list the documents that have had a bearing to a lesser or greater degree on the debate on integrated

education: the Belfast Agreement, 1998; 'A Shared Future' by the Office of the First Minister and deputy First Minister, 2005; the programme for cohesion, sharing and integration, 2011; the draft Programme for Government, 2011; the review of public administration, 2002; the 'Independent Strategic Review of Education', known as the Bain report, 2006; the Education (Northern Ireland) Order 2006; 'Towards a culture of tolerance: Integrating Education', 2007; 'Every School a Good School - a policy for school improvement', 2009; 'Schools for the Future: A Policy for Sustainable Schools'; 'Community Relations, Equality and Diversity in Education' 2011; 'Putting Pupils First: Shaping Our Future'; area planning guidance; and the Education Bill. Those have all dealt with the issue of integrated education but not enough. It is never enough.

**Mr Lyttle:** A paper is not implementation.

**Mr Storey:** Does the Member say something from a sedentary position?

**Mr Lyttle:** I appreciate the Member giving way. Respectfully, I presume that the Member will accept that a report is not implementation. Indeed, in citing the amount of reports that have recommended implementation on integrated education, does the Member not take a red face at the lack of delivery of those recommendations?

**Mr Storey:** Many things embarrass me but not failed policies that have emanated from a lot of those. For most of those, it was a Sinn Féin Education Minister, which we had for 10 years.

A lot of people come to the House and talk about equality, whatever that means. It all depends on what the issue is and what suits you, but let us remember the 1989 Order that was changed. It placed a duty on the Department to encourage and facilitate. I think that Mr Butler made reference to that. It placed a duty on the Department for only two sectors in Northern Ireland: Irish-medium and integrated.

As a member of a board of governors of a school, of two schools, of three schools — well, two that receive public funding and one that does not get a penny — I pay tribute to all our teachers, all our boards of governors and all staff in all our schools, whatever the title is above the door. I am sure that, when they listen in to the debate, they will say, "There they go again". We have a system that, yes, is under strain, but, in all our schools, whatever their title and whatever their description, there are those who give unstinting service to our young

people. It would be remiss of us not to pay tribute to that today, given all that they have had to endure in the weeks and months that have gone before. That is the context of how we got here.

**3.45 pm**

Let us look at the consultation. My colleague Mr Newton referred to that. I have a private Member's Bill on carers. The process has been arduous and long, but we have endeavoured to consult as widely as we can, in a number of formats, those who will be first and foremost affected by the legislation. Today, the proposer of the Bill tells us, "Well, we spoke to them in 2017". I am sure that the world has not changed much since 2017. As my colleague, friend and former Education Minister Mr Weir pointed out, the Bill has implications for those organisations, but it is "Let us not speak to them. Let us not consult them. Let us wait until they write to us". I say to the proposer of the Bill and to her colleague in the Alliance Party: at least have the courtesy to consult the organisations that are legally implicated in the Bill.

Of course, it is not the first time that the Alliance Party has wanted to do things without consultation. It is clear that the Member for East Belfast wants to take from —

**Ms Armstrong:** On a point of order.

**Mr Deputy Speaker (Mr Beggs):** Has Mr Storey finished?

**Mr Storey:** No. I thought that the proposer said, "On a point of order".

**Mr Deputy Speaker (Mr Beggs):** Sorry, I did not hear it. Is there a point of order?

**Ms Armstrong:** There is. The Member is diverging far from the Bill. I ask, Mr Deputy Speaker, if we could come back to the content of the Bill. There are many Members to speak.

**Mr Deputy Speaker (Mr Beggs):** I thank the Member for her input, but I, in my role as Deputy Speaker, will take that decision.

**Mr Storey:** Thank you, Mr Deputy Speaker.

The Member for East Belfast would like to take representatives of the transferors off boards of governors. Let us remember that the proposer of the Bill, in her opening comments —

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

**Mr Storey:** Yes.

**Mr Lyttle:** What, precisely, is that based on? Evidence?

**Mr Storey:** Are you denying —

**Mr Deputy Speaker (Mr Beggs):** Order. I am not sure that that is anywhere in the Bill. I urge the Member to come back to the Bill.

**Mr Storey:** I will come back to the Bill and the issue of consultation. The proposer —

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

**Mr Storey:** Yes.

**Mr Newton:** The Member makes some valuable points. Is it not also going to the heights of hypocrisy for a party to sign up to 'New Decade, New Approach', the document that is supposed to be taking the Assembly forward, specifically to the establishment of an external, independent review of education provision, and, before the members of the panel are even appointed, to introduce another initiative to undermine 'New Decade, New Approach'?

**Mr Storey:** I thank the Member for that, and I concur with his comments.

What sometimes drives Members is that their position is more important than anybody else's position. It is not that many years ago that the Alliance Party had a poster that said, "Let's pull together. Let's not pull apart". Clearly, it wants to pull the educational system apart and drive a coach and horses through our current system. That is the implication of the Bill.

A warning needs to go out to our school system today about the import of the Bill. The support for the maintained sector in the House today has been deafening. At least Mr McCrossan got off the fence eventually, but his silence has been deafening. They say, "Oh, but we like to hear what all the other schools want to do, but". The "but" is always important in getting to the nub of where you are.

Let me deal with consultation. I want the Member to explain what she said. She talked about a "partisan board". What does the Member really mean? What is she implying? Is she impugning members of boards of governors who voluntarily give of their time and expertise to serve on boards of governors of schools? How are they partisan? Are they partisan

because they have particular religious or political views? Are they partisan because their view is that they are there to serve the best interests of the school, which is more likely to be the case? The Member needs to give us an explanation in that regard.

I move on to the controlled sector. Maybe I am not the best example of a product of the controlled sector, but Army Primary School and, I trust, Ballymoney High School or the intermediate school, as it was then, gave me some of the skills that enable me to do the job that I do in the best way I could. However, the Bill is being presented as though every other sector has not been involved in being integrated and has failed. Dalriada School in Ballymoney in my constituency has, probably for many years, been one of the best examples of an integrated school even though it does not have "integrated" in its title, but the Bill says, "That's not enough. You have to do more". The controlled sector is open to all; it does not say, "You're allowed, but you're not allowed. You can come through the door, but you can't come through the door". Let us look at the figures for controlled schools: 146,138 pupils attend controlled schools, which represents 42.5% of all pupils, and 49% of schools are controlled. However, the proposer of the Bill has not even yet spoken to the body that represents controlled schools. Of the pupils in controlled schools, 61% are Protestant, 10% are Roman Catholic and 29% are other. Almost 40% of newcomer pupils in Northern Ireland attend controlled schools, but that is not enough for the Bill or its proposer. You have to do more because you have to get "integrated" in the title.

Lest anybody thinks that I have something against integrated schools, let me take you to Ballycastle Integrated Primary School in my constituency. Not that many years ago, that school was facing a difficult and precarious future. It had gone down to something like 70 pupils. Today, it has almost — in fact, it may now be over — 200 pupils. It is bursting at the seams. Is that because it has "integrated" in its title, or is it because it is a good primary school that provides a high standard of education for those pupils? I urge the Member to engage with the controlled sector, given that it has 50% of schools.

Clause 1 refers to:

*"those of different cultures and religious beliefs and of none, including reasonable numbers".*

What is "reasonable numbers"? Is it 10? Is it 100? The Member has a duty to explain to the

House what she means by "reasonable numbers".

I am glad that the Education Minister is here. I ask her to take this away and, at some stage, inform the House about it. When the 1989 Order was enacted, it referred to the "reasonable numbers" of pupils in a school. Then, it seems, there was a shift, not legislatively but in practical terms, because we ended up in a situation where, to all intents and purposes, it was probably deemed to be 50:50, but we could not get 50:50, then we started to talk about 70:30, and then it moved to 40:40:20, and now it is whatever is reasonable. I ask the Education Minister to do a timeline of legislative provision and practice in the Department that has led us to a position where now, if you have only half a dozen parents who decide to raise an issue, you can change the long-term future of a school.

I do not want to step on any other Member's toes when it comes to their constituencies. However, look at post-primary provision in Blackwater Integrated College. There was a great surge to have that school opened, but now they want it to close so that they can move closer to Saintfield or Ballynahinch. It was not enough. There is an issue with how we come to the figures and what are "reasonable numbers".

**Mr Weir:** I thank the Member for giving way. There is a vagueness of the phrase "reasonable numbers", which the Member has highlighted. It also shows up the muddled quality of the Bill. While it talks about "reasonable numbers" of the two main communities in clause 1, it goes on, in two specific areas, to say that, effectively, when looking at integrated schools or the creation of a new school, there should be an absolute disregard for — indeed, a prohibition on — looking at the religious demographics of an area. If, for example, a new primary school is established in an area where, because of the housing around it, it is overwhelmingly of one community or another, how is that to be balanced with the requirement to have reasonable numbers of a mix of Protestants and Roman Catholics? That seems to me to be a contradiction in the Bill.

**Mr Storey:** I thank the Member for that intervention. That brings me to an allied issue specifically mentioned in clause 7, where the Bill proposes that

*"When planning for the establishment of a new school, education bodies must"*

— not "may", but "must". One of the few benefits of being around this place has been that we have all come to realise that these pieces of paper are more important than Members' private motions, which we used to spend our time debating but were not worth the paper they were written on. This clause makes changes, and it has implications. Clause 7 says:

*"education bodies must apply a presumption that it will be an integrated school unless that would be inappropriate by reason of special circumstances."*

So, you would assume that those special circumstances would be listed. Well, they are, but it is the exclusion. Clause 7(2) says:

*"The following are not to be treated as special circumstances for the purpose of rebutting the presumption in subsection (1)—  
(a) the religious demographics of an area;  
(b) the existence of spare places in existing schools."*

What, then, are the special circumstances? Is it the case that what is really wanted here is more new schools to facilitate those that are currently integrated and are oversubscribed and, therefore, that will be the means whereby people will get their new schools? It is time for openness and transparency on that issue.

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

**Mr Storey:** Yes, I will give way.

**Mr Allister:** Before the Member leaves clause 7, are we not faced in clauses 6 and 7 with one of the most astounding propositions in the Bill? Clause 7 puts an imposition, when planning a new school, on "education bodies" that they "must apply a presumption".

Education bodies are defined in clause 13 as including the Council for Catholic Maintained Schools. If and when the Council for Catholic Maintained Schools comes to planning a new school, as an education body, it must presume that it will be an integrated school and plan for that, making a total nonsense of the very idea of having and maintaining viable maintained schools. The elitism — the supremacy — of the legislation is breathtaking.

4.00 pm

**Mr Storey:** That has been borne out — I will not name the schools — in some areas where there have been proposals for the amalgamation of schools. When the integrated sector — that is what it is: it is a sector; the same as the maintained, controlled and Irish-medium sectors — comes to the table, it demands that any new provision has to have integrated in its title. There is no working together. There is no recognition of the benefit of a number of schools coming together. No, it makes demands.

I contend that the Bill goes even further than what the Member said. Look at the regulations set down in clause 10, which states:

*"The Department of Education must"*

— again, note that it says "must" not "may" —

*"make regulations supplementing the provisions of this Act."*

Subsection (j) states:

*"provision designed to encourage and enhance coordination and collaboration between public bodies".*

It is not just education bodies but public bodies. I assume that that includes the Department of Health and other public bodies, but, as the Member indicated, those are not specified in clause 13, which comes under the heading of "Interpretation: general".

Clause 10(2)(j) goes on to say:

*"collaboration between public bodies providing services in relation to integrated education".*

What happens if there is a failure on the part of a public body to comply with that regulation and the regulations supplementing that provision of the Act? Will there be a penalty? Will there be a sanction? Will a public body, for example, not be able to tender for a contract? How do you demonstrate compliance? How do you prove it? How do you show it? Those are some of the many questions that remain unanswered.

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

Then, we come to clause 11. In clause 11, we have the issue of guidance for the other bodies, which, as the Member highlighted, are set out in clause 13. Clause 11(2) states:

*"An education body, and any other public authority with functions relating to education, must have regard to any guidance issued under subsection (1)."*

We have gone beyond the confines of the school and are now in the confines of the community. I have to say that the more that you read the Bill, the more that you become concerned that it is about putting into legislation a sector that tells us, "In all the public surveys that are carried out, 70% or 80% of people are for integrated education but less than 10% send their children to an integrated school". When you fill in a form that asks, "Would you do that?", it is all very well saying, "Oh yes, I would do that". However, when you have to make the choice, that choice is governed by one thing: the quality of the education. We see it more and more in our education system, where parents from different communities are now prepared to send their children to other schools, irrespective of the sign on the door. Do you know why? It is because parents want good-quality education for their children. Sadly, this Bill will create more division and more concern and place more financial impositions not only on education but on other public bodies at a time when we all know the pressures on our public finances.

Those are just some comments. I have no doubt, Mr Deputy Speaker, that we will return to the Bill in the weeks ahead, when there will be much more to say.

**Ms Brogan:** I welcome the opportunity to speak in the debate. It has been very lively so far.

The Bill's key aim is something that we should all be able to support, and that is the intention to promote, protect and improve:

*"an ethos of diversity, respect and understanding".*

That is what the Bill states, and it goes on to identify diversity as being:

*"between those of different cultures and religious beliefs and of none, between those of different socio-economic backgrounds and between those of different abilities."*

That is a sound basis on which any society can build. The Bill deserves consideration, and that is why I will support its getting a Committee Stage. There are weaknesses in it, however, and we will need to address them if it gets to Committee Stage.

This is a good opportunity to recognise the great work that our schools have already undertaken. Many already offer excellent education outcomes for our children, and they do so by having an ethos of respect, mutual understanding and social justice. Amongst them are non-selective, all-ability schools.

It is important to recognise that, across our schools, a great deal of good and progressive work is already under way. It is important to note also that sectarianism is a historical and political problem, not an education one. Indeed, during many difficult times, our schools have provided an escape for children. They have been a place in which young people could grow and flourish. In the past, schools offered one of the few spaces in a hostile, mono-identity state in which the Irish identity could be recognised and respected.

Particularly in the wake of the current pandemic, we look to schools to deliver well-being, to support the mental health of our children and young people and to aid recovery following the hardship of lockdown. Appalling statistics on the sexual harassment of girls have recently come out of England in an Ofsted report and in a report from the Girlguiding charity. We look to our schools to provide modern and meaningful relationships and sexuality education that also delivers respect and understanding of diversity.

Only 7% of children currently attend integrated schools, so there is certainly room for growth. Choice, including parental choice, is important, and parents who wish to send their children to an integrated school should be supported. At the same time, respect for diversity includes recognition of faith-based schooling as a valid choice.

We should recognise the aspirations of the Bill and give it a fair hearing. We should work together to identify any difficulties in it and seek to overcome them. I support the Bill's passing Second Stage.

**Mr Harvey:** I welcome the opportunity to comment on the Bill at Second Stage. We can all appreciate the importance of educating our children and young people in a shared and integrated environment, both for future societal benefit and for individuals' personal development. The Assembly has made that aspiration clear in the past, and the Executive have already begun work to bring it to the fore. As we seek to roll out New Decade, New Approach, we should be mindful of what was agreed on education. NDNA provided a series of commitments designed to advance and

support the education of children and young people from different backgrounds together in the classroom, in an effort to help build a shared and integrated society. The Executive have already set the terms of reference for an independent review of education, as promised in NDNA. An interim report will be available 12 months after the panel commences its work, and I look forward to its publication. It is important that we give time and space for that work to be completed, and that we use the review to inform our legislative thinking on education for the future. It is with that in mind that I turn to consider the private Member's Bill.

I am an advocate of shared education. We must remember that many of our schools in the state sector provide shared education and have done so for many years. Indeed, the majority of those educated in a state grammar setting are educated in a mixed environment. That is a situation that has been produced over time, without coercion or promotion of any kind. Often, due to the single identity and demography of local communities, some controlled schools serve a, largely, Protestant catchment, but it is important that we acknowledge that Northern Ireland does not have a Protestant sector in education. The state-controlled sector is open to everyone, and that is how it should be. An open and inclusive, fully cross-community, controlled sector is something that should be promoted, encouraged and celebrated.

However, I have concerns in relation to the route map provided in the Bill to achieve a shared educational system. One issue that unites many when considering education provision is that of parental choice. Parents and prospective pupils vote with their feet, not only in respect of the choice of school but their preferred educational sector. That is not something that will change overnight. Many Catholic parents, for example, will continue to seek a Catholic education for their child. It is in that context that I consider the implications of clause 7, for instance. The clear presumption towards only the integrated sector for new schools pays no cognisance to parental choice, let alone the practicalities of community identity and demographics. No doubt, that will undermine the area-planning process for schools.

We are all acutely aware that the Department is under-resourced, financially. The outworkings of the Bill would further exacerbate that. Current levels of financial allocation would need to be redirected to facilitate the practicalities of promoting the integrated sector, and that would, inevitably, have an adverse effect on others.

Whilst our party wishes to see increased shared education across all education sectors, we want to ensure that there will still be equality of treatment for every sector. The Bill would prioritise integrated education above all other educational sectors, be they controlled, maintained or Irish-medium. Surely, our aim and determination must be to ensure that opportunities and educational outcomes improve across every school and every sector in every part of Northern Ireland. We should always be striving to deliver even better results for pupils and learners. Whilst I am happy to support the concept of integration, in an educational setting and within the wider community, I do not believe that coercion will achieve that aim. The outworkings of the Bill will have a profound effect on how education is provided across Northern Ireland.

The independent review of education is about to commence. Jumping the gun on its findings could prove a very costly mistake for the Assembly. Members need to fully consider what the implications of the Bill will be, should it receive legislative effect.

**Mr O'Dowd:** I welcome the opportunity to speak at this stage of the Bill. As Mr Storey has pointed out, integrated education already has legislative protection. It and the Irish-medium sector enjoy that protection. That protection to encourage and facilitate has meant that the Department of Education has had to carry out a number of functions, including the funding of NICIE. The first thing that I say to myself is this: if the Bill passes, there will be no need for NICIE, because the Department will have fulfilled its statutory duty to encourage and facilitate.

When I read through the Bill, the question that constantly comes into my mind is this: why has NICIE not been doing that, and why has NICIE not been held to account for not doing that? The budget given to NICIE by the Department of Education is around £700,000 per year; I am willing to be corrected on that figure. That money is to ensure that NICIE encourages, facilitates and promotes integrated education, though there is no statutory duty on the Department to do that, and engages with communities and schools that wish to transform, or have transformed, to integrated status.

**4.15 pm**

While it is in my head, it is also worth noting that many of our integrated schools do not meet the criterion of a 70:30 mix, as set down. In fact,

if the Department of Education were to implement that policy thoroughly, a number of our integrated schools would be in serious difficulties.

