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Northern Ireland Assembly

Monday 10 February 2020

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

Members observed two minutes' silence.

Assembly Business

Mr Francie Brolly

Mr Speaker: Members will have been saddened to learn of the passing of Francie Brolly, a former Assembly Member for the constituency of East Londonderry. I commence our business today by recording the passing of our former colleague Francie Brolly.

Is mór an onóir domh inniu ómós a thabhairt dár gcara Francie Brolly. Gabhaim comhbhrón ó chroí le clann Francie ar a bhás an tseachtain seo caite. It is my honour to pay tribute to Francie, who passed away just last week. Francie was a Member of the Assembly for over six years, being first elected in 2003. Like others, he came to the Chamber after another career in public service, as a teacher in Dungiven. While I pay tribute to him today from the Chair, I had the pleasure of serving on the Benches alongside Francie as a friend and a colleague. I am, therefore, I believe, well placed to say that Francie may have been too much of a free spirit for the formality of the Chamber.

I first met Francie in the confines of Long Kesh in 1972. He was a passionate advocate of rights and a great advocate of his language, which he loved. He loved his Irish traditional music, and he was a poet and songwriter. He loved his sport, particularly the GAA, so it is no surprise that, when he was a Member of the Assembly, he was an ardent member of the Committee for Culture, Arts and Leisure. It is for those interests that many knew him best, and they are reflected through his entire family circle. On behalf of the Assembly, I express our sympathy to his wife, a bhean chéile, Anne, his children Joe, Proinsias, Conal, Áine, Nodlaig and his 13 grandchildren. Suaimhneas síoraí dá anam uasal.

Members, as we have done in the past on these occasions, I will call a representative of each of the parties to speak for up to three minutes to pay tribute to our late friend and colleague. I will allow around 30 minutes for

tributes, and, if there is enough time remaining after all the parties have spoken, I may be able to call other Members who rise in their places to say a few words. The Assembly will now pay its own respects.

Mrs O'Neill: Francie Brolly was a huge figure in the political life of East Derry for many years, and he will be sorely missed by many people. He was a tireless campaigner for civil and human rights and a committed Irish republican. Francie's republicanism was innate — it was in his very being, in his DNA — and it came out in everything that he did.

Aware of the injustices in life in the North, Francie, like many others, sought to challenge the status quo.

When the civil rights campaign began, Francie got fully behind it as a republican and stood up to fight for rights, equality and democracy. His leadership, determination and commitment shone through, and he was a stalwart at marches and demonstrations at that time.

His republican activism and challenging of the injustices that he saw around him led to his internment in Long Kesh for a period in the early 1970s. In the dark days of the 1980 and 1981 hunger strikes, Francie was to the fore in supporting the campaigns of the prisoners, raising awareness of their demands.

As a teacher for many years, he is fondly remembered by the many hundreds of former pupils who recall his enthusiasm and passion. In recent days, many have paid tribute to him, showing that he will never, ever be forgotten.

A committed republican activist all his life, Francie stepped forward and entered the political fray as an elected representative for Sinn Féin. Elected to the Assembly in 2003, he served on the Culture, Arts and Leisure Committee, reflecting another great passion in his life. A fluent Gaeilgeoir, he was steadfast in his promotion of the Irish language, using it in the Chamber on many occasions.

He established a reputation in the Assembly for his commitment and dedication to his constituents and his native Dungiven, and for the respectful way in which he engaged with Members from other parties. Across the Assembly, Francie was admired and respected for his beliefs.

Aside from politics, Francie also made a huge contribution to the music and cultural world with the songs he recorded and performed alongside his beloved wife, Anne. He was well

known across Ireland for his songs, in particular 'The H-block Song', which has become a classic the world over and will live on as a testament to his campaigning, activism and republicanism.

I send my condolences to his widow, Anne, his children Joe, Proinnsias, Conal, Áine and Nodlaig, the entire Brolly family, and everyone who knew Francie. My thoughts are with them at this very sad time. Ar dheis Dé go raibh a anam.

Mr Givan: I did not have the opportunity to be in the Assembly when Francie Brolly was an MLA. He left at the start of 2010 and I joined later that year, but I did get to know Francie in a different sphere. Francie Brolly, yes, was a committed republican, but he was a committed republican who held, most importantly to him, the words of the 1916 proclamation of independence:

"cherishing all the children of the nation equally".

I got to know Francie and his wife, Anne, through the pro-life movement. Certainly, his passing is a loss to the voice in the republican community advocating the rights of the unborn child. When I spoke to his wife since Francie's passing, Anne reassured me that she intends to continue his work on the issue, which was very important to them.

Francie was an unconventional MLA. In a different capacity, I worked with the then Culture Minister when Francie was on the Committee, and I can recall his saying to the Minister, "I have been handed a list of questions that the folks up in the office want me to ask, which is quite awkward. I do not really want to do that. What can I do to be helpful?" As you said, Mr Speaker, he was a free spirit. He was unconventional, and that certainly marked him out at that time when I was engaged with the then Culture Minister, Edwin Poots.

I offer my condolences to Anne Brolly — 51 years of marriage to Francie — to their five children and their 13 grandchildren.

Mr Butler: On behalf of the Ulster Unionist Party, I extend our condolences to the Brolly family, to Anne, the children and the grandchildren. It is interesting to hear about the unconventional nature of Francie, whom I did not have the pleasure of getting to know and working with. On that note, we extend our condolences to the family.

Mr Dallat: I have been here long enough to remember Francie during his years here. Let me begin by offering the sympathy of the SDLP, and my personal sympathy, to the Brolly family, and especially to his wife, their children and grandchildren. They were inseparable in life. Francie's death is difficult for many people. How much more difficult must it be for the Brolly family?

In the Assembly, I remember Francie as being a gentleman to everyone. I think that I am correct in saying that he did not enjoy the adversarial nature of this place. I know he was glad to return to his native Dungiven to continue the work that he loved: as already mentioned, the Irish language, music and local history, which the Sperrins are rich in. I also acknowledge his strong views on abortion.

While he may not have been the most enthusiastic patron of this place, he did make an important contribution to it. Perhaps that was to show respect for others with quite different political views. Francie also made good speeches. I encourage younger Members to look them up, because they were entertaining and informative and helped us better understand where Francie stood in relation to party politics as we understand it. He was well above the cut and thrust and point-scoring that, in the past, went on far too often. One speech, if I may mention it, Mr Speaker, was on the future of the Post Office. The Speaker of the day interrupted Francie a few times to point out that he had yet to mention the Post Office. On each occasion, Francie reassured the Speaker that he was coming to the Post Office and continued to deliver one of the finest speeches ever made in the Assembly. The last two words spoken were indeed "post office", and everyone was happy. The speech was first class, thought-provoking and entertaining, and Francie was not ruled out of order because it did not focus on the Post Office but on life.

Francie Brolly was indeed a Gael, but his style of Gaelige was all-embracing and about bringing people together to agree or disagree but remain friends and share experiences. He was not a bitter man. He did not harbour grudges and, if he could not do you a good turn, he most certainly would not have done you a bad turn. His contribution to life in his native Dungiven was huge and will live on for many years to come. As the new Assembly beds down, it would be useful to emulate Francie Brolly for his modesty, inside and outside the Chamber. Let us remember him as a Gael whose example threatened no one. He was on an important path and road that I hope we are all now on, respecting and sharing each other's

culture and all the things that were important to him and the community that he served for many years as a community representative, councillor and, of course, Member of the Assembly. Mr Speaker, may he rest in peace.

Mr Lunn: I overlapped with Francie Brolly in this place for about three years, I came here in 2007 and he left in 2010, but I got to know him. He was certainly a very committed republican but also a lover of Irish culture and language. He was a teacher of Irish, I believe, and an active member of his church in Dungiven, where I think he lived most of his life. He was also a composer and singer, as others have referenced. Whether or not we agree with the songs that he wrote, you still have to admire the skills involved. Not everybody can write a song; believe me, I have tried, and it does not always work. He was a very humorous man. He was good company and good-natured, but the main thing that I remember about him was his consistent and passionate promotion of the Irish language and Irish-medium education. We had a debate here in 2008 about an Irish-medium school proposal in Derry. I looked it up the other day and will read you a few lines of what he said:

"The name of the Irish-medium school in question, Gaelscoil na Daróige, charms me greatly. Indeed, it is so fitting that, if I were the Minister of Education, I would approve the school even if it had no pupils at all." — [Official Report (Hansard), Bound Volume 32, p92, col 1].

He went on to explain the meaning and derivation of "Daróige", which apparently has to do with the Irish term for a young oak tree. That is fitting for young pupils growing up; little acorns and all the rest of it. That was Francie. As far as I can remember, he was never rude or abrupt with anybody. He had a gentle approach to what he believed in.

I will leave you with one other entry in Hansard that I noticed the other day. He was called to ask a supplementary question, and he got up and said:

"I am going to ask a question now. I am just trying to think of one." — [Official Report (Hansard), Bound Volume 26, p16, col 2].

[Laughter.] Along with others, I join the House in expressing our sympathy to Anne and the wider family circle. He will be greatly missed.

12.15 pm

Dr Archibald: I wish to add a few words, from a constituency perspective, to what Michelle said and to add the condolences of our party locally. Francie was an MLA for East Derry from 2003 to 2010. He played an important political role in our local area as a rights campaigner and in many other campaigns locally, and he made an important contribution on behalf of the constituency to the Assembly. He was also a personal friend to many of us and will be greatly missed. He was known for his love of Irish language, culture and music, and his legacy there will be long-lasting, not just in Dungiven or County Derry but across Ireland and much further afield. He was a key figure in helping to establish Irish-medium schools in Dungiven and the surrounding area, and we are all very proud of the growth and strength of the Irish language.

On behalf of our activists across East Derry, I send deepest sympathies to Francie's wife, Anne, and to his children, grandchildren and wider family circle.

Ms Anderson: In August of last year, at the Belfast Féile, Gerry Kelly and I had the privilege of sharing a platform with Francie, and, whatever one thinks of the songs that he wrote, he sang 'The H-Block Song' so eloquently. I stand on behalf of republicans in Derry to extend our sympathy to Anne and the wider family. I attended the wake. It was a very big funeral as well, and we know that their hearts are very sore, as are the hearts of the republican family, on the loss. Ar dheis Dé go raibh a ana.