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

**Mr O'Dowd:** I will.

**Mr Storey:** I thank the Member for reminding us of that point. One of the challenges is that, in many places, parents are encouraged not to put down their religious affiliation on the assessment form but to put down "Other". There is a serious issue with schools that claim to be integrated but are not integrated because they do not meet the threshold. The figures bear that out.

**Mr O'Dowd:** The Member has put that on the record. I simply do not know whether that is the case.

What I do know is that the reason that I did not pursue that in my time as Minister was that I saw it as my duty to facilitate and encourage. Where schools were working towards integration, I was happy to facilitate and encourage that.

I will start my scrutiny of the Bill by saying that, while I know that clause 1 is a reference to other documentation, I find it offensive as a parent, a politician, a community leader and as someone who has gone through the Catholic sector. My parents chose a school for me not to keep me away from anybody. I chose my children's school not to keep them away from anybody. If I believed for one second that my children's school did not fulfil these criteria, I would whisk them out of it immediately.

Clause 1 states:

*"An 'integrated school' is a school which intentionally promotes, protects and improves an ethos of diversity, respect and understanding between those of different cultures and religious beliefs and of none, between those of different socio-economic backgrounds and between those of different abilities."*

Are we seriously suggesting that those schools that do not have "Integrated" above the door do not do that? Are we seriously saying that?

**Ms Armstrong:** No.

**Mr O'Dowd:** Well, then why is it in the Bill? Why is such a definition in the Bill? As a parent,

when I looked for a school for my children, I looked for a school that, one, was a good school, and, two, would teach them through the medium of Irish, as was my wish. I wanted my children to go to a school where they would be able to learn about their culture, their history and their community, a school that their neighbours go to and where they could make friends. I, and many other parents, are of the view that their children's school does exactly what it says in clause 1(2).

**Ms Bailey:** I thank the Member for giving way. I go into schools, and I have worked in schools. There is no doubt that preference and importance are given to schools that are driven by a religious denomination. We talk about respect, diversity and equality for all cultures and beliefs, but the system that we have favours one over all others. For example, when I go into Catholic primary schools, they have the Stations of the Cross around the walls and pop-ups of the Pope sitting at the front doors. On respect and diversity, surely that is the dominance of one over the other.

**Mr O'Dowd:** You will note that I did not include religion in the list of aspects that I was looking for when choosing a school for my children. Religion plays an important part in some people's lives and choices. I believe that religion should be separate from education. However, I do not believe that this Bill, or the current model of integrated education, delivers religion separately from education. As has been said by many Members, the current integrated movement is a Christian-based model. If you want to start an argument, put two Christians in a room. Straight away, you will get an argument over how to worship the same God. I do not accept that the model presented today will give a non-Christian ethos to our education system. Christianity is going to be promoted, whatever form that is in. I believe that education and religion should be separate. Religion should be studied as a subject that gives you a view of the world: of history, geography and a whole lot of one thing and another. I accept that people have deeply held views about it, but I think that that definition has to be looked at.

I will move on through the Bill. During Ms Armstrong's opening remarks, she said that it is not easy for a new integrated school to be opened. I agree with her to a degree, but let us look at the facts. If my memory serves me correctly, you need 15 pupils to open either an integrated or Irish-medium primary school in an urban area. In a rural area, you need 12 pupils. Neither the controlled nor the maintained sector can do that. In that respect, again, the

Department of Education has facilitated the growth of integrated education.

Ms Armstrong pointed out that, from the figures that she has, a significant number of pupils are turned away, particularly from post-primary integrated education. There is a way to correct that, which is the development proposal process, whereby, if a school is oversubscribed on a regular basis, it can bring forward proposals to increase its intake. There is the potential to do that and, when the Minister of Education examines such a development proposal, they will have a statutory duty to ensure that their duty to encourage and facilitate was taken into account. If they do not do that, they could be judicially reviewed — successfully, in my humble opinion — on that matter. That is another way for the integrated sector to move forward and develop, which begs the question: why is there a necessity for the Bill? Does the Bill give further advantage to the integrated sector over other sectors? I think that it does. I support the current status of encouraging and facilitating that sector, and I am not arguing against giving advantage to it, but the Bill goes too far. It sets the integrated sector on a different plateau from other sectors, and that may be detrimental to those sectors. Indeed, reading through the Bill, Mr Storey pointed out a few things, although I do not wish to agree with Mr Storey much more throughout the debate.

I will move on to clause 5: "Meaning of promotion". That currently falls into the role of NICIE. What is the purpose of having that clause? The "General duty" on other education bodies to develop, adopt and implement or revise strategies to take integrated education into account is a step too far. In fairness, Ms Armstrong has clarified what she means by "New schools", which is that it is not new builds at existing schools but rather brand-new schools. I again go back to my comment that that gives quite a significant advantage to the integrated sector.

I will move on to clause 8. There is quite a significant number of items in that clause. I have a question. Clause 8(2)(c) states:

*"include arrangements for full access for integrated schools to training and resources provided by the Education Authority and other services accessible by publicly funded schools"*.

Are they not already included? I ask that as a genuine question. Clause 8(2)(e)(i) states:

*"(e) include an action plan, which must—*

*(i) be prepared in consultation with persons with knowledge and experience of integrated schools including teachers, governors, pupils"*.

That is part of a strategy that the Department of Education has to develop. That goes back to my previous point that that is NICIE's job. NICIE should be doing that. Again, there is already a body set up to:

*"include measurable benchmarks against which the success of the strategy (including progress towards meeting targets) can be assessed"*.

I have no difficulty with biennial reporting.

Clause 10 sets out a wide range of regulations, some of which have far-reaching implications for public bodies. Mr Storey mentioned that as well. 10(2)(m) states:

*"provision designed to integrate assessment of demand for and supply of integrated education in systems for the planning and development (including housing development) or regeneration of urban and rural areas."*

That is quite a wide scope for a Bill. In fairness, when the public are asked, "Do you support integrated education?", the answer is this: why would you not? I support the principle of integrated education, but when someone puts legislation in front of me, I want to know exactly what each provision of that legislation will do. I ask myself, "Is the legislation necessary and what are its outcomes?". As I have said a number of times, this legislation has mission creep written all over it.

Ms Armstrong said that she is concerned that the NDNA commitment may take too long to deliver. Given the experience of politics here, that is a fair comment. It is still an NDNA commitment, however. In the agreement, there is a commitment to have an independent review, including of whether there should be a single education system. I want to see that report, and I want to see it in the context of inclusivity. That is my concern about the integrated education sector. It promotes inclusivity, but I know of only one integrated school that plays Gaelic games. There are very few that do. None promotes the Irish language. I will correct myself: I think that there is one. The identity in integrated schools is not neutral: in many of them, it is British. You can pay homage to the Crown but to no one else.

If the integrated sector is serious about respecting all identities, it will have to get its head around that. The reason that we have such a separated education system, dating back to the 1920s, is that the Catholic Church — and I am no defender of the Catholic hierarchy — took the strong view that, in order to keep Irish identity and culture alive in the partitioned state, it would have to have its own education system. After 100 years of partition, therefore, why would we say, "I will tell you what: we will forget about that. We will have an education system, under the Bill, that is neutral with a small 'n' — or, in my opinion, British — in its identity"? I do not object to a British identity, but I certainly want to see an Irish identity there.

The Integrated Education Bill requires significant changes to make it fit for purpose. We agree to the Bill proceeding through Second Stage so that essential improvements can be made to ensure that it is fit for purpose and does not disadvantage any section of our education system.

**Mr Deputy Speaker (Mr McGlone):** Members, it is clear that it will be a long debate. There are still Members who wish to be called. In light of that and the fact that there are Members who need to remain in the Chamber throughout the debate, I propose, by leave of the Assembly, to suspend the sitting for 15 minutes until 4.45 pm.

*The debate stood suspended.*

*The sitting was suspended at 4.29 pm and resumed at 4.47 pm.*

*Debate resumed.*

**Mr Deputy Speaker (Mr McGlone):** Members, we will resume the Second Stage of the Integrated Education Bill.

**Mr McNulty:** As a member of the Education Committee, I am happy to contribute to today's debate. I thank Ms Armstrong for bringing forward her Bill. We, in the SDLP, are proudly committed to vibrancy, diversity, inclusion and pluralism in our education system and in our society. Given that integrated education has existed in the North for more than 30 years, it is surprising that fewer than one in 10 of our young people is educated in an integrated setting. The motivation behind bringing the Bill to the Assembly and the Executive is, therefore, understandable: it seeks to enhance and strengthen our integrated education sector.

All too often in this place, we focus on traditional community fault lines and on what

divides us. The simple fact is that our young people are light years ahead of us when it comes to breaking down the barriers of the past and facilitating a truly shared society. The current state of play in our education system does not reflect the progressive and outward-looking world view of our young people. Continuing to segregate our children and our communities, particularly on the basis of religious background, serves only to perpetuate the divisions of the past and impede the progress that our society so desperately needs.

In contemplating the potential associated with the Bill, I pondered the possibilities that could flow from a more integrated education system. How cathartic and inspiring it would be to see the captain of a Royal School Armagh team hoist the MacRory cup, or a team from Abbey Grammar School in Newry mount a bid for the Schools' Cup. Our society has evolved enormously in recent years; it is time that our education system reflected that.

It would be remiss of me not to pay tribute to the incredible work being done by schools in my constituency. Newry and Armagh boasts some of the highest-ranked secondary education institutions in the North, where diversity and sporting programmes have offered opportunities for engagement among young people from divergent backgrounds. In addition to that, the four grammar schools in Newry all have a disproportionately high number of students in receipt of free school meals, which speaks to the socio-economic diversity in the student bodies of those schools. On that basis, I suggest that many lessons can be learned from the schools in my constituency in the context of academic excellence, community inclusion and diversity in socio-economic backgrounds.

We cannot and should not pursue a steamroller approach to this issue. We need to engage with relevant stakeholders strategically and with a listening ear. With that in mind, as the Bill progresses through Committee Stage, I will advocate for robust engagement with relevant stakeholders at all levels in the sector as well as for an approach that pursues a strategy of levelling up and one that seeks to emulate the successes of high-performing schools.

There are aspects of the Bill that need to be clarified. Many of those have already been mentioned, and I will not go through them all individually again. However, while there are mentions of monitoring targets and benchmarks throughout the Bill, one of my overarching questions is: how do we measure success?

How do we measure success for the education of our young people?

As I said at the outset, my party and I are energetically committed to a fully inclusive education system that reflects our broader society, and, therefore, I will support the Bill in principle. As I said, there are issues that need to be worked out, and, for my part, I will fight to ensure that the good work of the schools across my constituency and beyond is held up as examples of best practice. To that end, I echo what my party colleague Daniel McCrossan said. I do not believe that abandoning our faith-based schools or our Irish-medium sector serves any of our young people. My experience of St Malachy's in Camlough and the Abbey in Newry — faith-based schools — is that they provided me with early exposure to young people from other backgrounds. I can fondly recall in the Abbey a collaborative project with Newry High School at Newry hockey pitch, where we played a cross-community sports match. In the first half, we played a game of hockey, and, in the second half, we played a game of Gaelic football. I was useless at the hockey, but I was quite good at the Gaelic football. I can never forget the joy that that brought to all of us involved — coaches, teachers and the pupils who participated. It was a really joyous occasion, and it was my first experience of interacting with a number of children from a different faith and background. As I said, wow, did we enjoy it. I have to thank Mr Aidan O'Rourke — "Rookie" — for giving us that experience.

I appreciate, however, that this early years grounding and exposure is not a common experience across the board. Recently, a former teammate of mine spoke about his experience of schooling. He shared the fact that he had not met a Protestant until the final years of his secondary education, when he started attending school in Armagh city. To my mind, that reaffirms the need to take a strategic and tailored approach, recognising that there are very valuable lessons to be learned from the many schools across the North that have been quietly and conscientiously doing the heavy lifting on inclusive education for many years.

Back to my own school. I sat beside Lawrence Wong from Malaysia, and Davy Lo from Hong Kong was in my class. Our school, ahead of its time, was integrating education in the best way that it could. We had a Protestant teacher and we had Protestants in the school, so there was integration in the Abbey in Newry. We need to see more of it.

There is a lot worth protecting and emulating in schools now. The Bill is a start. Forgive me for mixing my metaphors: it gets a shovel onto our very important issue, but we will need to drill down into the nuts and bolts. There are a lot of nuts and bolts that need to be drilled down into. Creating the framework for an integrated education system is a task that belongs to us all, and I look forward to working with colleagues from all parties to further scrutinise the Bill as it passes through Committee Stage. We must get this right.

**Mr Lyttle:** It is a privilege to speak as Alliance Party education spokesperson in support of the principles of the Integrated Education Bill, as proposed by my colleague, Alliance integrated education spokesperson, Kellie Armstrong MLA. At the outset, I recognise the extent of the consultation undertaken by Kellie Armstrong on the Bill. It is my understanding that a 12-week consultation was undertaken on the Bill, with over 800 responses received and multiple key stakeholders engaged, such as the CSSC and CCMS.

Building a united community has been a key mission of the Alliance Party since its foundation. The Alliance vision for education is an integrated and sustainable system that delivers equal opportunity for all children to develop their unique personality, talent and ability together.

There are persuasive rights, good relations, educational and economic imperatives for integrating education in Northern Ireland, and the time for reform is now. I must admit to being somewhat surprised by the hostility expressed by some Members today to children learning together, and I regret that more of them are no longer present in the Chamber to engage directly with them, given how much they had to say about me when they were here.

In their contributions, some Members were balancing on the head of a pin to justify their position on educating children together, and I hear the words of Martin Luther King Junior ringing in my ears. When he was told by the establishment to slow down on his dream for children learning together, he stated clearly in his response that it was no time to engage in delay and, perhaps most powerfully, that it was no time:

*"to take the tranquilizing drug of gradualism".*

King's colleague Representative John Lewis also frequently encouraged supporters of integration to do all that they could to get in the

way. We will not be intimidated or misrepresented from getting in the way on behalf of all children and young people in Northern Ireland. The Bill presents every party and every Member with an opportunity to demonstrate actual support for an integrated approach to education, such as has been recommended for decades and which is supported by people across the community in Northern Ireland and beyond.

The international peace accord, and this jurisdiction's founding document, the Good Friday/Belfast Agreement of 1998, stated clearly that integrated education is essential to reconciliation and the promotion of tolerance at every level of our society.

The public response to the cohesion, sharing and integration strategy consultation was clear in its support of integrated education, yet the Executive Office declined to include provision for integrated education in the final Together: Building a United Community strategy developed from that consultation in 2013.

The Fresh Start Panel report on the Disbandment of Paramilitary Groups in Northern Ireland recommended that the Executive set ambitious targets to measurably reduce segregation in education as quickly as possible. That was in 2016.

A poll on education in 2018 found that good educational standards — I am glad that I can agree with Mervyn Storey on something — are by far the most important factor to many people when choosing a school. That was followed closely by a desire for children to be educated together. Two thirds of respondents supported their school officially becoming an integrated school. That seems to fly in the face of some of the comments made here today. The overall view was that political leaders have done little or nothing — this is the actual wording of the poll, so apologies — to facilitate and encourage integrated education. Some 60% of respondents felt that politicians actually hold up the accessibility of integrated education.

The Ulster University Economic Policy Centre has also established that there is a significant financial cost of separation in our education system, which could be up to £90 million per year. Yet the Department of Education states that our education system is in financial crisis.

Despite all the above, the Executive Office's good relation indicators for 2018-19 found that 21% — 21% — of first preference applications to post-primary integrated schools did not result in admission.

That is a significant increase of 3% on the proportion of first-preference applications to post-primary integrated schools that did not result in admission in 2017-18. It is getting worse. Since 2013-14, there has been a significant increase in the percentage of first-preference applications to post-primary integrated schools that do not result in admission: 11 percentage points. That represents an increasing oversubscription to post-primary integrated schools.

## 5.00 pm

Much has been made of parental choice. In my constituency of East Belfast, poll results have found that a majority of parents, approximately 76%, support their school becoming integrated. As I mentioned, parents felt that good educational standards were the most important factor when choosing a school, and reflecting a particular faith background was viewed as the least important factor. The majority were also in favour of a joined-up approach to future planning for education and housing to help to improve good relations, which is a subsection of clause 2.

The Department of Education commissioned an independent review of integrated education. The review reported, I believe, in 2016. It recommended:

*"That DE reviews the existing legal definition of 'integrated' education to ensure it is appropriate for the 21st century, particularly in light of Northern Ireland's changing demographic and increasing diversity.*

*That DE brings forward legislation to place a duty on DE and the EA and a power on all other Arms Length Bodies to encourage, facilitate and promote integrated education."*

That is the Department of Education's independent review. It also recommended:

*"That the new legislation should include a requirement to report to the Assembly at intervals of not more than two years on the implementation of the statutory duty to encourage, facilitate and promote integrated education.*

*That DE should review the religious balance criteria for integrated schools to take greater account of our more diverse society and regional and local demographics, including the balance of the community in which a school is located."*

It also recommended:

*"That the EA should pro-actively plan, set objectives for, and monitor progress towards, increasing the places available in the integrated sector.*

*That all Development Proposals for closures and amalgamations of existing schools should be required to demonstrate explicitly in the Case for Change that they have given meaningful consideration to a sustainable integrated, jointly managed or shared solution."*

There are, I think, 40-odd recommendations in total, but Members probably get the idea of what it says.

The Bill is consistent with many recommendations in the Department of Education-commissioned independent review, the report of which was published, I believe, by the previous Minister of Education, Peter Weir. The Bill presents every party and every Member with an opportunity to demonstrate actual support for an integrated approach to education, the implementation of a Department of Education independent review on integrated education and the reform of education, the like of which has been recommended for decades and is supported by people across the community in Northern Ireland and beyond.

**Mr McCrossan:** I thank the Member for kindly giving way. I recognise the important point that the Member made about the importance of the independent review of education. That said, why, then, has his party brought forward the Bill at this stage and not waited for the independent review to report?

**Mr Lyttle:** That question has been asked and answered a number of times. I am referring to an independent review of integrated education that reported in 2016. Five years on, it is entirely legitimate to seek the proper implementation of its recommendations, notwithstanding the need for wide-ranging reforms across education, which, hopefully, the independent review of education in its entirety will also recommend.

**Mr Stalford:** I am grateful to the Member for giving way. I have been listening to the debate outside. He talks about the fundamental review of education, to which everyone is committed, and the recommendations that will come from it. Clause 7 would create circumstances in which every single new school that is opened in Northern Ireland will belong to one sector. How

does the reality of what the legislation would do in practice reflect the need for the wide-ranging reform of all education?