Mr Speaker: That concludes the tributes to Mr Brolly.

New Assembly Member: Ms Martina Anderson

Mr Speaker: I advise the House that Mr Raymond McCartney resigned as a Member for the Foyle constituency with effect from 3 February 2020, and I notified the Chief Electoral Officer, in accordance with section 35 of the Northern Ireland Act 1998. I have been informed by the Chief Electoral Officer that Ms Martina Anderson has been returned as a Member for the Foyle constituency. Ms Anderson gave the undertaking, signed the Roll of Membership and entered her designation in the presence of the Speaker and the Clerk/Chief Executive at 10.30 am on 10 February 2020. On behalf of the Assembly, I welcome the new Member and wish her every success.

Speaker's Rulings

Mr Speaker: Members, I have an additional procedural matter that I wish to address this morning. I will be brief.

I said last week that I was considering my approach to aspects of our business in the House. This week, I will be publishing new Speaker's rulings on Matters of the Day and questions for urgent oral answer. The rulings attempt to set out in more detail, for the benefit of Members, the factors that I will take into account when considering requests submitted to me.

From next week, there will also be a slightly revised application process. The purpose of that will be to provide more information for me, as the Speaker, to understand why Members are seeking to raise the issue and how they think that it meets the criteria in Standing Orders. For Matters of the Day, that means demonstrating that the matter is of exceptional public interest. For questions for urgent oral answer, it means demonstrating not only how a question is of public importance but how it is of an urgent nature and requires being answered that day, as opposed to being answered through any of the other procedural opportunities Members have. The process will allow me to consider better the request alongside the other issues I have to take account of, including the pressure of business in the Chamber on any given day.

It may be worth considering whether our current procedures and criteria are the best way of providing the Assembly with the flexibility to respond briefly to important developments on any given day. Personally, I am attracted to having a short period during which Members

have the opportunity to put issues briefly on the record without requiring me to judge them against any particular criteria. Such a change, however, would not just be for me, as the Speaker, to effect but would have to be considered by the Committee on Procedures. I am conscious that the Committee already has a heavy workload in dealing with the issues that could not be progressed during the short 2016 mandate. Reviewing that feature of our business therefore may not be a priority at this point. Therefore, I encourage Members to make use of my new rulings on Matters of the Day and questions for urgent oral answer when they are issued and to seek the guidance of the Business Office before deciding to try to raise an issue under the current procedures.

Business Committee Membership

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

Resolved:

That Mr Gary Middleton replace Mr George Robinson as a member of the Business Committee. — [Mr K Buchanan.]

Committee Membership

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

Resolved:

That Mr Alan Chambers replace Mr John Stewart as a member of the Committee for Health; and that Mr John Stewart replace Mr Alan Chambers as a member of the Committee for the Economy. — [Mr Butler.]

Executive Committee Business

The Pension Schemes Act 2015 (Judicial Pensions) (Consequential Provision No. 2) Regulations (Northern Ireland) 2019

Mr Speaker: Members, take your ease for a moment. We are waiting on the Minister to arrive in the Chamber.

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

That the Pension Schemes Act 2015 (Judicial Pensions) (Consequential Provision No. 2) Regulations (Northern Ireland) 2019 be approved.

The rule that we are considering today is somewhat technical, so perhaps it would be helpful if I provide —.

Mr Speaker: Will the Minister just resume her seat for a few minutes? There are procedural requirements.

The Business Committee has agreed that there will be no time limit on this debate. I now call on the Minister to open the debate on the motion.

Ms Hargey: Thank you, a Cheann Comhairle.

The rule that we are considering today is somewhat technical, so perhaps it would be helpful for me to provide a brief background to the regulations. Historically, fee-paid judges did not have entitlement to a pension, and legislation permitted pensions only for salaried judges. Following the case of O'Brien v Ministry of Justice and subsequent decisions, it is now established law that a lack of a pension and other specified benefits amounted to less-favourable treatment of some fee-paid judicial pension holders in comparison to salaried judges doing the same or broadly similar work. That was a breach of the part-time work directive.

The Department of Justice made the Judicial Pensions Regulations (NI) 2015 under the Public Service Pensions Act (NI) 2014, which are analogues to regulations made by the Ministry of Justice to implement the pension scheme for future service from 1 April 2015. However, it was also necessary to establish a

remedy scheme in respect of past pension service from 7 April 2000.

The date of the part-time work directive ought to have been given effect in domestic law. Following a legislative consent motion passed by the Assembly in 2014, the Lord Chancellor proposed to establish a remedy final salary pension scheme for eligible fee-paid judges in Britain and here for service from 7 April 2000 until 31 March 2015. However, before the Lord Chancellor could make the necessary regulations to establish the scheme, a technical consequential amendment was required to section 31 of our Public Service Pensions Act, in line with the corresponding amendment made by the Ministry of Justice to section 30 of the Public Service Pensions Act 2013 for England, Scotland and Wales. The legislative pension, which empowers the Lord Chancellor to establish the scheme, was inserted by the Pensions Act 2015, and the power to make the requisite consequential amendment to the 2014 Act rests with my Department.

In summary, section 31 of the Public Service Pensions Act placed certain restrictions on the operation of public service pensions, subject to an exception for pre-existing pensions schemes. At the time of passing the Act, the need to permit the creation of a new but historical scheme of this nature was not anticipated. The regulations provide that section 31 does not apply to the remedy scheme, and so removes a barrier to the scheme being established. Without the regulations, the remedy scheme would not have applied to affected office holders here, leaving the Departments in breach of the part-time work directive. As I said at the outset, all of this is somewhat technical, but I hope that Members appreciate why the regulations are necessary.

Mr Speaker: No Members have indicated that they wish to speak, so I ask the Minister to make a winding-up speech.

Ms Hargey: I conclude by saying that the regulations remove a barrier for the implementation of the suitable pension scheme for fee-paid judges, to mirror the pension scheme of salaried judges established by the Judicial Pensions and Retirement Act 1993. I commend the motion to the House.

Question put and agreed to.

Resolved:

That the Pension Schemes Act 2015 (Judicial Pensions) (Consequential Provision No. 2)

Regulations (Northern Ireland) 2019 be approved.

Mr Speaker: I ask Members to take their ease, while we change the Table.

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

Private Members' Business

Abuse of Service Animals

Mr Easton: I beg to move

That this Assembly recognises the invaluable work of service animals used by the PSNI, the Northern Ireland Fire and Rescue Service and the Prison Service; and calls on the Minister of Agriculture, Environment and Rural Affairs to introduce to Northern Ireland a law, equivalent to Finn's law, making it an offence to harm or abuse an animal in the line of duty.

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

Mr Easton: Finn's law came about after Finn was repeatedly stabbed in the chest and head on 5 October 2016 during an arrest. The injuries suffered by Finn were so severe that he required four hours of life-saving surgery and 11 weeks of recovery. Finn, for those who do not know, is a police Alsatian.

Under Northern Ireland law, there is no specific offence for causing injury to a service animal while they are carrying out their duties. Attacks on police animals happen daily, but very few are pursued through the courts due to the lack of appropriate offences. PD Finn's offender was charged with criminal damage, which is akin to breaking a window or damaging a police radio. In other words, Finn was deemed worthless.

12.30 pm

All service animals should be recognised for the vital role that they fulfil. Part of that recognition should be the creation of a specific criminal offence of causing injury to them. The fact that the investment of public funds into specific training and licensing of these animals serves to exclude them from the protection of the

current Animal Welfare Act is immoral. Many injuries are not followed through to charges, and fewer still go to court and receive any meaningful sentence.

Finn's law is not radical. Specific criminal offences for attacking or injuring a police animal have been created and are enforced in 10 states in the United States. Similar offences are also enforced in Austria, Germany, Australia, Holland, Switzerland, England and Wales, and Scotland. The flaw in the Animal Welfare Act was identified and considered in Australia when it was creating its animal welfare legislation in 2002. The Australians ensured that the protections that animal welfare legislation offers must apply to their service animals. As a result, they included a specific section to ensure that the defence of fear should not apply to service animals or be treated as property.

The Animal Welfare Bill of 2019 — Finn's law — received Royal Assent on 8 April 2019 at Westminster. The Bill amended the Animal Welfare Act 2006 so that the statutory defence of fear that it contains does not apply to any service animal that has been trained to create intimidation or fear. This includes all service animals. The new Act covers England and Wales but not Northern Ireland, and Scotland has introduced its own laws.

Courageous service animals such as police dogs and horses must be offered greater protection under a new law. The law proposed in the motion would remove a section of the current law of self-defence, which is often used by those who harm service animals. This change, coupled with any plans to increase maximum sentences for animal cruelty offences to five years in prison, will make sure that those who harm service animals are punished accordingly. The campaign in Northern Ireland, which began in April 2018, is to have Finn's law implemented here to also protect our service animals, including police dogs, fire dogs, search and rescue dogs, prison dogs and even guide dogs. The current Animal Welfare Act 2011 must be amended to mirror Finn's law, known as the Animal Welfare (Service Animals) Act 2019.

A petition has reached over 44,000 signatures from across Northern Ireland, and support and backing has come from K9 Search and Rescue, the USPCA, the International Fund for Animal Welfare (IFAW), Assisi Animal Sanctuary, Mid Antrim Animal Sanctuary, Lucy's Trust, Tuk's Law, Almost Home, 7th Heaven, the Barn rescue centre, the Dogs Trust, Battersea Dogs Home, the Kennel Club plus all the smaller

animal rescue centres and organisations across Northern Ireland and the UK.

Under the current law, it is unacceptable that, as a result of the training invested in service animals, they are excluded from the protection offered under animal welfare legislation. This is an obvious wrong that needs to be put right. Finn's law in Northern Ireland will lead to tougher punishment for those who attack service animals such as police dogs, and it will mean that service animals will be protected for their bravery. It is immoral that the law does not protect the animals upon which we place so much demand and responsibility. Those animals give their service with such loyalty and dedication to keep us safe, and the very least that we owe them is inclusion under animal welfare legislation.

Attacks do happen in Northern Ireland. The problem is maybe not as severe as it is in the rest of the UK, but that does not mean that we do not protect them should a serious attack happen. Police dogs have been hit with bottles and other missiles, and search and rescue dogs have also been put at risk. Northern Ireland's service animals must have the same protection under Finn's law. I respectfully ask the Minister to give the Assembly a commitment to bring Finn's law into operation for Northern Ireland and bring us in line with the rest of the United Kingdom.

I wish to say thank you to Bernadette Kelly from Northern Ireland Finn's law, who has led the campaign across Northern Ireland for Finn's law to be introduced. She has mostly been on her own as she met and emailed all political parties to lobby for Finn's law.

Finally, the motion is about the welfare of service animals that put themselves at risk in order for us to have a better society. There is nothing political about the motion and I really hope that all Members see fit to support it. It is a chance for the Assembly to show what it can do collectively, together, for the protection of animals and a better place for us all to live.

Ms Dillon: I support the motion. Service animals play an invaluable role, as has already been outlined, and should be protected in law from being attacked or abused when carrying out their duties. I am sure that everyone will agree that attacks on these or any other animals are abhorrent. There is no doubt that the loophole in the legislation needs to be addressed, so I call on the Minister to bring forward legislation through his Department to address that and to ensure that these animals are protected in law.

Mr McGlone: I begin by thanking the Member for bringing the motion to the Assembly. It is important that, just as we thank those members of the emergency services for the selfless work that they do every day to keep us all safe, we also acknowledge the immense contribution that service animals make. The proposer of the motion has already given us an overview of the background to the Finn's law proposal and the circumstances of the severe attack on a police dog in the line of duty. It struck a chord with me that, in the aftermath of the attack, the only law that could be enforced against the assailant was that of criminal damage.

It cannot be right that we degrade those animals to the status of personal chattels or objects like a phone or car. It demeans the contribution that they make to our emergency services, and does a disservice to the special place that animals hold in the life of the island. We are known across the world as an island that cares deeply for animals. It should be a goal of the Assembly to ensure that we are also known as a society that legislates for the care and protection of animals. My party will support the motion, and we will support efforts by the Justice Minister to legislate for the protection of service animals.

It has also been a long campaign of the SDLP to introduce additional protections for all animals, whether they are engaged in emergency service work or not. I note that the Minister of Agriculture, Environment and Rural Affairs made specific comments on our proposal to introduce an all-island animal cruelty register at Question Time last week. I wonder whether the Justice Minister — I will put it on the record for her — will also give us her assessment of the need for a central register of those who commit crimes against animals across these islands in order to ensure that they are not able to access rehoming services in the future. I know that a number of animal charities would welcome movement on that particular issue.

It is worth noting, too, that the British Government have signalled their intention to advance beyond the original Finn's law and campaign to increase sentencing for offenders who commit violence against animals, particularly service animals. While we are cautious somewhat about tying the hands of the judiciary when it comes to sentencing, the SDLP recognises that there are circumstances where it is appropriate for the Assembly to intervene when sentencing patterns are seen to be unduly light. I would welcome the Minister of Justice's assessment of current sentencing

patterns for those who commit violence against animals and outline whether she has any plans to review that area.

I conclude by thanking again the proposers of the motion and encouraging Members present to support the proposals.

Mrs Barton: While the motion, as we have heard, has come about because of Finn's law in England and Wales, as this is a supposed nation of animal lovers it is only right that a motion based on the protection of defenceless service animals be brought before the Assembly. Hopefully, it will lead to much more than an Assembly motion and will lead to legislation being introduced.

In Northern Ireland, many animals, particularly dogs and horses, are attached to services such as the PSNI, army, Fire and Rescue Service and Prison Service, and carry out extremely valuable work while being guided and trained by their handlers. That could be as part of a customs control operation, searching for illicit substances at docks; helping to rescue people from a house fire; crowd control; or assisting with an operation to catch criminals.

Sadly, in the past, many of you will recollect dogs attending the scene of suspect devices with their army handlers. Unfortunately, the devices often turned out to be live devices, with the handlers and their dogs, unfortunately, making the supreme sacrifice. Those service dogs were on the front line and without doubt saved numerous lives.

Such operations and tasks, from being called out to a rescue on a mountainside to tracking suspects, are completed by our service animals daily. Their work is truly outstanding and greatly complements the regular work of the services.

Unfortunately, however, there is a downside to that invaluable work for the animals. Many suffer physical abuse in the line of duty, particularly in the pursuit of suspects. Dogs are all too often kicked, abused and even deliberately stabbed, particularly when they try to apprehend a perpetrator or when a suspect tries to make a bid for freedom.

Finn, who was one of the most successful police dogs in England, was left bleeding and badly injured after a suspect lunged at him with a 10-inch blade. In the event, a charge of criminal damage was brought against the suspect, but that charge treated Finn as if he were a piece of police property. There was no separate penalty that could be imposed on

Finn's attacker for the deliberate attack on the animal.

The reason that we have this motion before us is to introduce into Northern Ireland law the equivalent of Finn's law, which would provide, for the first time, proper protection for service animals and an appropriate sentence for offenders.

In conclusion, I call on the Minister of Justice to make specific provision for the welfare of service animals whose mission is clearly to save the people of this country and community while assisting and supporting a service officer. We therefore support the motion, which aims to protect our service animals. People should no longer get away with deliberately injuring or killing those brave animals.

Mr Blair: I support the motion on behalf of the Alliance Party. I commend those who brought it before the Assembly. I welcome the interest in animal welfare and animal protection. My colleagues and I hope that similar attention is paid and sympathy shown when the House comes to debate other forms of animal cruelty, such as fox hunting and hunting with dogs simply for the kill.

However, this is a welcome endeavour to deal with a serious and outstanding matter of potential animal cruelty. It is appropriate to think about and reflect on the existing Welfare of Animals Act (Northern Ireland) 2011, and subsequent amendments to it. The Act deals, fairly extensively, with the responsibilities of an owner or keeper of an animal, and it also addresses, to some extent, deliberate harm that may be carried out by a third party. It does not, however it seems, deal specifically with animals who are trained and deployed to protect the public. We should never take those animals for granted.

Those public-service animals, and Alex mentioned dogs in particular, play an essential public-service role in ensuring our safety. For example, dogs play a crucial role in drugs and arms searches, assist in public-order control and pursue those suspected of crimes — often wicked crimes — against individuals. It is reasonable that we should expect those animals and the role that they perform for our benefit to be recognised and protected in law. I therefore have no difficulty in supporting the motion and offering the Alliance Party's support for it.

12.45 pm

Mr Principal Deputy Speaker: Before I call the next Member, Mr Harry Harvey, I remind Members that, as is the convention in the House, maiden speeches are made without interruption.

Mr Harvey: It is a privilege to stand here to make my first contribution to the proceedings of the House and speak on the motion on abuse of service animals. I am humbled to be carrying on the mandate of my predecessor, Simon Hamilton. I pay tribute to Simon and his contribution in the House, and I wish him well in his new role in Belfast Chamber of Commerce. I desire to carry on his representation in the Strangford constituency by being a strong advocate for all in the community, by working tirelessly for them and by helping bring about a brighter future for everyone in Northern Ireland. I also pay tribute to my late father, Cecil Harvey, who served in the House in the early '70s — interestingly, along with Minister Poots's father, Charlie.

I am pleased to speak in support of the motion. I pay tribute to the many service animals in Northern Ireland and to the public servants who train and handle them professionally and respectfully. These animals are used as sniffer dogs in the detection of drugs, in fire and rescue situations to help find people, and horses are used for crowd control. Finn's law affords service animals protection, but, unfortunately, in Northern Ireland, we do not have that legislation. The introduction of legislation to protect these animals will ensure that those who harm them are punished accordingly. At present, if a service animal is attacked or injured, it is an offence of criminal damage, which equates to throwing a stone and breaking a window. That is unacceptable; it is time for this to change.

Animal cruelty is real, and it happens every day. Physical violence, abuse and death are realities for many animals. For a nation of animal lovers, it seems unfair that we cannot provide the animals with the protection that they deserve. Dogs have been known to save their handlers' lives, and some have died carrying out their duties. Our service animals provide essential support in our community and serve with loyalty and dedication to keep everyone safe. It is unacceptable that the law does not protect them.

Mr Principal Deputy Speaker: May I be the first to congratulate the Member on making his maiden speech? As I have said to other Members, to stand up and speak for the first time in the Assembly can be intimidating, but

the Member did very well. Congratulations, Harry.

Mr McGuigan: May I be the second person to congratulate the Member on making his maiden speech?

I note the unanimous support, so far, for the motion. The proposer has given the rationale and background to today's motion; he has also outlined the current loophole in the legislation that would see an attack on a service animal classified only as criminal damage. I think everybody agrees that that is unsatisfactory. Cruelty against any animal could not and should not be tolerated and should be punished accordingly. Service animals play a vital role in helping to protect the community. I support the motion in trying to update the legislation to ensure that we offer them the protection that they deserve.

Mr Givan: I support the motion and commend my colleagues Mr Easton and Ms Cameron for tabling it. It is right that the House recognises the work that is carried out by animals that are in the service of the Prison Service, the Police Service and the Northern Ireland Fire and Rescue Service. I know that some 64 dogs are currently in the employment, one could say, of the Police Service. I am not sure that they get paid the same as a police officer, but they are there and they provide a vital part of the service. When you see them in operation at events, assisting with public order, you see that they certainly add a deterrent value to those who are staring down the barrel at a vicious Alsatian that wants to make sure that you keep your behaviour is kept in check. It is only right that those dogs are given the protection that they need in order to deter the individuals who seek to inflict harm on those service animals.

I know that, in the Prison Service, dogs carry out a vital role, particularly in the detection of drugs. The little waggly tail that goes profusely when visits take place identifies the attempts to smuggle drugs into the prison, and that happens very frequently. How those dogs are detested by prisoners and those on visitation. They are utterly detested because of their effectiveness in doing their job. To the dog, it is just a game and a bit of sport, and they get well rewarded for it, but they carry out a valuable job. In the last five years, two dogs have been injured in prison. One was injured by a snooker ball being thrown at it during public disorder in the prison. It is only right that that dog should be given additional protection within the law and that a prosecution should be brought against the perpetrator who attacked the animal.