**Mr Lyttle:** I thank the Member for his question. Again, it has been raised. The clause refers to "a presumption" unless there are "special circumstances". I am sure that the proposer of the Bill will refer to that in a bit more detail when she is given the opportunity to do so.

In closing —.

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

**Mr Lyttle:** I have almost finished, but go ahead.

**Mr Weir:** I thank the Member for his generosity of spirit. He has referred on a number of occasions to the 2016-17 independent review of integrated education. The Minister will be looking at a number of the recommendations that have not as yet been implemented. The integrated sector did not accept all of the 40 recommendations, however, rejecting some of them.

**Mr Lyttle:** I thank the Member for that intervention and piece of information. There is also a wide range of recommendations that it supports and wishes to see implemented.

That brings my remarks to a close. I sincerely hope that the House takes the opportunity to support a more integrated approach to education and allows the Bill to pass, in order for it to receive more detailed scrutiny at Committee Stage.

**Mr Weir:** It will probably come as no great surprise that I have, down the years, visited quite a lot of integrated schools and seen the excellent work that has been done in them. Those school visits, and seeing the enthusiasm of young people in particular, are often — I am sure that the Minister will agree — the best part of the job. As well as those excellent integrated schools, I have also visited schools across the sectors — be they Irish-medium, maintained or controlled schools — in which there is excellent delivery. I also fully respect the desire of parents to see a school be transformed into an integrated school. That is entirely their right, and it is a right that has been supported down the years. Even in the past six months, four development proposals to transform to integrated status have been signed off. Those proposals were largely borne out by parental demand and include, for, I think, the first time ever, a Catholic-maintained school transforming into an integrated school. It is perfectly right for

parents to express that opinion, for it to be facilitated and encouraged through the Department and for it to be responded to.

There is a common theme. Probably the single biggest thing that parents are looking for when they look at a school is the quality of the education provided rather than its exact sectoral specificity. If we are, however, to respect those who seek to have their school become an integrated school, we should also fully respect the right of those who wish to make other choices, be it about a faith-based maintained school; a controlled school; a school that teaches through the medium of Irish, as Mr O'Dowd talked about; a school at post-primary level that is either selective or non-selective; or, and Mr Storey is no longer with us, an independent Christian school. There are also some in our system who choose to teach their children at home through elective home education. It strikes me that we should respect all those choices.

I am not going to reiterate everything that has been said so far, but there are four areas of the Bill in which there are fundamental flaws in the content. I am not going to go over the issues around consultation and process, but there are strategic considerations. There is an old adage about someone who is stopped and asked for directions replying, "Well, I wouldn't have started from here in the first place". For example, if we were to start with a completely blank page for education, would we produce the precise layout and configuration of the school estate that we currently have?

We need to take on board where we are. We have a complex system, and it is undoubtedly the case that, if we are to look at a strategic examination of education that involves a wide range of subjects, notwithstanding looking at the issue of a single education system but going well beyond that to, for instance, how we ensure that early years is catered for —.

**Mr Stalford:** I am grateful to the Member for giving way. Paragraph 18 of the explanatory and financial memorandum (EFM) that was produced by the Member for Strangford says:

*"An Equality Impact Assessment has not been undertaken, as communications between the Member and the Equality Commission and legal advice the Member has received did not identify any equality implications of the Bill. Therefore, it is considered the Bill will not have an adverse impact on any of the groups identified in section 75 of the Northern Ireland Act 1998."*

"Considered" is not the same thing as proven. As a man who was a Minister, does he anticipate that there may well be a legal challenge around the section 75 implications of the legislation, particularly in relation to clause 7?

**Mr Weir:** I was going to come to the issue of equality. However, the Member makes a valid point. It seems to me that, if we are to have the best legislation, having a situation where there has not been an equality impact assessment (EQIA) is strange. Wearing two hats, as a former Minister and a former barrister, I consider it to be a strange position. I am sure that the Member will deal with that in her remarks. It seems to me that, on other occasions, the Alliance Party and others would be strongly arguing that things need to be equality-proofed and EQIA-proofed. Yet, there is a sense that it is not considered necessary in this case, which is not a particularly strategic way of looking at things.

Mention has been made on a number of occasions of the NDNA commitment to an independent review, which all the government parties signed up to. Despite COVID, which delayed things, that is beginning to be put in place. It required terms of reference that had to be agreed by the Executive as a whole, and all five parties agreed to that. It then required public advertisements for those who had expressions of interest, receipt of CVs, a sifting process and interviews of potential members of the independent panel. All those actions have now taken place, and I believe that, in a relatively short time, the Minister will announce that.

If we are looking at this in a strategic way, why take one aspect of the education system? Mr O'Dowd asked whether it was necessary legislation on that basis. The legislation duplicates functions that, in some cases, are already there, but it also pre-empts the independent review. None of us — neither I, nor the Minister nor any of the parties — know what will emerge from that.

**Mr Lyttle:** I thank the Member for giving way. The issue of the independent review of education has been raised a number of times, but, given that there is a report from the Department of Education specifically on recommendations for integrated education from 2016, why would progress not be made on that report?

**Mr Weir:** Without going into details — I am sure that the Minister will deal directly with this —

there are aspects that have been implemented, and there are others that may well be part of the wider examination. I have mentioned the terms of reference for the independent review, to which all Executive parties signed up, including areas that were covered by the report on integrated education to be put into the independent review. There were a few recommendations that the sector itself did not support.

The point is that, even though the report on integrated education was on one specific aspect of education, all of us, I think, would accept that there are wide-ranging issues to be dealt with. We all accepted, rightly, that the way to do that, through NDNA, was for an independent review to take place. That will have to be very thorough and weighty, and it will take some time. Timescales have been put into that as well. It strikes me that to take one aspect of the wider education system — it is not just a level of tinkering but has fairly fundamental implications — is the wrong approach. Anybody who believes in strategic reform of the education system should say that the Bill pre-empts that and is not necessary.

#### 5.15 pm

The second area, which the Member for South Belfast raised, is the equality issues. I believe fundamentally that all our children should be treated equally and that the rights of parents and, indeed, their choices should be treated equally, but this is not equality. It puts one sector at a different level and on a higher plane than any other sector. That is writ large throughout the Bill. Mr O'Dowd mentioned that in respect of clause 1. Clause 1 gives a definition of integrated education, and clause 2 sets out its purpose. If the intention is to say that what is set out in clause 1 pertains only to integrated education, that is, fundamentally, an insult to the schools out there that are delivering that. I will not reiterate the issues that Mr O'Dowd raised about clause 1.

If we look at clause 2, which is, I think, the one clause that Mr O'Dowd did not mention in his speech, we see:

*"The purpose of integrated education is—*  
*(a) to deliver educational benefits to children and young persons;*  
*(b) to promote the efficient and effective use of resources;*  
*(c) to promote equality of opportunity;*  
*(d) to promote good relations; and*  
*(e) to promote respect for identity, diversity and community cohesion."*

If the sponsor of the Bill or, indeed, anyone in the House can point to any school in Northern Ireland that is not based on and is not delivering on those principles, that should be cause for concern for the Department of Education. To say that those things are purely ring-fenced for integrated education, as with clause 1, is an insult to other schools.

We move on to clause 4, which provides for a shift from the 1989 requirement to "encourage and facilitate" integrated education, which is done largely through NICIE, to "encourage, facilitate and promote". At present, promotion is in the legislation on shared education, which involves all sectors. However, if we take a single sector and say that it alone should be promoted, where does that leave the other sectors? Where does it leave, for example, the Irish-medium sector? Where does it leave maintained schools, controlled schools and other schools? It is a clear attempt to put one section and one set of choices on a higher plane than others and to send out a strong signal to parents that, if you dare to choose a different path for your child and if you believe that there is a school that lies outside the integrated sector, you are, in some way, not making the right choice for your child.

That is reinforced in the much-attacked clause 7, which talks about new schools. Earlier, the proposer gave a definition of new schools and clarified that she was talking about newly created schools rather than newly built schools. I have to say, however, that that is not in the Bill, so that is one of the things that would have to change if it progresses. A presumption that every school that is built from now on, be it because of an amalgamation or simply to deal with a growth in population, will be an integrated school, unless it falls into those special circumstances, is saying to the controlled sector, the maintained sector and the Irish-medium sector that they cannot have a new school built unless they have what seem to be ill-defined "special circumstances" to justify it in some way.

**Mr Stalford:** Thank you for giving way. Subsection (1) of the relevant clause refers to "by reason of special circumstances". It goes on to define what are not to be considered special circumstances:

*"(a) the religious demographics of an area;*  
*(b) the existence of spare places in existing schools."*

Having strangled off parental demand for new school buildings and disregarded the existence

of spare places in nearby schools, in what circumstances would a school get built?

**Mr Weir:** It is strange. At best, it is silent on the issue; at worst, it, effectively, imposes a single sector on every potential school. Indeed, as I will come to later, it is, effectively, about badging schools rather than driving them from that. The third reason that this is fatally flawed is that it produces — *[Interruption.]* I see the Member chuntering from the sidelines. I am glad to see that the Member reaches out the hand of friendship to People Before Profit.

The Bill is riven with muddled thinking and a costly approach. In muddled thinking, consider the "Meaning of promotion" at clause 5(1)(a). I have some sympathy with looking at how supply could be increased to meet demand, but this takes an almost Stalinist approach of aiming to increase demand. You can pick any type of school you want so long as you pick an integrated school, because we have to push up the demand. If, as we have been told, there is survey evidence of the demand, one wonders why this is necessary. There seems to be muddled thinking about pushing up demand.

With clause 5(1)(b), there is the issue of finance. Some Members mentioned the costs of division, but that would explicitly establish new schools and deliberately disregard where spare places exist, including if there were spare places in a local integrated school. You can still build another one on that basis. That, at best, seems to be muddled thinking.

Again on cost, there are fairly ill-defined requirements of the integrated education strategy on a number of points — for instance, clauses 8(2)(a) and (d) — to have increased "funding commitments and resources". We are told — it has been reiterated on a number of occasions — of the financial pressures that schools are under, yet, mystically, the Department will find those additional resources simply to promote particular activity.

Mr O'Dowd raised the point, at clause 8(2)(c), that the Department must:

*"include arrangements for full access for integrated schools to training and resources provided by the Education Authority".*

However, the question is this: what is available? There should be no gateway check on any sector so that it gets an additional level of resources. Training is available for all sectors. Either this is unnecessary or it gives favourable treatment to one sector. Are we to say that, in training, if you happen to work for a controlled

school or a maintained school, you should be given a lower level of access? I see the Member shaking her head.

**Ms Armstrong:** Will the Member give way?

**Mr Weir:** I am genuinely bewildered about why the clause is here, so I am happy to give way.

**Ms Armstrong:** It is in there because grant-maintained integrated (GMI) schools do not have access, as you know, to legal or HR advice.

**Mr Weir:** Do not forget that not all integrated schools are GMI. Also, if we are to have equality across the board, as indicated, will we have equality on the basis of saying that all schools are put on exactly the same framework? If that is the case, it also means that, for the development of a new school, there should be identical numbers to the controlled and maintained sectors. I welcome that clarification.

Let me give you one other example of the muddled thinking. This takes us into a dangerous position in area planning. There is a requirement that "targets and benchmarks" of the Department must also include the:

*"numbers of development proposals created and delivered for expansion of existing integrated schools".*

The Member nods her head. She is, I am sure, clearly aware that development proposals (DPs) do not come from the Department of Education but from various sectoral bodies. However, the people who give the legal verdict on whether a DP is approved, not approved or modified is the Department and, more specifically, the Minister. We seem to be left in a situation where those who would give the verdict are the people who then make provision to encourage those DPs in the first place. It is a bit like saying to a judge, "You have a target for the number of convictions that you have to make this year, but, by the way, you must judge all these cases on a level playing field". It drives a coach and horses through the idea of area planning. In area planning, we should try to find greater cohesion between the sectors rather than simply trying to promote one sector above all others.

Finally, I do not see how the overall proposal is advantageous to integration, because, on two occasions, the Bill explicitly states that looking at the demographics of an area will be barred in the establishment of new schools or the

meaning of promotion. There is an earlier requirement that suggests that there should be reasonable numbers from both communities. Take, for example, a new school. We know what factors are not to be treated as special circumstances. If, due to demographic pressure, a new primary school is built in an area that is overwhelmingly of one community, will we create a situation where, instead of a mixing of our young people, schools will be artificially badged as integrated schools, irrespective of whether the numbers provide a level mix?

The Bill's proposer indicates rightly that polls show that most people want their children's schools to have a mixture of backgrounds and faiths. That is perfectly fine. However, to create a situation that utterly disregards the overall composition of an area drives a coach and horses through the idea of getting a mix or any level of mix and means that we will be observing the name of integrated education but, in practice, simply ratcheting up the figures. That is why it is fundamentally wrong that cognisance is not given to demographics, particularly in new schools and when looking at efficiency on the basis of existing school spaces. That is one of the most painful activities that any Education Minister has to do from time to time. There is an acceptance that there are probably too many school buildings across our school estate. That means that we do not have efficiency. I see the Member nodding her head, but she would create new buildings without regard to existing spare places.

**Ms Armstrong:** I thank the Member for giving way. I remind the Member of Justice Treacy's ruling that integrated education is a "standalone concept". If there are spare places in a controlled school or a maintained school, why should an integrated school not be able to be developed further or to grow? As a Catholic living in an area perceived to be unionist, would it be assumed, where I live, that it would only be a controlled school and I would go to a maintained school? Why not an integrated school? The "standalone concept" means that, as a parent, I have the right to choose integrated education.

**Mr Weir:** The point is that there is the right to choose. The Member asked, "Why not an integrated school?" Yes, why not an integrated school? Why not a maintained school? Why not a controlled school? The Bill says that you disregard, from an efficiency point of view, any spare capacity. We will simply build more schools for the sake of facilitation. The Member may shake her head: it is there in black and white, as is the issue of area planning. It should

be about meeting the needs of areas and the demands of parents. Simply saying that a new school has to be of a particular type means that you put down barriers to any form of new school, regardless of the desire of parents locally, the overall mixture in an area or what is sensible in an area.

I have listened carefully to Members' comments. While some seemed to wrap up by saying, "We think it's a reasonable enough Bill. Let it go forward", they lacerated the Bill from one end to the other. Almost all the speeches that I have heard, with the honourable exception of those of the representatives of the Alliance Party, who are strongly in favour of it, have essentially highlighted the problems.

They say that such-and-such a clause is terrible and that, because of their concern, they want changes to be made. However, they then say that they are happy to support the concept. It is clear that, across the board, many Members want to make major changes to the Bill. I put down this marker to Members: once you accept the full principles of the Bill, you severely limit the amendments that you can table. If Members genuinely have that range of concerns, if they genuinely believe that the reform of education should be done in a strategic manner, if they genuinely believe that all our children — .

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

**Mr Weir:** I will give way briefly.

**5.30 pm**

**Mr Lyttle:** The Member keeps referring to the reform of education being done in a "strategic manner". He is the Minister who commissioned the independent review of education. Was that done in a non-strategic manner?

**Mr Weir:** Sorry, the independent review?

**Mr Lyttle:** The independent review of integrated education. You keep saying that this should be done in a "strategic manner".

**Mr Weir:** Yes.

**Mr Lyttle:** Are you saying that the review that you commissioned on integrated education was not strategic?

**Mr Weir:** I think that you will find that —.

**Mr Deputy Speaker (Mr McGlone):** Sorry, this should not be a chat *[Laughter.]*

**Mr Weir:** You will find that the report was produced and published while I was Minister, but the review was commissioned by the previous Minister, Mr O'Dowd, who will admit to that.

The point is that that review focused on a single aspect of our education system. All five Executive parties signed up to NDNA — I appreciate that a few representatives who are not members of the Executive parties are here today — and agreed to the full terms of the independent review, including aspects that would supersede previous reports. Anyone who believes in a strategic review of education does not take one aspect in a piecemeal fashion and try to drive it forward.

If you believe in equality and having a genuine level playing field for all sectors, it means no child gaining an advantage from the set of school gates that they go through. It means treating parents with respect when they make choices for their children and that no choice is presented as superior to another. If you believe in all of that, if you want to ensure that we have a cost-effective and coherent system and if you want to see sharing and integration in this society, it is not enough to make a range of criticisms of the Bill, particularly given some of the language in it. The Bill, unfortunately, is fundamentally flawed, and I urge Members to vote against it. Let us move forward with the NDNA commitment to the independent review.

**Mr Stalford:** First, it is possible to believe in the general principle that all of our children should be educated together and to oppose the content of the Bill. There is no contradiction. As a general principle, which is what we discuss at Second Stage, I believe that our children should be educated together, and my party has held that position for some time. I recall an address given by the then First Minister, the Rt Hon Peter Robinson in which he outlined his vision of a genuinely shared education system. The reaction to that speech demonstrated to me that significant vested interests in the provision of education will need to be tackled if we are to achieve a situation in which all our children are educated together. I say this to Alliance Party Members: please, do not represent my opposition to the Bill as opposition to our children being educated together, because it most certainly is not.

In my constituency, I have an excellent integrated school; indeed, it has been the flagship of the integrated education movement. One of the other Members for South Belfast was one of the first children educated at that

school. She can speak to the quality of the education that she received at Lagan College.

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

**Mr Stalford:** I will.

**Mr Lyttle:** I will try to say this as respectfully as I can, because I realise that this is a reasonably sensitive issue. There is a degree of accuracy in saying that the excellent school to which he refers, which affords excellent support, had to withstand the level of opposition that is being put forward to this reform today. Maybe another Member from South Belfast can testify to that in more detail. The Member referred to the fact that this will be difficult. This is significant change; indeed, it is my recollection that Peter Robinson went as far as to say that it is morally wrong that we separate children on the basis of community or religious background on the age of five. We will have to do more than we have done to date, which is just saying "Yes, we wish that children be educated together".

**Mr Stalford:** He was right to say that it is morally wrong, and all the parties that signed up to 'New Decade, New Approach' were also right. I see the commitment to the review of education as being almost similar to the Bengoa report for the health service. That is how far I want it to go and how radical and brave I want it to be. When the Bengoa report was being talked about, I said that it was the responsibility of all of us to give the Health Minister the cover that he needed to take decisions that would not go down well in some quarters because that was the right thing to do. I say that again about education reform. I hope that consensus can be built on the issue and that the Education Minister will, in turn, be given that cover and support. I do not believe that there is a disagreement about the ultimate goal, which must be to secure a situation in which our children are educated together.

Not only do I have an excellent secondary school with integrated status in my constituency, but, more recently, Harding Memorial Primary School at the top of the Cregagh Road applied for and secured integrated status.