Dogs, in particular — when you go through an airport, you see them going up and down the luggage — play a vital role in trying to detect not just drugs but explosives. Those animals need to be given proper protection. I see how dogs are used very successfully in operations, not just in this jurisdiction. I note that President Trump awarded a medal of honour to Conan the dog. That dog was the only part of the special forces Delta team injured in the operation against the Islamic terrorist al-Baghdadi. The dog chased him down a tunnel, where he subsequently detonated his suicide vest. Only Conan was injured in that operation — no other service personnel were injured — so, rightly, the dog was given special recognition by President Trump. That makes us think about the heroism of these dogs.

We are a dog-loving nation. We love our pets. I have a lovely golden retriever. I would not put it on the front line, because it is afraid of its own shadow. We love our animals, and it is only right that we give them the protection that they need. The AERA Minister is, ultimately, responsible for this, not the Minister of Justice. I trust that the Minister of Justice will give her full support to the AERA Minister as he, I hope, confirms the desire to bring legislation to the Assembly. There is not sufficient protection in our law in Northern Ireland. There is greater protection in England and Wales; a Bill is before the Scottish Parliament; but there is no specific offence in Northern Ireland's legislation. I say to the Minister: bring it to the House. I ask that the Minister also look at an issue that I see with Finn's law, in that animals are given protection only when they are under the control of police and prison officers. Outside of that, there is not protection for other dogs that are engaged and used by the voluntary sector. The fire service uses dogs from the voluntary sector; they do not come directly from Northern Ireland Fire and Rescue Service. There is, I think, a loophole, and we need to ensure that our legislation is effective, robust and comprehensively provides the protection that is needed for these vital animals that are carrying out a service for all of us in Northern Ireland. I commend the motion.

Mr Dallat: I support the previous contributions to the debate in their entirety. I take the opportunity to add that the welfare of service dogs is important not simply when they are on patrol but, indeed, when they are off duty and when they retire.

I remember, in particular and with great fondness, two dogs that served with the fire service. One was called Storm, and the other

was called Ben — a springer and a Labrador. As a member of the Public Accounts Committee at the time, I know that a whistle-blower expressed concern that the welfare of the animals was in question. I am happy to accept that, today, there are no issues about the welfare of the animals while off duty. However, I take the opportunity to ask the Minister to ensure that, at all times, service dogs, whether they are with the PSNI, the fire service, customs or whatever, have the highest standards of accommodation and welfare, because we are now the custodians of animal welfare in all its forms. I certainly would not want to be told that animals serving in our Departments had standards of care and welfare that fell below what we would accept.

I have nothing else to say. What I have said is not to imply that there are issues currently, but there were issues in the past that were not addressed. To this day, I remember Storm and Ben and hope that their lives ended much better than I was told.

Mr Principal Deputy Speaker: Before I call the Minister, I remind him that he has 15 minutes to respond. I will then call Mrs Pam Cameron to make the winding-up speech.

Mr Poots (The Minister of Agriculture, Environment and Rural Affairs): It is good to see so much unanimity around the Chamber on the issue. It is important, and I welcome the fact that it has been brought to the House by Mr Easton and Ms Cameron. I trust that we can develop it very quickly in the lifetime of the Assembly. In reality, we have only two years in this mandate to get things done, and Members will find that that is a very short time. On this issue, I hope that the Assembly can make a mark for the betterment of animal welfare.

Animal welfare falls to the Department of Agriculture, Environment and Rural Affairs, and we take the issue seriously. The motion calls on me to introduce legislation in Northern Ireland that would offer extra protection to service animals, similar to that which has been afforded to these animals in England and Wales under the Animal Welfare (Service Animals) Act 2019, commonly known as "Finn's law". I appreciate the opportunity to speak to the matter. Some Members may not be aware of that law. For those who are not, it may assist if I set out what Finn's law does. It came into effect in June 2019 when the UK Government amended the Animal Welfare Act 2006 in England and Wales to provide specific protections for service animals that had been attacked when on duty. Under the 2006 Act, it is an offence to inflict

"unnecessary suffering" on an animal. In determining whether suffering is unnecessary, a number of considerations are taken into account, including:

"whether the conduct which caused the suffering was for a legitimate purpose"

such as:

"the purpose of protecting a person, property or"

another individual. Prior to the introduction of Finn's law, under the 2006 Act, an individual could claim that they were justified in using physical force against a service animal by arguing that they were acting in self-defence.

Let us talk for a moment about the role of a service animal and where it might be. Mr Givan outlined some of the circumstances. Such animals are often in a prison situation, where they could be searching for drugs. Humans cannot actually deliver that, whereas a dog can, so the effectiveness of a dog is without question. However, prisoner violence can also be without question and, on occasions, when prisoners are involved in riotous situations, a dog is put on the front line. We need to ensure that prisoners know that that animal has additional protections and, unless they want a considerable period added to their sentence, they should not touch that animal. It is a powerful message that we put out in that situation.

On the streets, a dog will confront violent criminals. Once again, violent criminals need to recognise that that dog has protection under the law. Identifying drugs on the streets or in airports is a key role. Service animals have key roles in delivering where human beings cannot.

Mr Buckley: Will the Minister give way?

Mr Poots: That is absolutely critical in the debate. I give way to the Member.

1.00 pm

Mr Buckley: Thank you, Minister, and, again, I put on record my thanks to the Members for tabling the motion and for the widespread support for better protections for our service animals. The Minister knows that I am an animal enthusiast. Does he share in our thanks for and appreciation of the wide variety of service animals that have played a role in history? I think specifically of the Dickin Medal, which is the Victoria Cross equivalent for

service animals. That has been awarded 71 times, and many animals from Northern Ireland have received it.

Mr Poots: Yes. I know that the Member has a passion for pigeons. I congratulate him on his ingenuity in getting the point in that those service animals were awarded that medal during the Second World War. Of course, it went to the pigeons that carried all of those messages and, indeed, did a fantastic job of getting those messages back home. I congratulate all those involved.

I understand that Finn's law was introduced following three high-profile cases in England where decisions were taken not to prosecute alleged perpetrators under the 2000 Act for the reasons that I mentioned. Finn's law provides that anyone who causes unnecessary suffering to a service animal while it is in the commission of its duties cannot use self-defence as a mitigation. It applies to animals under the control of a police officer or prison officer but not search and rescue dogs and other working animals. Mr Givan has raised that issue, and I will take on board the issue of animals that do not belong to the police or the Prison Service but are provided to key services such as search and rescue; indeed, they provide an invaluable service on that front line. I am also informed that a Bill is before the Scottish Parliament that would provide extra protection for service animals in that jurisdiction.

In Northern Ireland, the welfare of all animals is protected under the Welfare of Animals (Northern Ireland) Act 2011. Under that Act, there is an offence of causing unnecessary suffering to an animal. There are no specific provisions for service dogs, and that means that an individual charged with that offence can argue that they were acting in self-defence and, therefore, were justified in using physical force against a service animal. My Department has been keeping the matter of Finn's law and the position in Scotland under careful review, and some initial steps have been taken to identify the evidence base to take the matter forward.

I recognise the invaluable work of service animals in Northern Ireland, and I assure you that I take the welfare of animals seriously. I am sympathetic to the introduction of extra protection for service animals in Northern Ireland. I can see how being the only jurisdiction in the United Kingdom not to afford that extra protection has the potential to reflect adversely on our reputation as a custodian of animal welfare. Therefore, I will consult the Department of Justice and my ministerial colleague Naomi Long on the issue. Thereafter,

I hope to bring forward a public consultation process and, thereafter, bring legislation to the House on the back of and depending on the outcome of the public consultation process. I have little doubt that the outcome will be positive, given the feedback from the House today and our natural instinct to afford good care and welfare to animals. It is not something that goes across one party in the Chamber; it goes across all parties. It not a political issue; it is an issue of what is good and right and what is the right thing to do. Therefore, I wish to pursue that line and start the process of legislation, which involves all the relevant consultations in advance of that.

Mrs Cameron: First, it is a great pleasure to make the winding-up speech on the debate. I thank all those who took part in the debate. I am also thankful for the level of consensus that we have across the House in supporting the introduction of Finn's law in Northern Ireland.

Anyone who knows me knows that I love animals, especially my dogs. I apologise to those who follow me on Twitter or Facebook, who are subjected to countless photographs of my lovely pups. The thought of anyone being cruel to any animal really pains me, and it is beyond my comprehension how anyone can act in such a fashion. As a legislator, I want to make sure that Northern Ireland leads the way on the protection of animals.

Service animals are all the more deserving of protection. It is a remarkable and sad statistic that more than 100 service animals have been injured since 2012. Whether it be dogs or horses, those brave animals play a vital role in keeping our society safe, and their lives are often at risk of loss or injury in the line of duty. They are in public service and, as such, ought to receive the protection that we, the public, can grant them.

I turn to some of the comments made by Members during the debate. The proposer of the motion, Alex Easton, talked about how Finn was repeatedly stabbed and about how attacks were taking place daily in some parts, few of which are pursued in court. He pointed to the fact that such attacks are not included in the current animal welfare Act and said that that was immoral. He spoke about how laws elsewhere in the world affected service dogs. He referred to the change in the law at Westminster — Finn's law — and talked about offenders could face up to five years' imprisonment under those charges. He also mentioned the petition in Northern Ireland that has been supported by many charities and has received 44,000 signatures. That is fantastic.

He talked about how service animals were currently excluded from protection under the animal welfare Act and argued that Northern Ireland's service animals must have that protection.

Linda Dillon was clear in speaking about protection for service animals. She said that the loophole in the legislation must be addressed. Patsy McGlone said that service animals made an immense contribution and that the criminal damage charge demeaned the animals involved. In supporting the motion, he mentioned his party's proposals for an all-island animal cruelty register.