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

It is important to put this question on the record: if we were to design a system of education provision, would we choose to have that which we have now? I do not think that any reasonable person could say that we would, given the number of sectors out there, the

waste that is clearly in the system and the need for brave decisions to be taken on the school estate and other issues. The answer is, of course, no. If you were setting out to design from scratch an education system, you would not design what we have in Northern Ireland. There are lots of historical reasons for why we have what we have, such as religious groups not wanting to give up control of schools when the Education Act (Northern Ireland) 1947 was passed. There were other reasons. I heard Mr Sheehan outline those earlier, and I understand the reasons behind why they felt that that was the right thing to do at the time, but you would not design it like that now. It is like the expression that a camel is a horse designed by committee. Our education system is certainly not ideal.

I will make a point about many of the schools in my constituency. Members from my constituency know that five different parties represent South Belfast in this place. That is reflective of the fact that it is an extremely diverse constituency. I would describe many of the schools in my constituency as integrated. I understand that there is a separate concept of "integrated", and Ms Armstrong can speak to that, but many of the schools in my constituency are integrated in the sense that they are reflective of the communities that they serve. There are schools such as Botanic Primary School, in which more than 50 languages are spoken. Fane Street Primary School and Rosetta Primary School are the same. They are integrated in the sense that they are truly reflective of the entire community that they serve and of those who live in the constituency that I have the great honour to represent. I am therefore concerned that many of those schools do not get the credit that they deserve because there is not a particular word on the sign at the front of the school.

I do not want us to jump the gun on an ongoing process about the future of education. The Minister will take receipt of the review, and it will be her job to take through its recommendations. In an earlier intervention, I said that clause 7 had obvious equality implications. I know that the Member for Strangford will dispute that. However, when you create a situation where, as the clause says:

*"When planning for the establishment of a new school, education bodies must apply a presumption that it will be an integrated school unless that would be inappropriate by reason of special circumstances"*

and, in the next paragraph, state:

*"The following are not to be treated as special circumstances for the purpose of rebutting the presumption in subsection (1)—  
(a) the religious demographics of an area;  
(b) the existence of spare places in existing schools",*

I have deep concern about what that means for other education providers.

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

**Mr Stalford:** Certainly.

**Mr Weir:** Defining a couple of areas that are not special circumstances but giving no indication of what are special circumstances is simply a recipe for court challenges and court decisions. It is doing so on the flimsy basis of having no real guidance in the legislation on what counts as special circumstances.

**Mr Stalford:** I have no doubt that, should the legislation pass and become the law of the land, judicial reviews (JRs) will be flying left, right and centre on the decisions that will be made.

As I said, I want to see radical reform of how education is delivered. At the start of the mandate, I said that public service reform and how we delivered public services would be our biggest challenge. We wasted so much time that could have been used to drive through public service reform. I hope that there is a commitment to public service reform in the time that we have left and in the new mandate. Education and health, in particular, will be the lodestar of what we try to do.

I am concerned that the Bill, effectively, prescribes what I describe as a "Henry Ford approach" to education. Henry Ford famously said that his customers could have any colour of car they liked as long as it was black. With the Bill, you can have any type of school that you like, as long as it is integrated. I am concerned about the practical outworkings of that.

I will raise the issue of religion and religious values. I was educated in a controlled primary school and a controlled grammar school. Any person who thinks that those of us who travelled that route were inculcated with Protestant values is wrong. I did not acquire the religious views and values that I hold through my schooling. As a parent of four young children, I regard it as my duty, not that of the school, to share my religious values with my

children. I do not suggest for one second the pursuit of religion out of education; of course, I absolutely do not. The shorthand is basically that there are Protestant schools, Catholic schools and integrated schools, but, as someone who went through what is classified as the "Protestant" education route, I assure you that my religion was not picked up in school.

There are area planning implications here. It is clear that, if the Bill is enacted, the provision of schools will be warped. All the problems with the Bill that others have highlighted in this debate mean that you could not vote for it. What is going on here is a fear to be seen to be against integration. That is not true. It is not true to say that the two are mutually exclusive and that you have to vote for the Bill because otherwise you are not in favour of our children being educated together.

Reference was made to polling numbers that show that people want their children to be educated alongside children from other backgrounds and identities. In my constituency, that is exactly what is delivered every day by so many schools. Of course, people will want integrated education, but in vast swathes of South Belfast, they are already getting it.

It is important to put on record appreciation of the work of all the education sectors. Let us not denigrate the efforts towards community-building, bringing people together and serving the entire community that all the sectors make.

**5.45 pm**

**Mr O'Toole:** As I rise to speak on the Integrated Education Bill, I am conscious of the time of year. Not only have pupils just started their summer holidays after a most extraordinary and stressful school year, but it is a time when some of us think long and hard about the divisions that exist in our society. In this place — I mean not just the Northern Ireland Assembly but this society and jurisdiction — we are all burdened by the weight of history and identity. Even if we try to avoid politics based on division, we still live in a divided society. We are reminded of that regularly, particularly at this time of year. Whatever our perspective on the history of this place and whatever our vision of the future, it is incumbent on every single one of us to use the power that we have to tackle division.

Division is such a profound and defining part of this place that it is sometimes strange to hear people stand up and, somehow, argue that we should not be straining every sinew to tackle it.

We may not agree on the constitution. We may take different views on how to tackle sectarianism in the long term, but, in the short and medium term, we should be able to find common ground on how we address one area of division — it is far from an exclusive area of division — which is the fact that so few of our children are educated together.

It has been pointed out that just 7% of children are educated in the integrated sector. As my colleague from South Belfast just said, it is true that many children from one denomination or a particular communal background go to schools of a different, or the other, communal background. That is particularly true in south Belfast, and I am very proud of that. Lagan College is not in the South Belfast constituency; it is in the Bill sponsor's constituency of Strangford. However, it is effectively a south Belfast school, as many pupils from south Belfast go there. There are many schools in south Belfast that have become de facto integrated, if I can use that phrase. If that were the norm across Northern Ireland, and if that were custom and practice, we could, perhaps, be a little bit more relaxed about integrated education and about how we deliver on the commitment made in the Good Friday Agreement to encourage and facilitate integrated education. The fact is that it is not. Our education system is too divided.

I will come on to some specifics of the Bill. There are questions to be asked about it and points to be clarified. There are legitimate areas in which people will want to ask questions and even propose amendments. That does not mean that they have issues with the Bill's core purpose.

Having listened to the debate, I have been struck, at times, by how often people go back to their personal experience of the school that they were educated in, whether it was a controlled school or a Catholic maintained school, and a sense that it did not teach them division or hate. Of course it did not. Whether Catholic maintained or controlled, selective or non-selective, Irish-medium or not, the vast majority of schools, whatever background, are full of brilliant teachers. There are many schools that are effectively single identity but are full of brilliant people doing amazing work for kids. However, when we make public policy and seek to provide goods for society, there is a difference between looking at the structure of an overall system and looking at the manifestations of that structure and its specific issues. Of course, individual teachers and individual schools are wonderful and brilliant, and they are delivering amazing things for their

pupils, but is our education system too divided? Yes, it is. I am afraid that that is an undeniable conclusion based on the numbers.

It is also true that many parents want to be able to choose integrated education but, at the minute, are not able to send their kids to an integrated school. While I support the broad principles of the Bill, it is very clear that integrated education and the broader project of overcoming division in education and among our young people has to be at the core of what we do in this place. We cannot simply pretend that there is not a problem here.

Last year, I returned to Northern Ireland after quite a while away, and it sometimes intrigues me to hear people minimise the issue of division in this society as if it does not exist or there are other ways to tackle it. Do you know what? We are 23 years on from the Good Friday Agreement, and we need to get serious about this stuff. We cannot pretend that there are not very real issues and that the way that our education system is structured does not contribute to those. That will mean having difficult conversations, and I can sense how difficult the conversations will be from the tone of the Chamber today. As I said, people tend to get a little bit offended when we talk about this subject and feel, perhaps understandably, that they maybe want to defend the choices that their parents made or that they might make for their kids. No conversation about promoting a less divided education system should imply a judgement on any parent, anyone's parents or any institution, whether it is a Catholic maintained school or a controlled school — I will come on briefly to the question of selection, which is another bugbear. There should be no judgement implied, but that does not mean that we cannot, as legislators — we are legislators — draw serious conclusions and try to take action to address some of those challenges.

Notwithstanding the fact that my party's education spokesperson and I said that we have some specific questions and issues that we want to discuss and resolve, I commend the Bill's sponsor for introducing the Bill. It is true that there is an overarching review of education, and it is a legitimate comment that, in seeking to produce an overall programme of reform of the education system, you would want to do that in a joined-up way, particularly as we have such an incoherent education system overall. It is also true that we should not make the perfect the enemy of the good. Given how long it takes to get to reform in this place — we experienced it with Bengoa and on licensing, another subject on which I have spoken with the Bill's sponsor — we should not look the

proverbial gift horse in the mouth. If we can come to a Bill that, after scrutiny, consultation and, if necessary, amendment, moves the agenda forward, who are we to gainsay an important piece of progress and do what we pledged to do in 1998 and tackle divisions in our society? We have not done enough of that yet. Having seen some of the divisions on our television screens earlier this year, I do not think that it becomes this Chamber to take issues of division lightly. I want to set that down as a principle. I get that these debates sometimes make people uncomfortable. Education is not the sole cause of division and increasing integration will not solve the challenges in this society — my God, they existed long before universal education, the partition of Ireland and the Act of Union. Those challenges will not be resolved with the Bill, but that does not mean that we should not seek to make progress where we can.

I want to come on to the complexity of our education system. One of the drivers of difficulty in our education system is the fact that it is so complex. I speak as someone who has a son who will be going into nursery or preschool later this year. I am lucky to say that he will be going to an integrated school, but only because there were a limited number of places and he was lucky to be able to get in. Our education system is extraordinarily complex, and it is true that it is very difficult for parents to navigate it. It has been said, and I agree, that, if you were to design an education system, you clearly would not start from here. If someone were to design a blueprint for a coherent education system in order to produce the best educational outcomes or a less divided society, he or she would not come up with the one that we have at the minute. Generally, it does not produce very good educational outcomes, and, I am afraid, it reinforces the fact that we have a divided society. We need to do everything that we can to address those challenges. There are the twin challenges of division and severe educational underachievement, which connect and, at times, reinforce each other.

My party colleagues and others have asked specific questions about the legislation, and that is entirely legitimate. Our job, in supporting the Bill's broad principles today, is not simply to say, "We have no questions; we will wave it through". We would not be doing our job as legislators if we did that. The question on the meaning of "promotion" has been raised, and the Bill's sponsor has done some thinking on that and continues to do so. That is a question that people want to understand the answer to, and that will be scrutinised at the Committee, which is totally legitimate.

As I say, we have a deeply divided society. If we pretend that we do not and that education is not part of that division, we cannot tackle it, we are not getting real about addressing the issue, and we will increase the chances of us passing on the division to the next generation. I am afraid that that is simply not good enough.

Part of the reason why this gets to people's sense of who they are and, at times, their identity is the implication that the integrated system is more morally apt or that there is something superior about the people who advance integrated education. If we recognise that we have a profoundly divided society and recognise that one of the key tools to addressing that will be integrated education, it is incumbent on all of us to do what we can to support it.

We have a diverse education system, so unless and until we move to a new unified single education system, why not have a conversation about how various sectors themselves become more integrated? The previous Member to speak mentioned schools in south Belfast; we do not agree on all that much, and we will not agree on a huge amount in the Bill. However, I agree with much of what he said. Rosetta Primary School, Botanic Primary School and Methody are all good examples. Methody is a textbook example of a school that has integrated itself. The market integrated Methody, and I do not say that in a flippant way; it is a product of a diverse place. There are examples of other post-primary schools. Indeed, in the maintained sector, there are schools in south Belfast that have a higher than average intake of non-Catholic pupils.

So, while we work on the Integrated Education Bill, there is nothing to stop us also looking at ways — I would be keen to hear the view of the Bill's sponsor on this — in which we celebrate and continue to inculcate greater sharing and greater integration in schools that do not have an integrated badge. There are many parents who send their kids to schools that are not officially integrated but which strongly believe in the principles of integration. They may be religious — they may be practising Catholics, Methodists or Presbyterians — and they may have a view on the constitutional question, but they send their kids to the best-performing school nearby that their child can get into. However, they do not want sharing to end at the door. By sending their child to a Catholic maintained grammar school, for example, they are not saying, "I do not want sharing".

How do we make our education more like that? How do we get more schools that play in the

Schools' Cup to play in the MacRory Cup? How do we get more traditional Catholic schools in the Schools' Cup? How do we share the things that are important to us, above and beyond, while we are waiting on a genuinely transformed education system? Those are questions that we should be asking: the truth is that people are asking them already. This is one area where we, at times, feel that we are significantly behind the public. They are asking those questions of themselves and in their communities, and they have been doing so for some time.

In conclusion, I commend the Bill's sponsor for introducing it. My colleagues in the Education Committee will scrutinise the Bill, which is their right. The Bill creates new legal requirements and burdens, and it is entirely right that Members should seek to scrutinise that and go through the detail.

Let me also say completely unapologetically, particularly to some Members opposite in one particular party, who seem to imply that we do not have a problem with division in this society and that educating our children separately is somehow completely irrelevant to issues in this society, that I am afraid that that is not consistent with what a growing number of people in this society from all backgrounds think. If we are seriously to represent people in this society, we need to get real about delivering a more shared society, and this is part of it. Integrated education is not the answer to all our problems, and it was not the source of all the problems in the first place. If the Bill, once scrutinised and, if necessary, amended, helps us move that forward, I will fully support it. I will conclude my remarks there, and, like the young people whose schools have broken up for the summer, I hope that we get out of here fairly soon.

**6.00 pm**

**Ms Bailey:** I have listened intently to the contributions and found the debate absolutely fascinating. I welcome the Bill, and I have no doubt that, if it passes Second Stage today, the amendments tabled to it will be equally fascinating. I commend Kellie Armstrong for sticking with the Bill. I heard the questions that were raised about why she did not wait for the review, but, as far as I am aware, work on the Bill started in 2016, long before any attempt to undertake a review and before any thoughts of single education systems or 'New Decade, New Approach' were discussed. I commend her for her tenacity in introducing the Bill in this mandate. I certainly would not wait for a review

to bring any change through the Northern Ireland Executive any time soon, but there is potential for her private Member's Bill to do some good.

Not many here would argue that our education system is sustainable. Many of the issues and problems have been raised. It is fair to say that integrated education remains the poor relation in that system. I certainly support it being given equal footing and the proper importance at departmental level. If that importance was given to the sector, perhaps 37 of the 38 grant-maintained integrated schools would not be waiting for over a year for the Department to appoint governors to their boards. They have been sitting without governors for over a year. That is just one element of the level of the Department's commitment today.

Much has been said about the unsustainability of the school estate. I hear that we would not have built the system this way if we were starting from scratch: that is a bizarre comment. We are starting from where we are today, and we have the ability to rebuild and maybe to build better, if we make those commitments. Rather than starting from scratch, what would that look like?

Across the school estate today, it is estimated that 50,000 seats are empty and that we spend in the region of £95 million a year on the duplication of services. A recent report from the Integrated Education Fund told us that we have spent £1 billion on cross-community projects for pupils in the past 10 years. Of course, nobody would build that from scratch, but that is what we are sustaining today. We can do something better.

I was listening to Mr Stalford when he said that I went to Lagan College — yes, I did — and mentioned the great education that I got there. I would love to hear his thoughts on that great education [*Laughter.*] I am happy to give way to him when he is ready.

When I look at our schools, I see parental choice, about which much has been said. Parental choice is what led to the Irish-medium sector, and it was parental choice that led to the integrated sector. I do not know of any parents who chose to establish controlled schools or Catholic maintained schools, but, in my lifetime, I have seen the Irish-medium and integrated sectors come about through parental choice. It was parents who drove, financed and established Irish-medium and integrated education, and that is what parental choice is all about. Again, let us not lose sight of the fact that I am not aware of any parents who choose

to send their child to a school so that they can be a good Catholic or so that they can be a good Protestant. Rather, parents try to choose a good school that will suit their child. Not all parents have the choice, however, because a lot of them really have only one school option in their area for their child because of capacity, intake and educational attainment.

I hope that it comes as no surprise to anybody in the House that the Green Party does not support the education system being used for religious instruction, no matter what the religion or the denomination. Schools are places for education and learning, and churches are places for religious teaching and instruction, yet most schools in Northern Ireland are still linked to a Church, and the Churches are given places on boards of governors. It is the board of governors that influences and decides the direction of travel for the school, the ethos of the school and the curriculum that is taught in the school.

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

**Ms Bailey:** Yes.

**Mr Butler:** Will the Member, as the leader of the Green Party, put on record whether the Green Party's position is that it objects to religious education being taught in schools as well, or does it object just to their ethos? After all, religious education is one of the most popular GCSE and A-level topics, and that is student choice.

**Ms Bailey:** There is a lot to say on that one, but thank you. I was talking about religious instruction, not religious education. Learning about the world in which you live and about the human population, its cultures, its traditions and its religions is absolutely precious and should be taught. That is a very different thing from religious instruction. The two should not be confused.

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

**Ms Bailey:** In one second. I will first address the other point that the Member raised about RE being a very popular subject choice. We are also told continually that it is mandatory, when it is not. Most pupils will be told that they have to sit the exam, but parents have to find out for themselves that their children can opt out. A lot of schools make it hard for them to opt out, and it is sold as an easy exam to get. I speak from experience, having been told exactly that, so that is probably why you see a lot of pupils taking that exam. I will give way to the Member.

**Mr Stalford:** Thank you. I may be wrong, but I think that the Education Act 1947 mandates that, in the first three years of your secondary education, you do RE. I went through Wellington College in our constituency. Our headmaster, Mr Derick Woods, was a Moravian, and there used to be a joint service at Christmas time with Aquinas. I can honestly say that that was the only religious instruction, as it were, carried out by a member of the clergy, that I ever had at school. The rest of it was the teaching of RE.

**Ms Bailey:** The curriculum and what is taught in sports, in history and in other subjects is very important as well. The teaching of culture is very important. That is absolutely right. I remember from my RE classes that we were also taught to celebrate the Jewish Passover, and, in my first year, I had to go back home and talk to my mum about getting a recipe for unleavened bread, because I had to bring that in. I do not think that there had ever been anything other than a pan loaf in our house before, so that was an education in itself. *[Laughter.]* Learning about world cultures is therefore a valuable thing, and that is very different from what we use the education system for in many of our schools, where it is about religious instruction. The curriculum should be used for cultural education. That is really important.

The issue was raised earlier about partisan appointments in the Bill. All our schools, bar one — the Holywood Steiner School, but I could be wrong about that — are still linked to Churches and have Church representation on boards of governors in schools. We know that those influences are really taught through the ethos of a school, so I assume that what is meant by partisan appointments in this Bill is exactly that. Non-partisan is non-religious. It is about the Church and education being closely entwined in schools.

All schools in Northern Ireland are religious schools. They are all Christian, as has been mentioned already. All our schools are run on a Christian ethos, apart from, perhaps, the Holywood Steiner School, but I could be wrong about that. The issue that we talk about is interdenominational rather than religious.

I am really tired of listening to claims that so many schools are integrated just because of their pupil diversity. That is not what makes a school integrated. It is not about the languages that are spoken. It is not about the diaspora of the pupils. It is not about the social mix. It is about the ethos, the education, the curriculum,

the sports and the culture. That is what makes a school integrated.

I find it really disappointing that we still understand the concept of integrated education as a numbers game, as 60:40, 70:30 or 50:50, because it could be 95:5 or 100%. In some areas in Northern Ireland, because we still have a divided society, it would be impossible to hit those numbers from a local intake of school pupils, but that does not negate the possibility of that school being integrated because the integration comes from the ethos, the commitment, the curriculum and the culture.

As has been pointed out, when Lagan College first opened, back in 1981, my sister and I were two of the 28 pupils, and while it was quoted that Peter Robinson recently stated that he finds it morally wrong that children are educated separately, it was a very different case back then. We had to establish the school in a scout hall in Ardnavey, and we had to face protests and the world's media. We had an armed RUC guard to get us into that scout hall. Castlereagh council did not want the school on its land. It fought the establishment of the school.

I went to a Catholic primary school, and I made my confirmation, as we all did, in P7. When the diocese found out that there were two pupils going to an integrated school, they helicoptered the bishop in to come and take that mass. He stood at the pulpit and told the community that there were Catholic schools and Protestant schools and neither would be taught together. To this day, the Catholic Church does not fully operate in integrated education. So, let us not perpetuate this notion that there are de facto integrated schools: there are not.

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

**Ms Bailey:** Yes, go ahead.

**Mr O'Toole:** I agree with her, broadly, on the Bill. I wish that there were many more integrated schools. I think that we both do. They should be a much bigger part of our education system. I agree that the level of division in our education system is immoral and unacceptable, but in the world that we operate in, it is better that there are some schools that are, if you want to use the phrase, "de facto integrated". I would rather that we had schools that were more mixed than single identity in the absence of more integrated schools, if you see what I mean.

I support the Bill, and I support integrated education because I want many more

integrated schools, but do you agree with me that it is better that we have some schools at least that are moving towards greater mixing even if they are not formally integrated?

**6.15 pm**

**Ms Bailey:** I thank the Member for that. I welcome the fact that our society is becoming more diverse and that people are beginning to move freely and are able to live in areas. That is demographics. That is not a school going, "Ach, great. We'll take anybody from anywhere". That is not what is happening. I still go into schools and see the Stations of the Cross on walls. I still go into schools and see pop-ups of the Pope. I still go into schools that play football and not Gaelic games. I still go into schools, and that integration is not there. It is not about numbers.

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

**Ms Bailey:** Certainly.

**Mr O'Dowd:** I think that there is very little that the Member and I would disagree on as regards what education should look like. However, there are integrated schools that, whatever way you look at them, are not integrated and where Irishness is an alien concept. I have been into integrated schools where the first thing that you are met with in the hallway is a picture of the Queen of England. Is that integration? I have been into integrated schools that are de facto controlled schools. They went down the integrated route because they saw that as a way of preserving the future of the school.

The danger in these debates is that people become very pious. When you become pious, you are liable to annoy somebody on the other side of the debate or somebody who is aligned to you. I fully adhere to the principle of integrated education. The question in my head is whether this Bill is the way forward in that regard. The Committee's scrutiny will establish that, but do not try to tell the House that integrated education and everyone in it is purer or whiter than snow.

**Ms Bailey:** I thank the Member for his intervention. I hope that he does not think that I am being pious, but I will take that home with me; that is OK. I am not saying that integrated education is a panacea. I never have, and I never would. However, it goes much further in providing reconciliation than most other things that I have ever seen in Northern Ireland. Lagan College started as an all-children-together movement for all abilities. That is not just all

abilities academically, which will take me to the amazing education that I got. It may fit with the points that you raised, Mr O'Dowd, about expanding to the proper curriculum that an integrated school should be able to provide.

When I was at Lagan, we were taught the Irish language. It was optional; again, that was parental choice. However, we could not do sports there. We were in a scout hall. We then moved up to a primary school and had a series of mobiles. We were not funded properly. Not a single penny was given. I come from a house where my mother could ill-afford to cover those costs. She sold her car in order to get my sister and I bus fares to go to that school. It was struggling parents who put that school together. If proper resource was given to integrated education and for schools to fully commit to what that means, we may see a bit of a change there. I absolutely agree with what you said. Integrated education is not a panacea, but it needs proper commitment from the Department.

All ability and all children together is not just about an interdenominational divide. It is about all abilities, physical and academic. There was such little investment in that school — there were only four or five full-time members of staff — that I left school with one CSE, so I did not get an excellent academic education. However, what I did get was amazing lifelong learning that has stood us all in good stead. We still have an education system that is focused on academic ability. We segregate along those lines as well as along the denominational ones, with our academic achievements and our grammar school system. All ability means that you can have all that in one school. It means that families can choose one school to send all their children to.

Whether it is academic or physical abilities that divide, one school can cater for all of that. We really need to get our head around that. We can facilitate streaming, academic achievement, grammar streams, comprehensive streams, special needs streams and all physical abilities in one school. That was the idea behind Lagan, and it is still trying to achieve that. However, it took 35 years of that school proving itself before the Department stepped in and gave it a proper building.

There is much to be said about the Bill. I really welcome it. The debate is long overdue. We still, from listening to a lot of what has been said today, understand integrated education in a very narrow way that does not befit what is potentially on offer in the sector. I commend the Member for bringing the Bill forward. I am really

looking forward to seeing amendments if it passes today.

**Mr Allister:** There are two points of substance — at least, I think that they are points of substance — that I will make about the Bill. The first is that it is a thinly veiled assault on academic selection. In fact, it is not thinly veiled at all; it is a very determined assault on academic selection. The second one is about the primacy and elitism that it brings to what is called integrated education.

The first point about the assault — it is implicit in the Bill — on academic selection arises from the very strategic and deliberate redefinition of "integrated education". Under article 64 of the Education Reform Order 1989, "integrated education" is defined as:

*"the education together ... of Protestant and Roman Catholic pupils."*

The Bill, in clause 12, removes that definition and rewrites it in clause 1. In the rewriting of that definition, it launches its assault on the very concept of academic selection. By statutory provision, it provides that integrated education is defined by various things, including, at clause 1(1)(c): "those of different abilities." You cannot have an integrated school if it does not embrace all abilities. Therefore, you could never have an integrated school based on academic selection. That is a deliberate intent of the Bill. It goes further in clause 1(2): it requires the intentional promotion of people of "different abilities". That underscores the fact that integration abhors selection and that you cannot have selection and integration in the same room. It is an open attack on the very concept of academic selection. Of course, it comes from a party that has always put itself in a position to put down academic selection. Last year, it used COVID as the launch pad to ensure that there were no academic tests.

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

**Mr Allister:** In a moment.

It has now come to the point of making it clear, out in the open, that its purpose and intent in framing an academic system in Northern Ireland is one that abhors and almost outlaws academic selection by reason of my second point: the primacy that it gives to integration.

**Mr Lyttle:** I thank the Member for giving way. I do not really intend to spend too much time on this because it is far off the Bill, but there are people who try to perpetuate a narrative that I

single-handedly cancelled academic selection last year, which suggests that I have significant powers beyond those that exist. AQE and PPTC were forced to cancel tests due to a global pandemic that had strict regulations on the movement of people. The Education Committee called for contingencies as long ago as May 2020, but they were not put in place. I regret the experience of children and young people as a result of that. Please, please, do not misrepresent me as the cause of every ill that arose from that, when so much effort was made to avoid it.

**Mr Allister:** Anyone who looks back on the fact that we could have —

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

**Mr Allister:** In a moment. Anyone who looks back on the fact that we could have successfully, last November, had academic tests, will be conscious of the fact that the Chairman of the Education Committee was one of the cheerleaders against that, advocating and demanding that we did not have that. Of course we then moved to an even worse stage of the pandemic. I will give way to Mr Stalford.

**Mr Stalford:** Thank you, Mr Allister. I sat through many of those debates, and my recollection of events is exactly the same as yours. People berated in the press and lambasted those who provided the transfer test procedure. Everyone knows that massive pressure was brought to bear on those organisations by political parties represented in this Chamber to cancel the tests, the consequence of which was — *[Interruption.]*

**Mr O'Toole:** *[Inaudible.]*

**Mr Stalford:** Excuse me. Do not chunter at me from a sedentary position.

**Mr Deputy Speaker (Mr Beggs):** Order.

**Mr Stalford:** You are not in Downing Street now.

**Mr Deputy Speaker (Mr Beggs):** Order. Members, this is not a debate about how the transfer process went last spring. The debate is about the Bill, so I draw Members back to it.

**Mr Allister:** That little excursion began with my perceived exposition of clause 1(1) and the fact that it abhors and outlaws selection and a difference in ability, even though we all know — we know it in our own families — that every kid

has a different ability, some academically and some in other directions.

**Mr Lyttle:** Will the Member give way briefly?

**Mr Allister:** Yet, we peddle this fashionable notion that oh, we are so high-minded and so liberal in our outlook that we fail and refuse to recognise the reality and we have this great homogenous view of the world that, even though we know that there are different talents and abilities, we insist on imposing an education system that fails to recognise that. That is exactly what the Bill is about.

I will give way, provided that the Member does not lead me further astray and outside the ambit of the Bill.

**Mr Lyttle:** I will be brief. I had asked the Member and Chris Stalford to find a quote of me calling for the test to be "cancelled", as they both say, prior to November of last year. You can bring that to the House. I presume that you would also challenge the expert panel on educational underachievement, which called the system a systemic inequality.

**Mr Deputy Speaker (Mr Beggs):** Order. I draw Members back to the Bill and not to a debate about what happened some time ago. Back to the Bill, Mr Allister.

**Mr Allister:** Methinks Mr Lyttle doth protest too much.

There is a striking, breathtaking arrogance to the primacy that the Bill insists on bestowing on integrated education, whereby what CCMS provides and what the controlled sector provides is lesser and secondary — to the very point that if anyone ever wants a new school under clause 7, the presumption is that it must be an integrated school. How dare anyone want anything else. How ignorant of anyone to think that, maybe, a different type of school is what they want. It underwrites it and guarantees its delivery. It then has the audacity, in clause 7(2), to decree that the matters that you shall not consider as special circumstances include:

*"the existence of spare places in existing schools."*

So you could have a situation in which an integrated school is sitting with empty spaces, but you must create a new school, and, in order to create it, you must ignore the fact that there are empty spaces in the existing integrated school.

**6.30 pm**

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

**Mr Allister:** What an audacious attempt to impose integrated education. Yes, I will give way.

**Mr O'Toole:** Does the Member acknowledge that, when it comes to creating integrated schools, clearly, they currently operate on a different basis from, for example, controlled and maintained schools. When the education system was created as it is now, in broad terms, at the time of the creation of this jurisdiction in 1921, there was no integrated sector. Therefore, giving the integrated sector "primacy", as he calls it, is a reflection of the fact that that sector clearly has more work to do, given that an entire universe of maintained and controlled schools has been in existence for many, many decades.

**Mr Allister:** In fact, the Member provokes me to change "primacy" to "supremacy". That is what the Bill is about: giving supremacy to the integrated sector. He tempts me into a historical review. One of the mistakes made in Northern Ireland at the outset was to provide other than a single state system of education. What should have been done is that the state should have said, "We will provide a system open to everyone. If any Church or any other body, whatever it is, wants to have a different system, pay for it". If we had done that, we would not be in this mess. Instead, there was generosity to ensure that Churches could continue to run their own schools, and it got to the point where the state ended up funding them 100%. That is what caused the division in our education system, and, in retrospect, it was, I believe, a mistake.

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

**Mr Allister:** Certainly.

**Mr O'Dowd:** I am sure that the Member is aware that, until the early 1980s, in the Catholic sector, it was a case of "pay your own way" in many, many circumstances. It was not until the early 1980s that some equality was brought into the system in funding the Catholic sector. Therefore, the Member's wish about what should have happened in the past is pretty close to what the reality was.

**Mr Deputy Speaker (Mr Beggs):** Order, Members. Again, we are starting to go back into history. I draw Members back to the Bill.

**Mr Allister:** Although he was Education Minister, the Member obviously did not study history very well.

I have described clause 7 as audacious. It is so audacious that it is a calculated put-down to the Catholic maintained sector. The imposition that you can have a new school only if it embraces that hard-line definition of integration is put emphatically upon the Catholic maintained sector, because it applies that stipulation to "education bodies", and "education bodies" are defined in clause 13 as including not only the Department and the Education Authority but the Council for Catholic Maintained Schools.

Let us read clause 7:

*"When planning for the establishment of a new school, [the Council for Catholic Maintained Schools] must apply a presumption that it will be an integrated school".*

How arrogant. How absurd. How intolerant is that? It is beyond comprehension that anyone would think that integrated education has such a holy status that it must be imposed involuntarily. That is the effect of clause 7: it is an involuntary imposition. A school might want its own new school, but it cannot have that, because clause 7 says, "No, you must have a different type of school. You cannot have your Catholic school. You must have an integrated school, as defined here".

That is breathtaking in its arrogance, and the Member is nodding that that is her intent.

**Ms Armstrong:** Will the Member give way?

**Mr Allister:** Yes.

**Ms Armstrong:** It states in clause 7 that it would be for the Department, not an employing body, to set up the school. I remind the Member that the employing bodies, the CCMS and the Education Authority, are part of the area planning process. There is no area planning for integrated education at this time. Do I therefore surmise that it is arrogant that, when any new schools have been planned up until this stage have not been integrated schools, there is something wrong with that?

**Mr Allister:** The Minister —.

**Mr Deputy Speaker (Mr Beggs):** Order, Members. This is the Bill's Second Stage. The debate is about its general principles. Members have been making specific points, and that is in

order, but we do not want to have protracted debate on specific clauses. That comes at a later stage.

**Mr Allister:** The principles are established by the wording of the clauses. The sponsor of the Bill has just read into clause 7 something that is not there. She said that it talks about employing bodies. It does not. It talks about "education bodies". Her Bill, not me, then defines what "education bodies" are, and her Bill states that they include the Catholic maintained supervisory body. It is therefore her words that establish the principles.

Clause 6 goes even further, and we could read it as saying that the Council for Catholic Maintained Schools:

*"must include provision for integrated education",*

because the clause reads:

*"Education bodies must include provision for integrated education".*

If the Council for Catholic Maintained Schools is such a body, it must therefore include provision for integrated education. That means that a council that, consciously and deliberately, does not want to have integrated education, because it wants to have its Church schools, is told, under this legislation, in the most draconian of measures, that it:

*"must include provision for integrated education when—*

*(a) developing, adopting, implementing or revising policies, strategies and plans; and*

*(b) designing and delivering public services."*

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

**Mr Allister:** Sure.

**Mr Weir:** In clause 7, in planning for the establishment of a new school, as the Member will be aware, the route for that establishment, when it is a Catholic maintained school, is through a development proposal brought forward by the CCMS. It therefore does the planning for the establishment. Approval will be given, or not, by the Minister at a later stage, but the planning for the establishment is done by the CCMS itself. That it is the managing authority for staffing issues is irrelevant: it is the planning authority.

**Mr Allister:** The former Minister is absolutely right. Taken together, clauses 6 and 7 are an amazing combo of dictatorship for one sector that has the capacity to liquidate another sector. That is incredible. Not only is this a Bill intent on liquidating academic selection but it seems to be a Bill intent on liquidating much of the Catholic maintained sector. It really is beyond comprehension that the House would move tonight to approve such a fundamental principle.

I listened to Mr O'Dowd, who, very systematically and effectively, demolished all the principles in the Bill. He then concluded by saying, "Even though I have demolished all its principles, I am going to vote for it". What is wrong with this House? Are we so beholden to perception that we think that we all have to tick a box because there is the nice word "integration" in it and thus vote for something that we do not believe in?

That seems to be where the Bill has led many in the House. In other circumstances, they defend the Catholic maintained sector, but, tonight, they are going to vote for a Bill because they like the title of it, without considering the substance of it. That is not what we were sent here to do. I say to the House: reject the Bill.

**Mr Carroll:** I am tempted to say that it is all kicking off on the last day of school, but I will not use that terrible joke. *[Laughter.]* I welcome the Bill. I thank the Member for bringing it to the House, and for the work that she has done on it. The need for the Bill speaks for itself. Recently, my community experienced sectarian riots at interfaces that were fuelled by divisive politics from the very top. It is the same kind of politics that has maintained the segregated education that divides children along religious or communal lines, into one camp or the other, before they can understand what camp they are in, or supposed to be in, and why.

The implications of that are clear, and there is a detrimental impact on our ability to move on as a society while we continue to teach children, from the earliest possible age, that segregation and division are normal and that other children are inherently different to them, based on how their parents were raised or where they live. It is incredible that that continues in 2021, and, frankly, both sides of the Chamber foster blame for that, whether that is by opposing an end to segregated education or maintaining it by default. It is important to note that, despite claims to the contrary about a shared future, for years, the two major blocks of nationalism and unionism have much to gain from communalism

and division. That is about educating people separately as well.

People Before Profit would prefer to see a wholly secular education system and the complete separation of any Church from the running of our schools. We have seen the impact of religious influence in schools, particularly when it comes to relationships and sexuality education, which leaves a lot to be desired in many schools. It is downright dysfunctional in others, where groups such as Precious Life are brought in, disgracefully, to teach children about abstinence because it chimes with the Christian ethos of the school. That is in no way to impinge on the rights of people to practise religion, or to end religious traditions being taught in an academic manner in schools — speaking to Mr Butler's point — but to say that education that is taught through the prism of religion should not be the standard.

All children, regardless of religion or any other factor, should be entitled to the same standard of education in any school across the North. It is important that we recognise that there is a growing number of people who do not subscribe to any religion and for whom there is no option for secular or integrated education in their local area. While we would probably go further than the aims set out in the Bill, my party will support the progress of the Bill, because we agree with promoting and funding integrated education so that we can begin to end the outdated and divisive segregation of children and begin to educate them alongside their peers, regardless of background or religion.