Rosemary Barton supported the motion. She talked about legislation being introduced in the Assembly and the different organisations that are affected. In particular, she mentioned fire and rescue animals and customs control animals, which are maybe not areas that we naturally consider when we think about service animals, so I thank her for that. She also talked about the types of abuse that dogs often suffer, including being kicked and stabbed. John Blair commended those who tabled the motion and said that he hoped that attention to animal cruelty would be focused on other areas, such as sport. He said that public service animals should never be taken for granted.

Harry Harvey made his maiden speech here today, during which he paid tribute to Simon Hamilton and wished him well in his new role at Belfast Chamber of Commerce. He paid tribute to his late father, who served in the House. He spoke about the lack of legislation currently in place in Northern Ireland to deal with this subject. Philip McGuigan said that animal cruelty should not be tolerated, and we can all concur with that.

Paul Givan talked in particular about police service dogs, of which there are 64 in total. He asked how much they were paid, which was interesting. He said that it was only right that those dogs be given protection. He mentioned in particular the valuable role played by service dogs whose wagging tails detect drugs in prisons. He mentioned how one dog had been badly injured by a snooker ball and raised the subject of dogs at airports that do an incredible job of detecting not just drugs but explosives. He said he would not put his golden retriever on the front line, as it was afraid of its own shadow, so we will not be submitting its CV any time soon. He also spoke, on a serious note, of there not being enough protection or a specific offence in Northern Ireland and about how dogs being used in a voluntary environment could be another loophole.

John Dallat supported the motion. He referred to Storm and Ben, dogs with the Fire Service, I think, who were brought to his attention in his time on the Public Accounts Committee, and he spoke of concern for the welfare of those animals.

It was good to see the positive contribution of Minister Poots and his commitment to taking the matter forward with Justice Minister Long to ensure that we have appropriate laws in Northern Ireland for the welfare of service animals. He said that animal welfare fell to his Department. He talked about the Westminster legislation that was brought in in June 2019 and the protections that it gives specifically to animals on duty. He also mentioned the Bill before the Scottish Parliament and said that it should be kept under review. We always have plenty to learn from other jurisdictions, and it is good to look at how these things are managed throughout the rest of the world to get the best practice, so that is welcome. He was sympathetic to the introduction of extra protection for our service animals. He alluded to a public consultation that he would be undertaking and said that he would work with the Minister of Justice on this.

It is nice to have agreement around the House. Sentences must reflect the high regard in which we hold these animals. A slap on the wrist is not enough. I encourage the Minister to do as he has alluded and take forward legislation that reflects this and bring Finn's law to Northern Ireland.

Question put and agreed to.

Resolved:

That this Assembly recognises the invaluable work of service animals used by the PSNI, the Northern Ireland Fire and Rescue Service and the Prison Service; and calls on the Minister of Agriculture, Environment and Rural Affairs to introduce to Northern Ireland a law equivalent to Finn's law, making it an offence to harm or abuse an animal in the line of duty.

NICE Guidance on Fertility

Mr Gildernew: I beg to move:

That this Assembly recognises the serious emotional distress felt by those experiencing fertility problems in our society; notes that the Department of Health has endorsed the 2013 National Institute for Health and Care Excellence (NICE) clinical guideline on fertility (CG156); commends the efforts of those

campaigning for the full implementation of NICE guidance on in vitro fertilisation (IVF); welcomes the commitment within New Decade, New Approach to make three cycles of IVF treatment available on the NHS; and calls on the Minister of Health to implement fully, as a matter of urgency, the NICE guidance on fertility, including making three cycles of IVF available as committed to in New Decade, New Approach.

Mr Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. As two amendments have been selected and are published on the Marshalled List, an additional 15 minutes has been added to the total time. The proposer of the motion will have 10 minutes in which to propose and 10 minutes to make a winding-up speech. Before I invite Mr Gildernew to open the debate on the motion, I remind Members that maiden speeches are, by convention, heard without interruption.

1.15 pm

Mr Gildernew: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I would like to state how proud I am to speak as a representative of Fermanagh and South Tyrone, a historic constituency. I have often reflected on how a parliamentarian from our neighbouring island once referred to:

"the dreary steeples of Fermanagh and Tyrone".

I would like to recalibrate that by saying that I am deeply proud to represent the fantastic people of Fermanagh and South Tyrone. I am proud to represent those from the engineering and economic heartlands and manufacturing bases from Dungannon to Derrylin, from historic and world-renowned Belleek to historic Benburb, and from the magnificent mountains of Cuilcagh to my own beautiful Brantry. I also acknowledge the efforts of my predecessor in the House to represent the constituency, not only because that is well-earned and deeply deserved but because, as many of you will know, I would be in serious difficulty at the home place on Sunday evening if I did not acknowledge it.

I move to the motion. The availability of IVF treatment is an emotive and sensitive matter. It is often a deeply stressful and challenging time for all concerned. There are daily reminders of the problems, and often no way to get away from them; we think of times like Christmas, Father's Day and Mother's Day. People who are

desperate to start families do not have access to the IVF treatment that they deserve.

This has been a very long campaign. There have been debates on the matter going back as far as March 2012, when the then Health, Social Services and Public Safety Committee brought a motion to the House. Since then, there have been numerous queries on the issue from a broad range of interested MLAs. In response to a question for written answer, the Health Minister raised not having enough trained staff or the room and space to provide the services. I know that many here will be eager to hear directly from the Minister today on how he plans to overcome these challenges.

The recent paper produced by the British and Irish Governments refers explicitly to the commitment that:

"The Executive will provide 3 funded cycles of IVF treatment."

I welcome the inclusion of "education and information" in amendment No 2. I believe that that would add positively to the motion and matches the intent and desire to improve health outcomes for all. It is important that we destigmatise and remove any notion that talking about fertility or sex education is wrong.

I also acknowledge the intent behind amendment No 1, which seeks to address a concern relating to current capacity issues and the potential for discrimination against those at the upper end of the age limit. While there may be some concern that this could effectively disadvantage younger people, I accept that it would have merit as a short-term measure. On that basis, we also support amendment No 1.

I now wish to add a few brief remarks as Chair of the Health Committee. On 30 January, the Health Committee was briefed by the permanent secretary and senior officials on health priorities arising from the 'New Decade, New Approach' document. The permanent secretary advised the Committee that, even should resources be made available immediately, the Regional Fertility Centre does not have the capacity to start delivering three cycles of IVF treatment to all eligible women immediately. Further to a question from a Committee member, we then wrote to the Department to follow up on the permanent secretary's commitment to give consideration to whether, in light of the acknowledged limited capacity, the promised three cycles of IVF could be provided outside the North for women close to the age threshold for treatment. The

Committee awaits a reply to this query with interest.

Mr Principal Deputy Speaker: I congratulate the Member on having made his maiden speech. Having served on the Communities Committee under the chairmanship of his sister, I can assure him that he would have been in diffidence had the praise not been fulsome, so congratulations.

Mr Durkan: I beg to move amendment No 1:

Insert after "urgency":

"and with immediate effect for women aged 35 years and up to threshold age of 40,"

Mr Principal Deputy Speaker: You will have 10 minutes to propose amendment No 1 and five minutes to make a winding-up speech. .

Mr Durkan: I support the motion. The proposer of the motion outlined quite clearly the rationale behind the motion, and I commend those who have brought this very sensitive, emotive and important issue to the House. I had tabled a very similar motion near the end of the last Assembly mandate. Sadly, it never made it to this stage due to the collapse of the Assembly, and we cannot avoid or deny the fact that progress on making three cycles of IVF treatment available on the NHS, as per the NICE guidelines, has been prevented and slowed down immeasurably due to the fact that we have not been here for three years, but we are here now.

In the meantime, though, I do not believe it is an exaggeration to say that couples and, in some cases, individuals have spent hundreds of thousands of pounds collectively and travelled very far and wide to access treatment and to maximise their chances of conception and of having a baby whom they so badly want and to whom they have so much love to give. People have got into debt through borrowing money, remortgaging their homes and putting themselves under massive financial pressure. As Colm Gildernew said, it is not only financial pressure that people are under; this whole process puts pressure on relationships, as partners blame themselves and sometimes blame each other. Many people who have been or are going through this treatment under the current process have relayed to me their feeling of failure and incompleteness. The detrimental impact of all this stress on people's mental health cannot be measured but it certainly must not be understated.

In the three years that we have not had an Assembly, however, a lot of work has been done on the issue. I commend, as the motion does, those organisations that have worked so hard to keep this issue on our agenda, to keep it in the public domain and to ensure political support for if and when we were going to get up and running again. I also commend the work that they have done to support people. They are there for people: to advise them, to direct them, to encourage them and to console them. They are there for people at the worst of times, and I have seen that in my constituency. I pay particular tribute, as I am sure Karen Mullan will later, to Fairness (IN) Fertility, which operates in Derry. They have been there at the worst of times, and they are also there at the best of times to celebrate the great news stories that come out of treatment when people are fortunate enough that the stars align in their favour. Fair play to those organisations.

It is my understanding — maybe the Minister will be in a position to clarify this — that, a number of years ago, perhaps in 2016, there had been a planned pilot scheme to move to two funded cycles of IVF treatment. I was not able to find any of that in the information pack, but it is my understanding that that was the case and that it just disappeared from view. I do not know who made that decision, how that decision was made, and I certainly do not know why that decision was made. That would not have gone as far as the three cycles, which is where we want to go as per the guidelines, but it would have certainly been a step in the right direction.

I am pleased to hear that Sinn Féin will support our amendment, which focuses on women who are approaching the upper threshold of 40. It is a short-term measure that we see this prioritisation taking place. Given the contents of the New Decade, New Approach deal, people have had their hopes raised. These are people who have been frustrated for a long, long time, given the nature of what they are dealing with. They have now had their hopes raised, and it is important that we meet those hopes with action, as an Assembly and as an Executive. While the motion will understandably call on the Minister of Health to progress this and to ensure that what is promised in that agreement is implemented, there is definitely a collective responsibility on the Executive to do that. If the Minister of Health, in this case, comes forward looking for financial assistance from Executive colleagues in order to ensure the delivery of pledges and promises made in that agreement, the parties — which I hope will all support this motion and speak in favour of it today — their

colleagues around the Executive table will, hopefully, back any ministerial request.

We have seen it already: New Decade, New Approach promised that the pay parity issue would be resolved. Although we are delighted that it was — at a much bigger financial cost than this, albeit extremely worthy — the First Minister and deputy First Minister and the Finance Minister were all glad to make that announcement alongside the Health Minister. I do not care who makes the announcement or how it is made, and nor will the people out there either, as long as it is made and we fulfil the promises made in that agreement and give them a chance to fulfil their dreams.

I welcome the stated support from the proposers for our amendment. I commend the motion and amendment No 1 to the House. We have no issue with amendment No 2 either; it is in no way contradictory to ours, and it also adds to the motion.

Mrs Cameron: I beg to move amendment No 2:

At end insert:

" , and to implement a fertility education and information programme similar to the Scottish Government's Your Future Fertility programme."

Mr Principal Deputy Speaker: You will have 10 minutes in which to propose amendment No 2 and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Mrs Cameron: Members will note that this amendment in no way alters the main objective of the motion. Indeed, we welcome the motion before the House today and fully support it. I thank Karen Mullan and Colm Gildernew for bringing it to the House. We also welcome amendment No 1 from Mark Durkan and Sinéad Bradley. We recognise the great time pressure for those who are close to the age-40 threshold. I also welcome the fact that that is intended to be a short-term measure.

Our amendment approaches the issue in a more holistic way. I will elaborate further on that rationale later in my remarks. For those of us who have children, there is certainly no greater moment in life than when you carry a child inside you or you hold your baby in your arms for the first time. I count myself incredibly blessed to have three amazing children.

As we look back on our youth, I am sure that many of us recollect saying things like, "When I have children", or discussing with friends how many children we would like to have. At that stage in life, it all seems so simple, as if it is a right and is one of those things that just happens. For many, however, the reality of parenthood does not come that easily, and, for some, it never comes at all. I know many who have been through the struggle. To say that they have come through the struggle is not right; it remains a case of coping with it each and every day. Like all battles, some cope better than others as the heartbreak of not having the family you always dreamed of becomes the daily reality.

We know that infertility is a taboo subject. In many ways, that is why our amendment adds something really valuable to the motion. Awareness can be an incredibly powerful tool that can inform our choices early in life, which can help to keep us healthy and, hopefully, fertile. In reality, we probably concentrate more on reducing unwanted pregnancies, especially in our teens and 20s, and do not necessarily consider all the potential impact of our day-to-day living and how that can impact on our future.

I am conscious that some Members may not be aware of the nature of the Your Future Fertility programme in Scotland. I put on record my thanks to Hilary Knight from Fertility UK for briefing me on the topic. I am sure that my colleagues on the Health Committee will hear more from that charitable organisation, which supports those on their fertility journey. That organisation, like many, does terrific work. It is vital that it be funded to continue that work.

1.30 pm

At a high level, the aims of the Your Future Fertility education project are: to provide fertility information and education in universities, to GPs and in the workplace to ensure that people are better informed on all aspects of fertility, including information on how to take care of their fertility and information on how and when it declines; to raise awareness among young people at university of fertility issues and to educate them about the issues that can impact on fertility, such as sexually transmitted diseases and lifestyle choices; to reduce the incidence of fertility problems through improved sexual health and lifestyle outcomes; and to alleviate the effect on those already affected by the illness through providing information, self-help and support at information events throughout Scotland.

When we look at the experience of Scotland since it rolled out the programme, we see that the outcomes have been wholly positive. We lack the specific education provision in Northern Ireland, and many of those in the medical field who deal with fertility issues, mental health and other health provision are supportive of the programme being implemented in Northern Ireland.

The following are quotations from Northern Ireland health professionals regarding Your Future Fertility. Dr Ishola Agbaje is a subspecialist in reproductive care at the NHS Regional Fertility Centre in Belfast. He says:

"Fertility Network's Your Future Fertility project is an essential public health programme and a real opportunity to educate young people on the impact of lifestyle factors and on their future fertility. There is a lack of knowledge regarding the potential negative effects of factors such as age, STIs, obesity, smoking and anabolic steroids on fertility and an overestimation of the success of treatments such as IVF. Educational initiatives like this have the potential to make a much greater impact on individuals' fertility health and their choices than treatments alone and should be commended."

Then we had Martha Campbell, family therapy lead and assistant children's service manager for the Family Trauma Centre and the eating disorder youth service, which is part of Belfast child and adolescent mental health services (CAMHS). She is quoted as saying:

"I believe this will be one of the most important areas of development in adult mental health, as we see increasing numbers of couples and women seeking support in relation to fertility in the future. The emphasis should be placed on early intervention and education in order to support them in their future choices. We in CAMHS would welcome any partnership and support you could offer us in the future years. I look forward to hearing from you and working together as your project develops."

Then we had Dr Ursula Brennan, Mount Oriel medical practice, Belfast, who is quoted as saying:

"Fertility Network's Your Future Fertility project has supported the general practice community to support, educate and influence young people on health issues"

which will impact on their future fertility. As a GP working in Belfast, I have been aware of the gap in education and learning opportunities for primary healthcare professionals in the area of fertility medicine. It is exciting to learn that this project raised both student and professional clinicians' awareness of fertility issues, including the emotional impact. In the current environment of healthcare redesign and transformation, I am confident that investing in fertility health-related issues will have a positive impact now and in the future."

In recent days, some Members have been accused of not listening to professionals as we attempt to deliver better outcomes for our constituents. Those are the words of professionals that I have quoted, and they state a better case than I can for the programme to be introduced. I hope that the House agrees.

We fully support the aims and objectives of the substantive motion and congratulate the Members who tabled it. The 'New Decade, New Approach' document deals with a vast range of issues, some of which matter to all people and others to specific interest groups. Like many, I was delighted that the document commits the NI Executive to providing three full cycles of IVF. For too long, we in Northern Ireland have failed those on that journey. Across the rest of the UK, huge inconsistencies in provision remain. I firmly believe that there is a moral duty on the Government to fund full cycles of treatment fully and not to leave patients with sometimes huge private bills as a result of funding themselves in order to complete a cycle of treatment. It is wholly appropriate that NICE guidelines be adopted entirely and as soon as possible.

There is undoubtedly work for the Minister to do on the delivery mechanism and on how we meet the demands of that commitment. We know that the capacity of the current provision at the RVH is an issue, and the financial aspect is another consideration, but I ask this: what price is a life? We must also explore whether partnerships are needed with the private sector to ensure swift implementation of this commitment.

Last week in the Chamber, I moved a motion to introduce mandatory autism training for teachers, and that united the House. It was motivated by a desire to help those who need help, and I am glad that, once again, the focus of the House is not on tribal issues but that we are seeking to help those who need help. This is why devolution matters. This is what we can do when we unite and work together, and I

commend the motion and the amendment to the House.

Mr Chambers: For far too long, women in Northern Ireland have faced discrimination in the provision of IVF treatment. The NICE guidance clearly states that a woman should be offered up to three cycles of IVF. It does that for very good clinical reasons. It is just a reality that IVF is not always successful the first time round. The success rates vary with the age of the woman, and, for many women, there is usually a 20% success rate after one cycle of IVF treatment. That means that, for every five women and couples that place so much hope on a one-off procedure, four will not get pregnant after one cycle. That is the heartbreaking reality of fertility treatment.

It is an injustice that the Ulster Unionist Party has long felt needed to be addressed. That is why this party secured the inclusion of this matter in the 'New Decade, New Approach' document. On 3 January, almost a week before the final document was published, the Ulster Unionist Party submitted the request to the Northern Ireland Office and the local Department of Finance, and we were delighted to see it in the final document. Whilst it is positive to see cross-party support in the Chamber today for the policy, regrettably the reality is that both Sinn Féin and the DUP previously had the opportunity to move Northern Ireland to three cycles but chose not to make a public commitment.

Of course, the reality is that it will require additional funding, however this is something that the Health Minister is likely already pursuing with the Finance Minister. I am confident that the Minister from the party that secured the commitment, the current Health Minister, will be dedicated to trying to make the key progress. That having been said, a lot of words of support have come from all the parties in the Executive towards addressing the many problems and pressing issues that are faced by the health service in Northern Ireland. I know that my colleague Minister Robin Swann will be working hard to solve all these issues in a timely fashion. However, his job will be much more difficult if the required resources are not made available to him. I have said that there have been many words of support around repairing our health service from other parties in the Executive, but these words must be translated into action. I know that Minister Swann is totally committed to delivering what is required, however he must receive the budget required to enable this delivery.

The provision of this treatment being debated today may not seem relevant to those on lengthy waiting lists for surgery and other treatments, but it is a declaration of hope for people experiencing difficulty in trying to start a family. I am confident that the discrimination towards parents in Northern Ireland in relation to fertility treatment will be addressed by the Department from today, but that hope will only materialise if the Minister is allocated the budget and resources that he will undoubtedly need to honour this heartfelt cry for help and hope. It should be no surprise to the House that the Ulster Unionist Party supports this motion and both amendments.

Ms Bradshaw: I will say only a few words today, but I want to place on record that we support the motion and both amendments. I commend Sinn Féin, the SDLP and the DUP for tabling the motion and the two amendments. I think that, in the round, it makes for a good debate here this afternoon.

The Alliance Party very much welcomed the commitment in the 'New Decade, New Approach' document, not just for the very practical aspect of it but because it provides an opportunity for the issue of infertility and difficulties with conceiving to be debated in a public forum. We have to work towards removing the taboo that women feel and face when they cannot have children.

I also commend the individuals and groups who have campaigned for many years to secure multiple cycles. I refer also to HERe NI — people will know that it is a voluntary organisation that works with lesbians and their families — and its campaign to encourage access to IVF treatment for same-sex couples.

I have friends who paid for IVF treatment out of their own household funds. I know that that puts considerable strain on an already very difficult situation. If we went back 10 years, I am sure that my friends would be absolutely thrilled to be given this opportunity.

My party very much supports amendment No 1. I became a mother at age 27, but I had friends who were giving birth right up until their early 40s. That is part of the growing trend, whereby women are empowered to make decisions, as and when it suits them, based on their family circumstances, professional careers and other factors. The fact is that women are living longer and healthier lives, so it is right and proper that the proposal and programme that comes forward should reflect the NICE guidelines on access into those later years.