There is one area of the Bill that gives me cause for concern: the inclusion of financial efficiency as a justification for integrated education. While we obviously support integrated education and hope to see it rolled out across the North, and, hopefully, expanded, with the Bill, if it goes forward, we disagree that that will come about only by closing or merging existing schools. We do not see school closures and integrated education as having the same aim. In attempting to improve education on the whole, integrated education is, obviously, only one step. Investment is another crucial step. My comments were brief, but I am happy to support the Bill.

**Miss McIlveen (The Minister of Education):** It is a cruel result of our divided society that many of our children have been, and continue to be, educated separately. For many onlookers in places where conflict has not existed or occurred in their dim and distant past, the proliferation of sectors and divisions along perceived religious lines simply defies logic. It

has already been referenced, but how different would our society be today if the proposals of Northern Ireland's first Education Minister, for a single, non-denominational education system, had been passed?

Since those times, our education system has become even more complex and is faced with today's realities. Former First Minister Peter Robinson set out his desire to end what he called the "benign form of apartheid" that exists in our education system.

His ultimate vision, one to which we can all subscribe, is that our children will all be educated together. However, to effect lasting and effective change, that must evolve. It cannot be effected simply by clumsy legislation.

#### 6.45 pm

As someone who is fortunate to have been educated at Methodist College, where there was natural integration, the slow pace of change, even since that vision was first laid out in October 2010, is a frustration to me. There has been investment in shared education campuses and programmes, but, almost 11 years on, we need a coherent plan for how we will achieve and accelerate our shared goal. That is why the Executive have funded the forthcoming independent review of education.

As a result of a history of concessions and compromises, the current system is deeply complex, with a variety of sectors, management structures and ownership models. This Bill, if passed, will have significant implications for the entire education system. It is important to recognise that each sector in education, supported by a number of sectoral bodies, is working to do its best for our children. No sector sets out to divide our young people. We would not have the quality of education that exists, even with those divisions, if our schools were not supported by the work of the sectoral bodies. We should also acknowledge that the different education sectors have made significant efforts to work with each other, break down barriers, and support educating our children together. For example, 60% of schools are involved in shared education: that is to be celebrated and built on.

Whilst I understand and appreciate where the Member for Strangford is coming from in seeking to bring communities together in our classrooms and schools, this Bill, brought in at this time and without full and appropriate engagement and consultation with schools from all sectors, would serve only to drive people

further apart. Education is an area that people have strong views about, and there are evident challenges with the way that the system works now. However, the best way to bring people together is to take the time to engage and listen, to take the time to understand why views are so strongly held at the individual and community level and to take the time to get it right.

The forthcoming independent review of education is the most appropriate way to achieve that, as it provides the opportunity to strategically assess education design and delivery, consider examples of best practice, gather evidence, and, importantly, listen carefully to the voices of all stakeholders. The review was agreed as a key priority in 'New Decade, New Approach'. That agreement stated that such a review should be established:

*"with a focus on securing greater efficiency in delivery costs, raising standards, access to the curriculum for all pupils, and the prospects of moving towards a single education system."*

The Executive have endorsed the terms of reference, which set out a wide-ranging assignment, with a core focus on quality, equity and sustainability. I hope to be in a position in the near future to appoint the panel to commence that important work.

The independent review of education provides a chance to develop a radical and ambitious vision for education design and delivery in Northern Ireland and to agree evidence-based recommendations for reform and transformation. Without prejudging the outworkings of the review, it is clear that there are a range of areas in the design of the current system where there may be duplication, fragmentation and inefficiency. It is critical that the review panel is given the time, space and opportunity to consider those issues objectively. Indeed, we must all approach the review with open minds and without predetermined views on what the key findings will be and what recommendations should be forthcoming.

Rushing into unsound legislation now will not solve the challenges that we face in the design of our education system, nor will it secure broad support across all stakeholders. Such broad support is essential for true transformation. The review provides the best chance to agree a vision of what a high-quality, innovative and inclusive education system could look like, the outcomes that could be achieved and the

challenges that need to be overcome to deliver long-lasting reforms.

'New Decade, New Approach' also sets out:

*"To help build a shared and integrated society, the Executive will support educating children and young people of different backgrounds together in the classroom."*

I remain committed to achieving that, but I do not believe that it will be achieved by this Bill.

It is important to note that the 2017 review of integrated education, which is referred to in the explanatory and financial memorandum, contains a number of recommendations relating to how integrated education was defined in law, how it could be grown and to reviewing the religious balance criteria:

*"to take greater account of our more diverse society and regional and local demographics, including the balance of the community in which a school is located."*

There are 15 recommendations, directly from the review of integrated education, which have been included in the terms of reference for the independent review of education, through which they are to be considered further.

Mr Lyttle asked why the recommendations from the integrated education review were not taken forward before now. Doing that would have been considered a significant policy change and would have required legislation, neither of which could have proceeded without a functioning Executive. To bring into effect legislation such as this, which attempts to preempt the findings of the independent review of education and would significantly impinge on the work of the panel, would be unwelcome and unhelpful.

In January 2020, the political parties agreed that a non-political, non-sectoral and wholly objective review was an essential starting point for change. That remains my view. It is not strategically sound to push ahead with this legislation, which has not been subject to the same level of engagement, consultation or scrutiny that the review will be subject to. However, listening to Members, I question whether we should effectively tear up the terms of reference of the review and save the £1.5 million that has been allocated to that work. When considering the implications of the Bill, it is important that we do not conflate our joint desire to have our children educated together

with the supercharging of a single sector in our education system.

I have looked closely at the 15 clauses set out in the Integrated Education private Member's Bill. It is very clear that, should it become law, the Bill will completely undermine the independent review of education. The Bill is about empowering one sector. Let us remember that a number of sectors currently deliver education in Northern Ireland. If we wish to bring those sectors together, that will simply not be achieved by the elevation of the integrated education sector above all others in the way intended by the Bill.

"Integrated education" is currently defined in the Education Reform (Northern Ireland) Order 1989 as:

*"the education together at school of Protestant and Roman Catholic pupils."*

The Bill proposes to define "integrated education" as:

*"the education together ... of —*

*(a) those of different cultures and religious beliefs and of none, including reasonable numbers of both Protestant and Roman Catholic children or young persons;*

*(b) those who are experiencing socio-economic deprivation and those who are not; and*

*(c) those of different abilities."*

Although it may not be the Member for Strangford's intention, the Bill redefines the understanding of integrated education, and it will impact on the ethos that integrated schools have worked so hard to develop and refine over the last 40 years. The proposed change would also allow any school potentially to meet the definition of an integrated school, thereby reducing legal clarity in the definition of what an integrated school is. In fact, it could serve to dilute the whole concept of integrated education, as an integrated school has, until this point, been one that is defined and constituted in law as a grant-maintained or controlled integrated school.

Far from the current practice by which support for an integrated school grows from the parents and communities in which the school is situated or in which it seeks to be situated, the outworkings of the Bill will remove any due process of parental and community engagement. The Bill will serve to raise the

integrated education sector above any other sector. The wishes of parents, children and the associated parental preference will be secondary to sectoral interests.

It is not clear from the Bill whether the Member intends that any school with a mixed-religion pupil intake will automatically become an integrated school or that it could ask to be redesignated as an integrated school without going through the current transformation process, which includes a development proposal. The development proposal process includes consultation with other potentially affected schools in the area and, additionally, includes wider public consultation through the statutory objection period.

Area planning was established in the context of our diverse education system. It was developed to support the implementation of the sustainable schools policy and aims to ensure that we have a system of schools that is educationally and financially viable: schools that are of the right size and right type and that are in the right place at the right time to meet the needs of the children and the communities that they serve.

The support structures for area planning have been carefully constructed to ensure that all school types are represented in the planning arena. My Department has no preferred model of delivery, as it respects parents' right to state their preference. Elevating one school sector above all others completely undermines the complex and sensitive environment within which area planning takes place. The trust and collaboration that have been carefully nurtured will not survive if the Bill becomes law.

**Mr Stalford:** Will the Minister give way?

**Miss McIlveen:** If you do not mind, I want to proceed with my comments.

Most schools have a mix of children from different socio-economic backgrounds, and many schools of all types have a significant number of children on free school meals. Similarly, all primary schools are all-ability. Consequently, those elements of the definition potentially apply to a wide range of education.

It is also not clear from what stage of education the Bill would apply. If it were to go beyond compulsory schooling, it would have significant implications for preschool provision, which is delivered by many types of statutory and voluntary providers. The Bill's definitions of integrated education and integrated schools are

so wide that, in comparison to current provision, they could simply dilute what integrated education has meant since it began, even before Lagan College opened in 1981. It has not escaped my notice that the Bill is being tabled during the fortieth anniversary year of integrated education, but that does not mean that it is the right time for a single-sector Bill to become law.

Clause 3 is extremely concerning in real terms. On any function that the Department of Education seeks to carry out, whether required by other legislation, governance, public accountability, financial or practical considerations, it is required to:

*"consult with any body which—*

*(a) includes in its objectives the provision of support and advice to the Department in its promotion of integrated education".*

From the explanatory and financial memorandum, it is evident that the Member considers that the Northern Ireland Council for Integrated Education could be that body. In reality, if I take an example of the statutory public consultation in which the Department engages on a development proposal for significant changes in the schools estate, the legal advice is that the Department should not seek to consult any specific group during the statutory two-month period, because doing so promotes the views of that consultee above all others.

The Bill runs contrary to that legal advice. NICIE is an arm's-length body funded by the Department to encourage and promote integrated education. It is not a body set up for the Department to consult with on every function, some of which require specialist or professional expertise on confidential matters, including on other arm's-length bodies.

Funding a body to carry out promotion whilst requiring the Department to employ more staff and undertake specific promotion tasks is a duplication and value-for-money issue. The promotion requirements and the meaning given to promotion in clauses 4 and 5 have implications throughout the Department of Education. Currently, the Department does not promote one sector over another — for good reason.

The duty:

*"to encourage and facilitate the development of integrated education"*

enables actions to be taken for the integrated sector that do not have to be taken for other sectors. That is not enough for some. We hear that 24,861 pupils being educated in integrated schools is only about 7% of the school-age population and that growth is too slow. That, of course, does not take into account the integration that naturally occurs in other sectors. For others, the provisions of the statutory duty are too much, and the Bill strikes no balance for those stakeholders.

Under the 1997 Education Order, provision is made for parents to express a preference for the school or schools that they wish their child to attend. For the Department to invest in the promotion of integrated education as required by the Bill would be at the expense of other sectors. The explanatory and financial memorandum makes no reference to consultation with schools. While I acknowledge that the Member for Strangford has clarified that her limited consultation, which took place five years ago, is permissible for the purposes of the Bill, I am concerned that, given the significance of the legislation, the main education partners have not had the opportunity to comment on its substance and potential impact. If I were to bring to the Chamber significant legislation that would, essentially, change the way in which education works in Northern Ireland, and I brought with that legislation a consultation from five years ago, I would expect to be challenged, and rightly so.

### 7.00 pm

The Bill will have significant implications for controlled, maintained and Irish-medium schools. Those schools expect that equal and fair consideration will be given to their needs by any team in the Department. Indeed, Irish-medium education has the same statutory duty protection as integrated education: the Department must encourage and facilitate its development. If the Bill becomes law, all other schools will be secondary to integrated schools. The active promotion of integrated education by the Department also has the potential to undermine the essential functions and purposes of shared education, which are to bring together children of different backgrounds through cooperation in a school system with a wide range of different school types, where all school types are equally valued.

There is a difficulty at the core of the Bill. It requires the Department to apply the duty to promote by aiming to increase demand for integrated education and providing places to meet the demand for integrated schools without taking into account:

*"the religious demographics of an area or spare places in existing schools".*

When set alongside clause 7, the implications for the entire education system and the public purse are significant and extremely concerning.

Clause 7 requires that when any new school is being established, it must be presumed that it will be integrated. I will give an example of how that will significantly impact on area planning. The publication of a suite of development proposals is required to amalgamate two or more schools: proposals to close the existing schools and another proposal to establish a new school. If those schools are controlled, maintained, voluntary grammar schools or Irish-medium schools, are we to presume that the new school will be integrated? That will not encourage planning and managing authorities to bring forward proposals for sustainable provision; it will do the complete opposite. It will not foster and nourish the good relationships that are in place and pave the way for further collaboration across our diverse system. In fact, it could destroy those relationships. While I appreciate that the Member indicated that that is not her intention, the Bill's drafting in that respect says otherwise, and, certainly, the explanatory and financial memorandum reinforces that point by saying:

*"To establish a presumption to overarch area-based planning that all new schools should be either integrated or otherwise non single-identity schools."*

The Bill does not consider the views of the wider community, which may not want an integrated school as the default solution for its area. If parents cannot avail themselves of an alternative based on the religious demographics of an area, that will be a problem. Existing non-integrated schools will be constrained by clause 7 in having to establish what is inappropriate by reason of special circumstance when bringing forward development proposals for new schools, including amalgamations. Clause 7 will not only undermine the current area planning process, which has been carefully established and gives every sector a voice around the table, but, in reality, will completely override that process to the extent that area planning becomes undeliverable. Unspecified and limited special circumstances do not provide any assurance that local concerns or differences can be taken into account. Effectively, if a school is to be established, it is to be integrated. The Bill is also silent on the ownership and management type of schools. Currently, even in the integrated sector, parents and boards of governors can choose grant-

maintained or controlled integrated status. Each offers a different management approach; neither is opposed by the Department.

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

The requirements in relation to the Department developing an integrated education strategy and reporting on this every two years clearly draw heavily on the wording of the Shared Education Act (Northern Ireland) 2016, as does the addition of the duty to promote. Those requirements give no recognition to the fact that integrated education is very different from shared education. For example, in area planning, two years is a relatively short time, so it is not evident how the reports would be helpful. They may report activity, but how will we know whether anyone is better off?

Under the draft Programme for Government and the New Decade, New Approach agreement, there is a commitment to an outcomes-based approach. Targets distract from such an approach and do so without considering whether the customers — in this case, children, parents, schools, staff and communities — are better off as a result of our actions. The Bill serves to elevate the integrated education sector above all other sectors. It does not allow for the child to be at the centre of planning and provision. That is further evidenced by the requirement in clause 6 for education bodies to provide for integrated education as an overriding factor in any of their policies, strategies, plans and public services. I strongly contend that, if any overriding factor is to be prioritised, it should be meeting the needs of the child, not this single sectoral interest above all else.

While I recognise that the explanatory and financial memorandum attempts to quantify at least some of the costs associated with the Bill, it does not account for the legal challenges that are likely to arise from clause 7 in particular. It does not advise me where additional funding or additional departmental staff are to be found, and it does not recognise the additional costs for the managing authorities. As you all know, the Department of Education budget is under pressure. We need to prioritise funding to the right areas so that we can make a real difference to learners in the classroom. An estimation of savings in 2017 does not translate into available resource now; indeed, the specified £2.2 million that is referenced in the review of integrated education as relating to initial teacher education taking place in four institutions is within the Department for the Economy's remit. Even if that were to translate

into available resource in the future, it would not come to my Department. The Bill is referencing potential savings that are not even covered by its provisions.

I also point out that any impact on the common funding formula, as referenced in the additional factors for current grant-maintained integrated schools, would be from within a finite pot. There is no available additional funding for any aspect of the Bill. While others may prefer to ignore that, we have a collective duty to deliver value for money for the public purse, and the Bill does not do that.

I must also question what purpose the Member considers it would serve to require the Department to make supplementary regulations. The suggested provisions listed in the Bill are adequately covered through the primary legislative requirements that it seeks to create.

I note that the Member considers that the Bill:

*"will not have an adverse impact"*

on any section 75 groups and that no equality impact assessment has been undertaken. I also note that the Member considers that the Department can conduct equality impact assessments on policy implementation. An equality impact assessment should have been undertaken before the Bill was introduced. Section 75 places a duty on us all to:

*"have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group."*

I can clearly identify that the impact of the Bill would undermine the good work to date on good relations that the integrated sector, as currently defined, and the shared education programme have built up. As a whole, the Bill is likely to damage good relations between people with different religious beliefs and political opinions in particular.

I have a duty to every child in every school across every sector, not just one sector above all others. We have a duty — a collective duty — to manage public money effectively. There is an opportunity under way, as agreed by Executive colleagues, with cross-party agreement and funding to deliver it, to consider the objectives of the Bill in the fullest, most appropriate way possible. Crucially, that will be done through full engagement and consultation with members of the public and schools from every sector, with communities factored in. That

opportunity is the independent review of education. It has already been agreed by political parties and Executive Ministers and will commence shortly. The Member may be disappointed at the timescales associated with the review and wishes to rush ahead with the legislation, but reform on that scale cannot be rushed or achieved by a solo run without support from all sectors and stakeholders. It is incumbent on all of us to work together to find solutions to the challenges that we face, to build consensus on the delivery of those actions and to secure the necessary resources and commitment for educational transformation.

The education system is a key driver for positive outcomes in education, child development, health, the economy and in wider society and social cohesion. It is essential, therefore, that we take the appropriate time to get this right and to ensure that every child has the absolute best start in life. That is too important to get wrong, and that is the key reason why I ask Members to join me in opposing the Bill.

Imposing the Bill, which has a definition of integrated education so wide that it dilutes totally what integrated education means on the ground, is not the way to achieve agreement and build good relations. Instead, that would be the way to achieve disagreement, dissatisfaction and disharmony. What message would that send to our children?

While I concur with the sentiments of many in relation to sharing and integration, passing the Bill today will have serious, long-lasting and adverse implications for our education system. While it might be well intentioned and, on the face of it, achieve a desirable outcome, I have set out the very serious concerns and damaging consequences of the legislation that my Department and I have identified. Given the similar concerns expressed by others, it baffles me that support is being given to what is a fundamentally flawed Bill. Voting for the principle of the Bill at this stage endorses those flaws. I strongly encourage Members to vote against the Bill and allow the issues to be considered properly through the independent review of education, as agreed in NDNA.

**Ms Armstrong:** I thank all those who took part in the debate this afternoon. Thank goodness it started a bit earlier than it should have, because we have spent some hours on it.

Before I came to the House today, Denis Loretto, who is well known to the integrated education movement, sent me a message. I thought that it would be an interesting piece to

read to the House, and it reflects some of what others have said. He said:

*"It is important to recognise the divided history of Northern Ireland, at worst involving horrific violence but still stultifying [sic] progress even if not erupting into violent conduct. In addressing this division at educational level it is not enough to ban religion based schools and say everyone should go to state schools. The integrated school movement takes aboard the varied traditions of its pupils. Religious occasions and events are recognised and where appropriate shared and thereby better understood. The same applies to history both of Ireland and elsewhere. Separate schooling did not cause the divisions in society but unquestionably integrated schooling helps to heal those divisions. And it is great to see from this opinion poll"*

— which is the Northern Ireland life and times survey —

*"that increasingly parents want this choice for their children."*

Indeed, MLAs from the Foyle constituency will have already heard the quote that I am about to read from Colm Cavanagh, who is one of the co-authors of the independent review of integrated education. He says:

*"The aim of the Bill is very simple - to encourage reconciliation. This Bill wants to make integrated schooling a more real choice for parents across Northern Ireland."*

It is vital for our society, particularly for those parents who would prefer to have integrated education as an option, that integrated education is perceived as being a desired outcome and is promoted in our education system as something that will create the conditions that enable children and young people to learn together for a shared society. To do that, we need to be intentional in our inclusion of all those from perceived Catholic and Protestant backgrounds, as well as those from other cultures, beliefs and communities, to enable people to be confident in their own identity and be willing to tolerate and engage with other identities.