Amendment No 2, on the education and information programme similar to the Your Future Fertility programme, is a wonderful proposal, and I very much support it. It feeds very much into the need to empower young women to deal with all matters that relate to their sexual and reproductive health.

Like Colm and other Members who have contributed to the debate, I am conscious of what we have been told at the Health Committee; that, while the Health Department is very much in favour of this as a commitment, the train may come off the tracks if the budget, resources and workforce are not there to deliver it. Like others, I very much look forward to hearing what the Minister has to say. I commend the motion to the House.

Mr Easton: Fewer IVF treatments take place in Northern Ireland than anywhere in Britain. In Northern Ireland, women underwent 1,498 cycles, compared with London, the area with the highest number, where women received 16,649 cycles of treatment during 2014. In Britain, a quarter of a million babies have been born as a result of IVF.

In Northern Ireland, publicly funded IVF fertility treatment began in 2001, when the then Minister of Health announced the intention to consult on the provision of fertility services and introduced criteria for treatment in the interim. The consultation began in 2003, and, in 2006, revised criteria that widened access to treatment were introduced. A second review was held in 2008 in response to an Assembly motion calling on the Department to review the criteria that were used to assess eligibility, the ongoing problem with waiting lists and the number of IVF treatments that were available on the NHS, with a view to establishing a more equitable policy. As a result, a regional waiting list for fertility treatment was created from 2009.

In Northern Ireland, responsibility for the commissioning of fertility services lies with the Health and Social Care Board. While the Department endorsed the NICE guidelines, in practice, treatment is limited to one fresh and one frozen embryo transfer. The following criteria apply: there must be a medical cause of infertility, the female patient must be under 40 years of age when starting treatment, and the female patient should have had no more than three previous unsuccessful treatments. Only patients who are referred to the Regional Fertility Centre after 1 April 2012 are eligible. There are no restrictions on the status of the couple, the age of the man, or the dependent children. Women must be no older than 39 for treatment with donor eggs. The provision of one

fresh and one frozen embryo transfer falls short of a full cycle as defined by the NICE guidelines. Storage costs for frozen embryos are publicly funded only for two years after treatment, after which they must be paid for privately.

The former Health Minister acknowledged that the service in Northern Ireland fell short of the NICE guidelines due to the significant cost implications and other ongoing budget pressures but advised that the Department would consider options for further service provision and examine all practical options for improving the service currently offered.

1.45 pm

Across Northern Ireland, one in seven people experience difficulty having children. Greater access to IVF is important. I want to see wider access to IVF treatment on the NHS, with an increase in entitlement to the three full cycles, as is the case in Scotland. Our people need to be supported and educated on the process. Support services are essential to ensure people are assisted at every step of their journey. There is a commitment to provide three full cycles of IVF treatment in 'New Decade, New Approach'.

I support the motion and my colleagues' amendment.

Mr Principal Deputy Speaker: The next Member to speak is Jemma Dolan. As this is a maiden speech, it will be heard without interruption.

Ms Dolan: It is an honour to be here representing the people of Fermanagh and South Tyrone and to take part in a debate of such importance.

As this is my maiden speech, please allow me to digress a little. I am from a lovely border village called Belleek in County Fermanagh, which is 112 miles away from Parliament Buildings. If I wanted to come here on public transport, it would take three bus journeys. It is actually quicker to go to Galway. I am a proud Belleek woman and a proud Fermanagh woman. I would not change it for the world. I hope to provide representation for my constituents that also makes them proud.

The reason I agreed to stand as a candidate in the 2017 Assembly election was that I felt that there were not enough women's voices in the Assembly. On top of that, there were not enough young women's voices in the Chamber,

and, in particular, there were not enough young rural women's voices being heard. This is an issue that affects many women, including women and couples in my constituency. In October 2018, I attended a Fairness in Fertility event in the Long Gallery. It remains one of the most powerful and eye-opening events I have attended. One quote stuck with me: "There is one thing more painful than having a baby, and that is not having a baby".

It is said that about one in six males and females suffer from fertility problems of some kind. With numbers like that, it is a common problem and has been recognised by the World Health Organization as a disease. It defines infertility as an "impairment of function" and a "disease of the reproductive system". Infertility is a medical condition, and, as with any other medical condition, it deserves treatment. The importance of funding fertility treatment is also highlighted by the well-recognised and devastating psychological impact that the disease can have. Infertility can lead to stress, anxiety, clinical depression and the breakdown of relationships. It is, therefore, important that service provision should be focused not only on the clinical cycle but on holistic care for the individual seeking treatment. As part of the wider need to address the issue of parity of esteem for mental health, we must take account of the challenges and pressure of undergoing fertility treatment. A range of fertility counselling services is based in Heron Road in Belfast, but, by all accounts, it is limited in its scope, and the opportunity for outreach to parts of the North is limited and often relies on telephone cover. That is not acceptable and is a poor reflection of a regional service.

The former Health Minister acknowledged that the service here falls short of NICE guidelines, which, as far back as 2004, has been recommending that three funded cycles be made available. For me, as a 29-year-old woman, the fact that women aged between 23 and 35 have just a 20% success rate after one cycle hits close to home. However, there is a 60% better success rate if three cycles are completed.

Infertility cruelly removes the choice of having children. Some couples end up spending their life savings trying to complete their family, and some put themselves into serious debt in order to achieve their dream. Adopting NICE guidance will also go some way to improving access for same-sex couples to an important and life-changing service. For many, there will be an urgency in addressing the capacity and staffing issues as the age limit of 40 approaches. I am keen to hear how the Minister

will ensure that all those involved can access a full three rounds of treatment in a timely manner. I appeal to the Minister to implement NICE guidance without delay and attempt to give thousands of couples across the North the greatest gift of all.

Mr Principal Deputy Speaker: This is becoming a bit of a routine for me, but I congratulate the Member on her maiden speech. I wish her all the best as she represents the people of Fermanagh and South Tyrone.

Ms S Bradley: I support the motion and thank my colleagues for tabling it. I warmly welcome the fact that we are debating it, because it is, for many, a critical issue. There are few issues in life more important than starting a family and few decisions bigger. I am delighted to speak as the SDLP's health spokesperson on the issue. The expansion of IVF provision in line with NICE guidelines has been a key priority for the SDLP and a recent manifesto commitment. It is one that our negotiators, like others, continued to stress as part of the talks process.

There is no doubt that this will make a tangible difference in the lives of families across the North, one in seven of whom have difficulty conceiving. That is a staggering figure. It is a reality that we talk about mental health and lots of issues here, and this goes deep to that issue. The longing to have a child and the need for support should never be overlooked in the House. Many people have got themselves into huge financial difficulties trying to fund IVF. The private market has the emotional draw for that group of people who have not been able to get IVF through the health service. People have gone to great lengths to have access to IVF to settle that inward question of whether they can be a mother, a father or a parent, often at great financial cost to themselves. It seems unfair that some people can be ruled out of being a parent due to finances.

It is only right that access to IVF is expanded to three cycles. Our friends in Scotland have shown us that it is not a huge cost to the public purse; it is relatively small. I warmly welcome the inclusion of the IVF provision expansion in 'New Decade, New Approach'. It speaks to the fact that many here are supportive of the issue, and I support Minister Swann in going forward on it. However, we must be realistic. During the recent meeting of the Health Committee, the permanent secretary outlined the commitment to making the three-cycle provision available, but Mr Pengelly also very honestly said that there was severe limitation in resource around

the issue. He cited workforce and the infrastructure that is required. That means that, while there is an aim to deliver the expansion of IVF, it cannot be delivered in the immediate term and we may be looking at a time delay. That gives reason to the amendment that the SDLP has tabled. Unfortunately, Mother Nature waits for nobody, and there are sound clinical reasons why women of a certain age group should have immediate access to the service. I recognise that that will put difficulty on resources, but we should be mindful of those women, because IVF is important to all women and potential mothers and fathers who are accessing it.

Mrs D Kelly: I thank the Member for giving way. Does she agree that the stress and anxiety lead to poor mental health among those who are waiting to be able to be a parent and therefore that should also be taken into account?

Ms S Bradley: Absolutely, I concur with that.

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

Ms S Bradley: We also have to realise that it is private and personal issue and not many people may feel able to talk openly about it. Whilst good advice regarding mental health is always to share and, I suppose, halve your problem by sharing, that is sometimes not easy to do on these very personal issues. I absolutely take the Member's point.

The reason behind the amendment for women in that age threshold is important, but it is worth citing that, whilst the age of 40 has been mentioned, there are clinical conditions under which women up to the age of 42 are considered for IVF treatment, but it is my understanding that those women will be undertaking it for the first time. Therefore, getting into a dialogue about providing three cycles for those up to the age of 42 is probably for a different debate, as we really have to be mindful that a lot of the work, such as the stimulation of ovaries, can go ahead of the actual IVF treatment. I understand that that process can take a significant number of weeks. The woman also needs a break between cycles. We have to take clinicians' best advice on that.

I welcome the motion and both amendments. I encourage everybody in the House to support them all.

Mr Principal Deputy Speaker: Members, according to my mobile phone sitting in front of me, it is now 13:56. Question Time is due to start at 2.00 pm, so I suggest that the House take its ease until then. The debate will continue after Question Time, when the next Member to speak will be Ms Kellie Armstrong.

The debate stood suspended.

2.00 pm

(Mr Speaker in the Chair)

Oral Answers to Questions

Education

Mr Speaker: We are about to start with the listed questions.

Carrickfergus Academy: New Build

1. **Mr Stewart** asked the Minister of Education for an update on a new build for Carrickfergus Academy. (AQO 58/17-22)

Mr Weir (The Minister of Education): The Education Authority has submitted an application on behalf of Carrickfergus Academy under the recent call for major capital works. That call was issued in September 2019, and it closed on 31 October 2019. This was a Northern Ireland-wide call. All applications submitted under this call are currently being considered by officials and applications which meet the eligibility criteria will be scored in accordance with the published protocol.