Now, I will speak to some of the comments that were raised, although I am sure that I will not give them all as much time as others have. We have had 17 contributors, including the Minister. I will try my best to fly through this because everybody wants to begin recess. Robin

Newton was the first to contribute, and I thank him for doing so. I confirm that I held a 12-week consultation, there were 800 responses and all the relevant stakeholders were written to and met with. He mentioned that it was the wrong time for the Bill. Others have asked why I would bring it forward at this time, when the independent review of education is forthcoming. I would love to have had the opportunity to bring the Bill forward earlier, but we had a gap of three years. I brought the Bill forward as soon as I could. My private Member's Bill is the first that our Bill Office has brought through.

### 7.15 pm

Mr Newton mentioned the secularisation of schools through integrated education. Nothing in the Bill takes away from the Christian basis of all schools in Northern Ireland. I was approached at the consultation stage by humanists who would have liked me to put something about secularisation in the Bill. I am not doing that. The NICIE 'Statement of Principles' states:

*"The integrated school, while essentially Christian in character, welcomes those of all faiths and none".*

The 'Statement of Principles' is divided into four sections —

**Mr Newton:** I thank the Member for giving way. The Member said that she met the relevant bodies that I quoted earlier. How is it that Mr Gerry Campbell, chief executive of the Council for Catholic Maintained Schools, and Mr Mark Baker, chief executive of the Controlled Schools Support Council, indicate that they have not had sight of the Bill and that the Bill gives them serious concerns?

**Ms Armstrong:** I did not meet Mr Baker because he has only been in post for a number of weeks, but I have met Gerry Campbell. In fact, I was out in his office in Lisburn. The Bill was published on the website, so they could have had sight of it. I did not take it to them personally because, to be honest, I did not have time between First Stage and the publication of the Bill and this point. I respected the House and the Speaker by not providing the detail of the Bill in advance of its publication by the Bill Office. I have met those organisations. I have met CCMS on several occasions at events in the House that many Members attended. I will move on.

People mentioned faith schools. Integrated schools are faith schools; some would actually

say that they have too much faith in them. The NICIE 'Statement of Principles' that I was talking about states:

*"The integrated school provides a Christian based rather than a secular approach. It aspires to create an environment where those of all faiths and none are respected, acknowledged and accepted as valued members of the school community.*

*In this context:*

*(a) pupils will learn together all that can reasonably be expected for them to learn together;*

*(b) the school will facilitate specific provision, where necessary, for Catholic pupils whose parents wish them to undergo sacramental preparation. It will also seek to acknowledge significant religious and cultural celebrations which are representative of other faiths;*

*(c) the school will encourage religious and community leaders to visit and participate in school activities;*

*(d) pupils will be introduced to the ideas, beliefs and practices of the major world religions and humanist philosophies, in a manner appropriate to their age and ability, and in line with the NI curriculum; and*

*(e) alternative provision will be made for those pupils whose parents do not wish them to participate in any religious activities or classes."*

I have to say that mention of the secular nature of integrated education is far from the truth. The Bill does not do anything to take away from that law that is in place in Northern Ireland.

Mr Newton and others talked about sharing. I am not opposed to sharing. The Bill uses much of the language of the Shared Education Act. I am delighted that Mr Newton recognised the various education sectors and the work that they do together in shared education. Parental choice is not prevented by the Bill. Instead, it allows parents to have integrated education as a real choice. The Bill does not ask for a new team, as was suggested. All that I have asked for is resources for the existing Irish-medium and integrated education team, some of whom have been deployed, at times, to shared education.

We now come to Mr Sheehan. Thank you very much, Pat. Irish culture needs to be protected.

He said that he had a different perspective from Mervyn Storey on that matter, and that structural inequalities exist outside the school system. We all need to work on that. School will not be the fix for our problems in Northern Ireland, but we can use it as a stepping stone.

Mr Sheehan asked whether there was any evidence that integrated education works. I thought about the type of evidence that I could provide for him.

A 2009 study by Stringer et al states:

*"pupils at integrated schools have been found to have more positive inter-group attitudes when compared with their peers at separate schools".*

A 2009 study by Hayes and McAllister states:

*"individuals who had attended an integrated school are significantly more likely to have friends and neighbours from across the religious divide and ... these friendship networks translate into a more optimistic view of future community relations."*

In 2018, Blaylock, Hughes, Wölfer and Donnelly stated:

*"While Northern Ireland strives to build a shared society, the current reality is that everyday experiences are still shaped by division along ethno-religious lines. This is particularly pronounced in the education system, where more than 92% of pupils attend separate schools. Within the predominantly separate education system, however, exists a small collection of schools which cater to a more heterogeneous pupil body and offer the opportunity for young people from both communities to meet and interact, and potentially develop cross-group friendships. The present study compares the network-based cross-group friendships within two ... distinct ethos yet they similarly enrol students from Catholic and Protestant backgrounds. Findings reveal that both schools show a high level of inter-connection between pupils; however, the integrated school, with an ethos that openly supports social cohesion, shows a greater tendency towards cross-group interactions and best friendships than those found within the separate school. In line with contact theory, these findings suggest that it may not be enough to simply create opportunities for intergroup contact but that optimal conditions, such as institutional support,*

*may be a prerequisite for positive relationships to flourish."*

The authors go on to discuss the implications for educational policies designed to promote greater cross-community contact. So, there is some information, although we need to have much more. If we have an outcomes-based system, I would love to see more evidence of the outcomes actually being achieved as opposed to the outputs.

The Member talked about integrated schools and academic selection. In some ways, this will come back to Mr Allister's point. There are integrated schools that use academic selection. There are integrated schools that have a grammar stream. Integrated schools use that because of the term "different abilities". That is not just about those who have vocational abilities or those who have special educational needs, but it is about parents who wish to send their family, who have high academic abilities, to an integrated school. That is why some integrated schools use academic selection. Personally, when I sent my child to an integrated school, she did not need to have academic selection. She was able to enter without that, and my heart will be in my mouth at the start of August when I am waiting for her A-level results to come through. It did not stop her having that academic pathway that she chose to go down.

The Member talked about integrated education being one of the lowest-performing sectors. Do you know what? I find that very difficult because I find that, with integrated education, when you talk about differing abilities, you could have an integrated school where 35% of that school comprises people with special educational needs. Those children may, absolutely, achieve GCSEs or A levels, but they may not, and it may be that their pathway in life is vocational. Even at that, in integrated schools, 25.6% of pupils achieve three or more A levels at A\* to C while, in non-integrated non-grammar schools, the figure is 22.9%, so the figure is slightly higher but is there or thereabouts. The source for that is the school census. In integrated education, 51% of pupils achieve five or more GCSEs at A\* to C while, in non-integrated non-grammar schools, the figure is 52.3%. The figure is slightly lower at GCSE, and that is something for us to work on.

On the promotion of integrated education, it has come forward that people are concerned that growing or promoting integrated education will be bad for other sectors. Integrated education is turning away so many children at this stage that I have to ask when the House will ask whether

the current system is bad for integrated education. The 'Good Relations' report, which my colleague Chris Lyttle mentioned, has been showing for years the increased number of children being turned away from their first preference post-primary schools. It is up to 21% in the last recorded figures for 2018-19.

The current system is bad for integrated education. Promoting integrated education and enabling integrated education to take more children is good for integrated education. There are other schools that will see that as competition.

I thank Daniel McCrossan for his input today. He said that we need to be more real and provide a viable option for parents. I thank him for that. To be honest, that is really what I am about here. He talked about the valuable contribution of all sectors and of shared education. I would like to dispel a myth: I came through a maintained school in which — I have said this before in the House — I had a fantastic education. I will never criticise it. I never attended a controlled school, so I cannot talk personally about that. I am not here to criticise any other sector, and I do not mention any other sector in the Bill. All sectors do the best that they can. Of course, shared education has been trying its very best. A lot of money has been put into it, a lot of schools have been involved, and a lot of teachers have taken training. I am not here to criticise that, but the fact that 7% of children attend integrated schools is because there is space for only 7% of children to go to integrated schools.

Mr McCrossan also said that integrated education was stalled at 7%; he did not use that word, but I will use it. Since the Good Friday Agreement in 1998, the number of pupils in integrated schools has grown from 11,910 to 24,900 in 2021. Thus, the number of children in integrated schools has more than doubled, and the number of schools has increased by 24 since 1998. Each place in an integrated school is developed with parents and for parents. The process involves the production of a development proposal and the collection of expression of interest forms. The full process can take two to three years to conclude. Demand from parents is demonstrated by numerous surveys. The most recent is the Northern Ireland life and times survey, which came out last week. It shows that 69% of parents support their children being together in a mixed-religion school. The March 2021 ARK research update, which draws on the 2019 Northern Ireland life and times survey, said then that it was 61%, so you can see that it is growing. Almost a quarter of pupils applying for

an integrated post-primary place in 2019-2020 were unsuccessful not because they were turned away by the school but because it did not have the space for them. There is still a need for more places, but the process to fulfil demand either through growing integrated schools or transforming schools can be long and drawn-out. Seven per cent feels as if it has stalled, but it has stalled because, unlike other schools, integrated schools are not getting the support that they need.

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

**Ms Armstrong:** I certainly will.

**Mr O'Dowd:** I do not recognise that it would take two or three years to bring forward a development proposal; it might take a year. However, any development proposal brought forward for an integrated school that has not been fairly dealt with by the Department is open to judicial review. I can think of one JR in my time where my decision was overturned and then, later, a court case qualified it. Have there been any other cases where the Department's decisions have been overturned by JR?

**Ms Armstrong:** I am aware of at least one that I was involved with as a member of the board of governors of Strangford Integrated College, where the school had applied for a development proposal and was turned down and got to the stage of writing the letter to say that it was about to take legal action, and then the Department reneged on that and went back on its decision. I am aware that integrated schools have had to fight. The same school has asked to take on temporary variations. I do not know why that cannot be made permanent.

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

**Ms Armstrong:** I will indeed.

**Mr Lyttle:** The Member will recall that, in my capacity as Chair of the Education Committee, I asked the then Education Minister, Peter Weir, whether he was concerned that the decision on Strangford Integrated College would be judicially reviewed. His response was, "We get judicially reviewed all the time".

**Ms Armstrong:** That is quite stark.

**Mr O'Dowd:** Can I just clarify?

**Ms Armstrong:** Yes.

**Mr O'Dowd:** That is a true statement, but what does it mean? When I was Education Minister, I was JR-ed by all sectors because we were entering a phase where there was a significant number of development proposals coming through, particularly on school closures. I was JR-ed, I would say, 10 times during my time as Minister. You have to put that into context. Ministers are JR-ed a lot. It does not necessarily mean that they are JR-ed by the integrated sector. I was trying to glean whether there was any legal evidence that the integrated sector was being discriminated against by the Department.

**7.30 pm**

**Ms Armstrong:** I will have to defer to the Research and Information Service and come back to you. I think that there is discrimination through area planning. To be honest, that is only my position. I need to look at that and bring the answer back to you. Rather than spoofing, I want to give you the proper information.

Mr McCrossan said that the SDLP had concerns about the Bill. That is not surprising. When I was speaking to parties, they raised concerns. The Bill does not wish to close any other sector's schools. I just want children and families who choose an integrated school to have their choice honoured. I am happy to work with Members on the Bill. If it passes Second Stage today, it will go to the Education Committee, where, I am certain, members will take further evidence.

On promotion, the Education Authority and CCMS lead on planning. If integrated education is to be included, both will need to consider integrated education and enable it or promote its provision. I would like, as part of area planning, consideration to be given to parental demands when planning the school estate so that, instead of integrated schools having to be set up by parents outside the system, the Education Authority, CCMS and the Department will consider integrated schools.

I thank Mr Butler for his input. Parental choice is important. Educating children together is a component of our peace process. Although it is not the only thing that will provide a solution, it can help to improve things for society in general. He said that the Bill spoke unkindly about other sectors. I do not think that it does, especially clause 7, which so many have talked about. That is why clause 7 states that the presumption will be there. I have not defined special circumstances. That was on advice from the drafter, who felt that it would be better for the Department and the education bodies to

consider the special circumstances. For instance, at the moment, when planning the establishment of a new school, the Department or Education Authority, if there is a gap in provision that means that more places for children with special educational needs are required, can plan for a special educational needs school. That could be a special circumstance. If I were to define special circumstances, it would take that flexibility from the Department. That is why the drafter said that putting in the section about new schools meant that the flexibility would still be there. I understand that many say that that makes integrated education superior to every other sector. Perhaps everyone in the House will now know what it feels like to be a parent of a child at an integrated school. Area planning does not plan for integrated schools — it does not.

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

**Ms Armstrong:** Yes, I will.

**Mr Butler:** Thank you, and I thank you for addressing that point. If this is about equality, how, when addressing the issues, is lifting one sector above the others the right thing to do? Surely, we should pull it up to the same level. I accept that some, especially parents and people who went to an integrated school, feel that there may not be a level playing field, but giving a presumed preference is equally unequal.

**Ms Armstrong:** I thank Mr Butler for that. I will try to paint a picture in my mind. We will have all seen the equity versus equality cartoon in which three people of varying height are standing behind a fence. If all three are provided with a box of the same size, the shortest one — someone like me — will still not be able to see over the top. If you have equitable treatment and try to lift the person who is shorter, they will get on to a level playing field. Integrated education is so far behind all other sectors that we need to do something proactive to take it forward.

On clause 3, I want to clarify that there already is sectoral body support: the Controlled Schools' Support Council, CCMS, the Education Authority, Comhairle na Gaelscolaíochta (CnaG) and NICIE are all there.

NICIE is already funded. I have put it in the Bill so that, rather than having it in policy, legislation will enable support for it. While we have various sectors, I think that the Member agrees that we have parental choice, but is that

parental choice real when it comes to integrated education?

Mr Weir, who is not here at the moment, said that I was looking to provide a superior choice for integrated education. If that is the case, why do we already have the presumption that controlled and maintained schools will be provided for when new schools are being planned?

Mr Storey talked about choice and academic selection. That is not relevant to the Bill; I do not deal with that in it. He talked about the context of Northern Ireland: the 100 years and what could be coming in the future. He claimed that the Bill tries to bring the maintained sector under the controlled sector: it does not. I have not mentioned that in any way, shape or form. He talked about the many reports. If any of those reports had delivered for integrated education, I would not have needed to bring forward this legislation.

Mr Storey said that I say that every other sector has failed. That is not true at all. Nobody has said that any other sector has failed. I do not want anybody leaving the House thinking for some reason that somebody who grew up in a Housing Executive house, went to maintained schools and managed to do well in education is trying to make out that any other sector has failed. Of course they have not. The other sectors have amazing teachers. They have been delivering education across Northern Ireland for years. I have not said that they have failed, and nor does the Bill, so I want to put that to bed. Each sector has fantastic teachers and children and may have wonderful academic results and vocational courses. As others have said, however, we have an education system that is very complex. Trying to help one sector does not mean that I am saying that there is anything wrong with the others.

Mr Storey brought up the phrase "reasonable numbers". That is already in legislation: in the Shared Education Act 2016, which talks about "reasonable numbers" of Protestants and Catholics. I am glad that "reasonable numbers" is in there. Over the years, we have had 40:40:20 and 70:30. The phrase "reasonable numbers" of Catholics and Protestants allows for the children across Northern Ireland who are of other faiths and of none to be included. Up until now, a lot of the data collected has been about Protestants and Catholics. We see that in other equality legislation. To be honest, that is where the Education and Training Inspectorate (ETI) inspection will come in. The ETI will be able to go into an integrated school to see whether it is actually integrated. It is about more

than just the numbers of the children in school; rather, as Ms Bailey talked about, it is about the curriculum, the culture, the sport, the arts, the teachers, the board members — all of that — as well as "reasonable numbers".

I am glad that Mr Storey, I think it was, mentioned Blackwater. I would love to invite Mr Storey down to Blackwater. It is a wonderful integrated school just outside Downpatrick. It is a school that has certainly improved its numbers. It is on a site that will never allow for the number of children that it needs attending it for it to be a sustainable school. It has two mobile huts in the middle of it. The roof of one has collapsed to the floor, but the school cannot move it away because it cannot get in a crane. It is a lovely school. It is talking about closing and moving to what, hopefully, will be a new school, potentially in mid-Down, that is being paid for by the Integrated Education Fund and parents. There is a process under way. We have an integrated school that does not have the full numbers, but it cannot have those numbers anyway because the site that it is on is very limited, although I absolutely love visiting there.

The Bill talks about public services coming together. All of us in the House have committed to cross-departmental working and collaboration, so I do not understand what the concerns are about that.

Ms Brogan recognised the aspirations of the Bill — thank you very much — and said that she wanted to work on it in the Education Committee.

Do you know what? If that helps to improve the legislation and make it better for integrated education, that is fine. I do not mention Irish-medium education in the Bill and kept it focused on integrated education, but, if we can improve something that could help other sectors, I will be happy with that.

Mr Harvey talked about 'New Decade, New Approach'. I thank you, Mr Harvey, because I looked around earlier to see who else in the Chamber was involved in the Programme for Government negotiations for 'New Decade, New Approach'. There were representatives of different parties there. I was told that, if I got the independent review of education into 'New Decade, New Approach', a civil servant would eat his hat. He still owes me that hat. That review is something that I wanted. I made it clear when I was sitting at that table in Stormont Castle that I had already started the Integrated Education Bill, that work on it had already begun and that the long-term objectives would

be the independent review of education; in fact, the footnote in the appendix is by my hand. I made it clear at that time, and there were no objections, that the Integrated Education Bill would be an interim measure to bring integrated education onto a level playing field with other sectors.

Mr Harvey said that state grammar schools and controlled schools were open to everyone. They are; I am not arguing about that. I spoke to Mr Stalford about this before. I would rather that all schools had that integrated ethos, not just that people can go in through the door but, when they go in that door, they are not assimilated and there is an integrated ethos there. They will not be what that school is. I have spoken to many pupils who have been to very good controlled schools that are mixed. They tell me that they were not of the majority religion in that school and were not celebrated. That is the difference between integrated and controlled schools. They are amazing schools with amazing mixing, and that is fantastic, but we could do just a wee bit more.

The Member talked about parental choice. Where is the choice for parents who want to send their children to integrated schools? In our constituency, Strangford Integrated College turns away a full year group of children. Our parental choice for integrated education is not there. He talked about the money side of the promotion of integrated education. Money is already put into NICIE to promote integrated schools. I have to say that it has only been in more recent times that NICIE has been allowed to go into schools to talk about transformation. Certainly, it has been doing that after a school has decided to transform, but this is about promotion of transformation. The Integrated Education Fund helped to fund NICIE before that. The promotion of integrated education would help to remove the limitation on it so that we can finally see more than the 7%.

Mr O'Dowd said that integrated education has protection in law. I will not tell a former Minister of Education how to suck eggs, because he knows all about it. He asked about NICIE: it certainly receives a large budget to encourage and facilitate and, now, to promote. It is outside of the Department. He talked about the definition of integrated education being offensive. In my opening statement, I said that there were many schools that could recognise that definition and say that it would suit them. However, the 1989 Order is not replaced by the Bill. A school will still only be able to legally be called an integrated school if it has been established under that Order. It means, then, that I add to what the 1989 Order says. They

have been through that process and they come to be called an integrated school. There is a definition of who they are, and the ETI can then inspect it. It is not about being offensive to any other sector; in fact, as others have said, if any school could not say that that is what they provide, I would be astonished. The Bill adds to the 1989 Order.

I absolutely understand what Mr O'Dowd meant when he said that religion should be separate from education. That is bigger than this Bill. When I spoke to the SDLP representatives and they asked me about that, I said, "I am not going there". That is far beyond integrated education. It is something that, perhaps, the independent review of education may consider. I was pressured by humanists to see whether I would put secularisation in the Bill, but I said no. This is about integrated education.

#### 7.45 pm

Is the legislation necessary when we have the New Decade, New Approach commitment coming forward? I believe that it is. The reason that I say that is that the independent review of integrated education is five years old, as has been highlighted. Some of the recommendations have been taken forward — thank you for that, former Minister Weir — but not all of them. In fact, the clauses in the Bill address some of the recommendations that have not been brought forward by the Department.

Mr O'Dowd talked about identity not being neutral in integrated schools. I will not argue with you on that. I believe that integrated schools have a job to do to ensure that they are fully inclusive for everyone. That is why I have included the requirement that the ETI must inspect the ethos of integrated schools. I agree with you: I have experience of a wonderful integrated school that is completely inclusive. When your daughter hurts another player on a hurley field, you get a bit scared.

**Mr McNulty:** Hurling.

**Ms Armstrong:** Hurling, yes. It is better than Gaelic. I come from an area where hurling is god. My daughter was playing hurley — not camogie — and she hurt another youngster at the integrated schools' cup, which was quite terrible. Hurling is in my lifeblood, so I cannot say anything.

Mr McNulty, just when I am talking about Gaelic games, you said that you were surprised that integrated education has not grown. It is hard

for it to grow when it is so difficult to set up new schools, and transformation is not easy. As Ms Bailey said, parents have to remortgage their houses to set up a school. They have to bring forward development proposals, and they have to self-finance for the first number of years before the Department will recognise the school. You do not have to do that for controlled or maintained schools, so it is an uphill battle.

You were absolutely right when you said that young people are light years ahead of us. I have declared before in the House that my daughter was involved in the Secondary Students' Union of Northern Ireland (SSUNI). Those young people, who will probably be sitting in the House in the next 10 to 15 years, terrify me, because they are light years ahead of us.

You asked a key question: how do we measure the success of our young people's education? That is a very hard question for me to answer. As many Members will know, I am on the all-party group on disability. I have been to various schools that look after young people with special educational needs. You could have a young person in a class who, all of a sudden, can pay attention for an hour, and that would be an amazing achievement for that young person. Another young person could get to the stage where they have completed five GCSEs, and that would be an amazing achievement. We then have secondary schools. I talked earlier about the number of GCSEs that are achieved at those schools, and that is best that those pupils can achieve. Then, we have grammar schools that achieve wonderful exam results.

How do we measure the success of our young people's education? It comes back to this: if we measure it based on academic grades, some schools will do wonderfully. Another measurement of success could be the change in a child from the day that they enter the school until the day that they leave. It is a very difficult one. I do not believe that academic grades are the only way in which we can measure the success of a school. I would rather see a teacher's report that says, "Johnny, who sits in the corner, was an absolute pain when he came through the door, but, all of sudden, we've got him to the stage where he has passed his maths and English GCSEs, and — do you know what? — we've got him a vocational qualification, and he's going to be working as a joiner". That would be amazing.

You raised a concern about faith-based schools. I am a great believer in faith-based schools. I chose an integrated school for my daughter because it is a faith-based school. It

happens to have all faiths. All schools in Northern Ireland are faith-based schools. All schools in Northern Ireland are required to have a Christian ethos. Religious education is a compulsory school subject.

Article 5(1) of the Education (Northern Ireland) Order 2006 stipulates:

*"every grant-aided school shall—*

*(a) include provision for religious education for all registered pupils at the school".*

Integrated education follows that as well.

You said that the Bill is the start, and I have to say that I agree with you. It has opened a conversation. It has opened up the ability for some of us to come across from our parties and say what we want to happen. It is not the end, and I know that, if the Bill goes through to the Education Committee, it definitely will not be the end. There will be a lot of discussions, and I fully expect that the Education Committee will have to extend the time for witnesses to come in and give evidence.

Mr Lyttle outlined the findings of many reports over the years that have defined the need for integrated education. He outlined the significant cost for our current education system, which we all know is under huge financial strain. He highlighted the increasing oversubscription of integrated schools and the 'Good Relations' report, which stated that 21% of children who had put down integrated education as their first preference were unable to get a place in an integrated school. He talked about the independent review of education and how some of the recommendations have gone forward while others have not.

Mr Stalford talked about giving preference to integrated education. I respond to that in the same way that I responded to Mr Butler: if we are not just talking about equality but equity, it is only right and proper that we support a sector that does not have the same level of support as others.

Mr Weir rightly talked about the quality of education rather than the sector. Of course people absolutely want to send their children to a good school. However, some of us consider that good schools are not just academically good but are about the holistic nature of the school and its ethos. The quality of integrated education means that all children, including a high number of mainstreamed special educational needs pupils, are all together in the one place. He discussed the strategic review of

education, and he questioned the "special circumstances" referred to in clause 7. He asked, "Why not wait until the independent review of education concludes before bringing forward this Bill?". Integrated education cannot wait, and, to be honest, this debate will probably go forward to the independent review of education in order to give an outline of what parties think about a single education system. It has been five years since the independent review of integrated education.

I believe, absolutely, in strategic reform, but I do not believe that parental choice is being provided for now for integrated schools. The Member accused me of having "muddled thinking". I am not going to go down that road too much. I had an amazing drafter, who was able to go through the Bill word by word with me. I am just disappointed that a former Education Minister wants the House to vote against parental choice for integrated education and legislation to improve on that.

Christopher Stafford said quite a number of things with which I absolutely agree. In fact, in the House on other occasions, I have said that I agree with Christopher on a number of things, which will probably get me disciplined by the Alliance Party. Children should be educated together, but I want more than that. I want an integrated ethos, where children are integrated, not assimilated. As I said in my initial speech, the independent review of education will be like the Bengoa report. It will take years to implement, and, in the meantime, as I said during the New Decade, New Approach negotiations, the Integrated Education Bill will help integrated education to move forward.

I give absolute confirmation now on behalf of the Alliance Party that we will give the Education Minister full support for the delivery of the independent review. Why would we not? We wrote that provision and put it in New Decade, New Approach. Mr Stafford said that he is a religious person and that his religion came not through school but through home. I agree with him. I would rather see religion outside of school, but the issue is bigger than the Bill. I am not going to do that. I am not going to take religion out of schools because that really would kill the Bill.

Mr O'Toole said that 7% of children can be educated together, and, although more want to be, they cannot. He confirmed that schools, sectoral bodies and teachers are wonderful. I do not argue with him — they absolutely are. That is why I am in the House and am not a teacher. I do not know how teachers do it. He talked about the education system being at fault

and about how it needs to be improved. I absolutely agree with that, which is why the independent review of education is coming forward. He talked about an incoherent education system. Reform will take time, and, if we have the opportunity to tackle division, why would we not do it now? Mr O'Toole understands that the Bill and discussing education gets to who people are and what their identity is.

He asked something that I do not think I will be able to answer: how can those who are unable to go, or do not go, to an integrated school celebrate one another and themselves? That is something that I would love to see more of through the Assembly, perhaps, and the work of the Assembly or local councils. There is more to celebrate through our diversity than there is to keep us separate, but perhaps that is for a different occasion, not the Bill.

I thank Ms Bailey and the Green Party for their support. She confirmed that the Bill predated New Decade, New Approach and that the current education system is in trouble. She discussed the Department's appointments to GMI boards, which is something that I was not aware of. I will have to look into that. Thank you for that, Ms Bailey. She said that if we could start education again, we would not have the system that we have. However, she recognised that we cannot start from scratch and that we already have a system but said that the Bill helps to bring forward part of that system. She reminded the House that parental choice led to the Irish-medium and integrated sectors, but she recognised that not all parents have a choice. Many have only one choice in their area and, sometimes, the choice for integrated education is full. I confirmed that, in many parts of Northern Ireland, there is no integrated school that parents can choose and that, in the areas in which there is an integrated school, such as mine, the post-primary is completely oversubscribed.

Ms Bailey said that she would prefer faith to be taken out of schools, but, at this stage, all schools are faith schools. She rightly said that integrated schools are about more than pupil numbers. That touched my heart, because it is why I got involved in integrated education. Integrated education is about the curriculum, culture, sport and the arts; it is all about ethos. Mr O'Toole mentioned that as well. An integrated ethos is something that not everyone understands, and I hope that, through the Bill and our discussion of it, perhaps more understanding of what an integrated ethos is can be shared across the House.

Mr Allister said that this was a determined assault on academic selection because I mentioned the term "different abilities". I have not said "all abilities". It is disappointing that Mr Allister is not here. To be honest, I would rather see academic selection out of schools — that is not anything to be hidden. However, because I took in-depth consultation and listened to people, I did not include that, because integrated schools are not against selection. Lagan College has a grammar stream, and Strangford College had a development proposal for a grammar scheme turned down, although it may be going back in. I may not want to have transfer tests done, but the Bill accepts that, by including "different abilities", some integrated schools have a grammar stream, and that is it. I have therefore included that in the Bill.

I am sorry that Mr Allister is not here to allow me to address that with him, but the Bill is not going to get rid of transfer tests. Integrated schools have told me that some of them want transfer tests and some do not. This definition, or meaning, of integrated education talks about differing abilities. That is not just about those who have a vocational outlook on life or special educational needs. Some of us have children who are academically gifted, but we still want them to go to an integrated school and not to a grammar school.

Mr Carroll said that People Before Profit would prefer secular education. I respect that. He said that he would support the Bill and that he is happy to promote and resource integrated education. He talked about financial efficiency. I have to admit that the Bill is not about closing other schools to promote integrated education. We would much rather see schools coming together and the natural amalgamation and mixing that others have talked about. Financial efficiency happens to be one of the things that a lot of reports bring forward when they talk about integrated schools and the mixing of schools. You do not need to have separate schools, but, in the system that we have currently, we have various sectors and parents have choice, so financial efficiency is talked about. It is something that could be achieved in the future, but the Bill is not going to take away the other sectors.

The Minister confirmed that children being educated separately is something that we have and that the education system is complex. She talked about the reference to benign apartheid. She also said that natural integration happens in some schools, and she mentioned Methody. Absolutely; it does.

"Super-mixed" schools are available across Northern Ireland, and there are many wonderful "super-mixed" schools. I go back to Judge Treacy, who said that integrated schools are a "stand-alone concept". While people can use the word "integration", there is a process to follow if they want to integrate. I would absolutely welcome a school like Methody coming forward, because it could that so easily.

### 8.00 pm

Going forward, the plan needed for our education is the independent review of education. Therefore, I am delighted that, after the negotiations for New Decade, New Approach, the DUP got on board. There has been significant investment in education. Education is really expensive, but, of course, we are always going to spend money on health and on our children.

The Minister talked about support for shared education. Absolutely, shared education is helping to break down barriers. I support sharing. It is a pity that the Fermanagh Trust model for shared education was not implemented. I met people from the Fermanagh Trust — my goodness, it was such a long time ago — and they talked about bringing schools together. Rather than a top-down approach — they felt that, unfortunately, that is what shared education was — they wanted a ground-up approach. That would start with schools sharing teachers, and, for example, the best maths teacher and the best English teacher teaching across campuses. The schools might then start sharing the cost of things like stationery. They would naturally evolve into an integrated state, and the community and schools would come together. It would have been lovely if that model had been used. Unfortunately, all those years ago, that model was not able to go forward.

New Decade, New Approach required a hard negotiation. As I said earlier, there is a civil servant who, if he happens to get wind of this debate, knows that he owes me a hat: the one that he is supposed to have eaten. We got the independent review of education into that agreement. During the negotiations, it was made very clear that the review would be bigger than Bengoa and was, because everyone has a vested interest in education, likely to cause more difficulty than health for the Assembly. As Mr O'Toole mentioned, our education system reflects our identity.

The Minister asked what the Bill covers. As far as I am concerned, nursery education is non-sectoral and therefore outside the Bill.

It may well be the fortieth anniversary of integrated education, but the Bill was held back when the Assembly was collapsed. Had there been the opportunity to introduce it three years ago, I would have done so. Believe me: leaving it to the last plenary day before recess to bring forward Second Stage, so that it might get through before the end of the mandate, was not my plan.

The Department certainly does fund NICIE. However, the Department has only recently allowed NICIE to promote transformation as an option for schools. I believe that parents who want to send their children to an integrated school do not have a choice. The Minister talked about the Bill placing integrated education above other sectors, but the Department already places other sectors above integrated education. The fact that parents do not have an integrated education choice is proof of why the level of integrated education remains at 7%: it suits the Department for it to be that way.

As was said, the 2019 'Good Relations' report confirms that 21% of children do not get accepted to their first choice integrated school and are turned away. The Department holds no data on where those children end up going to school. If there is a commitment to supporting all sectors equally, how come there is data for maintained and controlled schools but not for integrated education? The data is missing.

The community conversation methodology has come to the fore and been used by the Education Authority. It gives the community a voice. When a new school is being planned, the current system uses the religious demographics of an area and empty desks. The community conversation turns that around and asks the community, "What do you want?", and there have been some successful community conversations.

The independent review of education is to look at a single education system. The House is in trouble: if that happens, what will happen to the parental choice that so many Members mentioned? Not every sector has a fair and equal voice. If they did, 21% of children would not be turned away from their school of choice.

I have not diluted what "integrated education" is, because the requirement in the Education Reform Order 1989 stands. I checked the legality of that. I checked it with the drafter and with the Bill Office. The only thing that I am changing about the 1989 order is to add "promote", so I do not see how it is possible that I have diluted the meaning.

Thank you for your patience, Mr Deputy Speaker. I really appreciate all the comments made today. When I met parties, I confirmed that, although I am passionate about integrated education, I want to ensure that legislation on it is good and inclusive. I thank the team in the Bill Office who helped get the Bill to Second Stage. I again pay tribute to Fiona McAteer and the team that worked to help me behind the scenes. We took a very in-depth look at integrated education. This Bill feels like my baby. I hope that you will let my baby take its next steps and that the Education Committee will look after it for me. I ask each of you to vote for the Integrated Education Bill to pass its Second Stage. Everyone gets to participate in integrated education. No one gets to dominate. Thank you.

*Question put.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Deputy Speaker (Mr McGlone):** The Question will be put again in three minutes. remind Members that we should continue to uphold social distancing and that Members who have proxy voting arrangements in place should not come into the Chamber.

Before I put the Question a second time, I remind Members present that, if possible, it would be preferable to avoid a Division.

*Question put a second time.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Deputy Speaker (Mr McGlone):** Before the Assembly divides, I remind Members that, as per Standing Order 112, the Assembly currently has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies. I remind all Members of the requirement for social distancing while the Division takes place. I ask you, Members, to ensure that you maintain a gap of at least 2 metres between you and others when moving around in the Chamber or the Rotunda, and especially in the Lobbies. Please be patient at all times, observe the signage and follow the instructions of the Lobby Clerks.

*The Assembly divided:*

Ayes 56; Noes 27.

### **AYES**

*Dr Aiken, Mr Allen, Ms Anderson, Dr Archibald, Ms Armstrong, Ms Bailey, Mrs Barton, Mr Blair, Mr Boylan, Ms S Bradley, Ms Bradshaw, Ms Brogan, Mr Butler, Mr Carroll, Mr Catney, Mr Chambers, Mr Dickson, Ms Dillon, Ms Dolan, Mr Durkan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Ms Hunter, Mr Kearney, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Muir, Ms Mullan, Ms Á Murphy, Mr C Murphy, Mr Nesbitt, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Stewart, Ms Sugden, Mr Swann, Miss Woods.*

*Tellers for the Ayes: Ms Bailey and Mr Lyttle*

### **NOES**

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

*Tellers for the Noes: Mr Harvey and Mr Weir*

*The following Members' votes were cast by their notified proxy in this Division:*

*Ms Armstrong voted for Mr Blair, Ms Bradshaw, Mr Dickson, Mrs Long, Mr Lyttle [Teller, Ayes] and Mr Muir.*

*Mr Humphrey voted for Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mr Frew, Mr Givan, Mr Harvey [Teller, Noes], Mr Hilditch, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Middleton, Mr Newton, Mr Poots, Mr Robinson, Mr Stafford, Mr Storey and Mr Weir [Teller, Noes].*

*Mr Butler voted for Mr Aiken, Mr Allen, Mrs Barton, Mr Chambers, Mr Nesbitt, Mr Stewart and Mr Swann.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Brogan, Ms Dillon, Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Mr G Kelly, Ms Kimmins, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Ms A Murphy, Mr C*

*Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Mr O'Toole voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGrath, Ms McLaughlin and Mr McNulty.*

*Ms Bailey [Teller, Ayes] voted for Ms Sugden and Miss Woods.*

*Question accordingly agreed to.*

*Resolved:*

*That the Second Stage of the Integrated Education Bill [NIA 23/17-22] be agreed.*

**Mr Deputy Speaker (Mr McGlone):** That concludes the Second Stage of the Integrated Education Bill. The Bill stands referred to the Committee for Education.

Slán abhaile. Safe home.

*Adjourned at 8.27 pm.*

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