As this is a live and, ultimately, competitive process between schools, it would not be appropriate for me to comment further on a new build for Carrickfergus Academy at this time. However, it is likely that a major capital announcement of schemes to advance in planning will be made in the forthcoming months.

Mr Stewart: I thank the Minister for his response. I appreciate that there is an ongoing process. The Minister understands that the former schools of both Downshire and Carrickfergus College were assured when the concept of the merger was being discussed that they would be prioritised, and that was one of the concepts for which they undertook the merger.

I look forward to hearing the outcomes. The parents, the pupils, the governors and the staff of Carrickfergus Academy are very eager to see this happen. I ask the Minister to do all he can to make sure that that comes forward.

Mr Weir: I am always keen to help facilitate capital build where I can, and there is a good record of having a flow of projects. Particularly with mergers, there has to be a realisation, as we move forward, that a level of priority is given where mergers are taking place or where there is a scheme that aids area planning. If we are to create a joined-up approach in capital build, then fuelling or giving priority to area planning is going to be a critical element.

In this particular case, the Member may be aware that the call that was issued and the criteria that were used for the major capital project preceded the restoration of the Assembly. When the officials are scoring and judging, they have to bear in mind the criteria that were there at that particular point. We cannot retrofit criteria. It is important that schools that get past the gateway check of eligibility criteria are judged and ranked on that. The scoring criteria need to be applied fairly. I will not seek to interfere in any way with those criteria. Hopefully, when we make the major capital announcement, there will be good news for a range of places. I am aware of the good work that has been going on in Carrickfergus to help facilitate that.

Mr Hilditch: Having been part of the consultation process, along with other stakeholders, parents, teachers etc I know that a number of commitments were given by the Department. When does the Minister intend to give an updated position, or can the Minister guarantee that the needs of Carrickfergus Academy will be met in the meantime?

Mr Weir: As indicated, I hope to make a major capital announcement in the next few months. There is a wee bit more flexibility in capital, as opposed to resource, because clearly the budget for next year has not been set. Capital projects tend to be multi-year by nature, and there can be flexibility of flow between those years. I hope to make an overall major announcement in connection with all the applications relatively soon.

Clearly, irrespective of whether a green light is given to a new capital build for Carrickfergus, that does not negate applications for minor works. As such, over the last three years, about £74,000 has been spent directly on minor works on the junior and senior campus sites. A further

eight possible schemes for minor works are currently being assessed. Under the last minor works, a total of 16 applications were set down by Carrickfergus College and Downshire between them. As I have said, there is work ongoing in relation to that. Therefore, there is a realisation that, even when we see particularly successful schools, there is also going to be a certain bridging period, as regards minor works, because, as with any capital announcement, by necessity, even if it is successful, it will take a number of years to happen. We have to ensure that, as much as possible — and within the constraints of budgets — all children, be they in Carrickfergus or, indeed, anywhere else in Northern Ireland, are given the best possible conditions to study during that period.

Ms Bradshaw: Does the Minister agree that all-ability amalgamated schools like Carrickfergus Academy deserve the same high-quality facilities as any other school? How will he deal with the financial pressures in his Department to ensure that there is capital investment across the Province?

Mr Weir: First, all schools, irrespective of the sector that they belong to and wherever the pupils are driven from, need to be treated equally and given a fair opportunity. As I indicated, cases that are driven by area planning and the area-planning solution need to be given a level of prioritisation as we move ahead.

On the budget, there is, as I said, a slightly blank position, as we do not know what next year's budget will be. However, where there is some flexibility, unlike with some of the pressures that have been identified in the resource budget, there is an opportunity. For instance, if an announcement was made about a particular school today, it may be some years down the line before bricks and mortar are put on-site. There is a bit of flexibility about exactly when things happen and in fitting them around the budget.

Unless something falls out of the sky that limits opportunity, I commit that, if I am in post and make an announcement about a capital build, I will make sure that it happens. The only issue will be the timing. I will not give false hope to particular schools. It is important that schools that are involved in capital builds, whether major capital works, SEP or specific minor works, can move forward with confidence, not uncertainty.

Clifton School, Bangor

2. **Mr Dunne** asked the Minister of Education to outline his Department's plans to provide additional accommodation and improved facilities at Clifton School, Bangor. (AQO 59/17-22)

Mr Weir: I thank the Member for his question. He and other Members have been very assiduous in pushing on a number of the schools that will be mentioned today.

The Education Authority submitted an application under the second call to the school enhancement programme on behalf of Clifton School. It was one of the schools that passed what is called the gateway check, so it is eligible. At that stage, 165 SEP applications had been made, across the board. To date, the school has not been announced to advance in planning; however, it remains on the prioritised special schools list. I should highlight that the SEP schools list was broken down into three categories: mainstream primary schools; post-primary schools; and special educational needs schools. Those prioritised lists will remain live until May 2020, and there is, therefore, the potential for a further, final announcement before the list closes.

The Education Authority will continue to undertake statutory capital works at the school through the minor works programme, so it is not simply an issue of whether it gets SEP funding. To alleviate the immediate accommodation pressure, the EA recently converted an unused home economics classroom into a general classroom. The EA will also carry out a survey and inventory of the existing school meals accommodation to inform an assessment for a potential refurbishment of that area.

Mr Dunne: I thank the Minister for his answer. He will be fully aware of the challenges that Clifton School has faced in recent years, with increased numbers and a real need for additional accommodation. The school was originally built for 120 children and now over 170 pupils are enrolled. I understand that, as the Minister said, the school has submitted an application for the school enhancement programme. Will that application in any way hinder the minor works programmes that are planned?

Mr Weir: There is a divergence between schools that apply for the SEP and those that apply for a major capital new build. As such, it is one of the two routes that schools can take. The minor works necessary in the school will

have already been assessed as part of the SEP application. If, for instance, minor works — I mentioned a couple of those already — are undertaken at the school, that will in no way disadvantage the school as regards the school enhancement programme at present. It will be judged according to where it is on the list.

I am aware that the Member has been assiduous in pressing the issue, and I hope to be able to visit Clifton School in the near future. I am sure that they will all look forward to that.

Mr Chambers: Clifton School is a relatively new build. Did the Department underestimate the school's accommodation needs when the original plans were submitted?

Mr Weir: I am not privy to what the original plans were. There have been various changes in special needs education over the years, particularly in school numbers. While there has been a desire to have as many special needs children as possible in mainstream education, one of the very positive things that we have seen is a better diagnosis of special needs. Also, as the years have gone by, many more children with special needs have been able to be involved in education.

Some children, such as those who go to Clifton School, for instance, are at the high end of special needs dependency. When we look back many years, some of those children, sadly, would not even survive to the age they are today. We should all be thankful for that progress. The increase in identification, however, has led to an increase in numbers, and the school estate has to keep pace with that. While Clifton School is, historically speaking, one of the more recently built special educational needs schools, it is the case that, in terms of the priority list, there are a number of schools in Belfast whose accommodation needs date back many years.

The important thing, as we move ahead on special needs, is that, as much as possible, for those particularly vulnerable children, we provide the best possible facilities that we can. All of us would share in that goal.

Hardy Memorial Primary School

3. **Mr Irwin** asked the Minister of Education to outline the capital development plans for Hardy Memorial Primary School. (AQO 60/17-22)

Mr Weir: I thank the Member for his question. Hardy Memorial Primary School is not currently listed for significant capital investment. In order

for any school to obtain capital investment, it needs to be selected following a call for either a school enhancement programme or major capital projects. The most recent call for major capital projects started in September 2019 and closed on 31 October 2019. The managing authority for schools, the Education Authority, did not put the school forward under that call. In the first instance, it will be for the Education Authority to decide whether Hardy Memorial Primary School meets the criteria for major works and, if so, to forward the proposal to the Department for consideration in a future announcement.

Mr Irwin: I thank the Minister for his response. What steps does the school need to take to be able to be considered for capital development?

Mr Weir: Hardy Memorial Primary School could be subject to a development proposal, so I may be limited in what I can say directly. Generically, there are a number of schools across Northern Ireland that, in terms of their enrolment figures and their admissions, while they can be very healthy, perhaps reflect a particular historical situation or a set of circumstances that did not actually take place.

That is important, because schools that find themselves in that position can then come up against an artificial barrier, which is that, if they are failing to have or unable to have the level of enrolment, with a gap of about 15% between that and what they are entitled to do, they can find themselves running up against the barrier of the gateway check, which means that they do not count as a sustainable school.

It is for a range of schools that find themselves in that situation to see whether, working with the managing authority, they can submit a development proposal that allows a level of rightsizing.

I know, even from experience simply as an MLA, that, on occasions, schools had maybe an unrealistic figure that reflected a decision taken in the 1970s or 1980s. It is important that schools are not artificially held back from doing that. It would then be for Hardy to engage with the Education Authority on the right-sizing. At the moment, because of the way the numbers work, there is a certain barrier for the school.

2.15 pm

SEN Assessments: Electronic Record-keeping

4. **Ms P Bradley** asked the Minister of Education whether he has any plans to introduce an electronic system of record-keeping for special educational needs assessments. (AQO 61/17-22)

Mr Weir: The Education Authority is engaged in phase 1 of a small business research initiative procurement process that includes the development and introduction of an electronic system of record-keeping for special educational needs assessments. This phase of the process is due for completion on 31 March 2020. The objectives of the process are to improve efficiency and effectiveness in the use of data to provide a child-centric and insight-driven service for parents, carers and young people with SEN. Be it in education or other fields, we can talk about vast statistics, but behind, for instance, any decision on special needs education, as, indeed, on other issues, we should all remember we are talking about individual children, so it has to be child-centric.

Key metrics of the process will be expected to include reduced time for statutory assessments; reduced costs of administration of those statutory assessments; improvement in the experience of the assessment and review process for parents and service users — considerable concerns have, at times, been raised about that, particularly by parents; improvement in the quality and timeliness of information for service providers; advanced analytics; and an electronic system of record-keeping.

Ms P Bradley: I thank the Minister for his answers thus far and welcome his answer. I have spoken to several SENCOs in schools in my area who highlighted the amount of duplication and paperwork required during an educational pathway for a child. What work is being done to share information between the Education Authority and the health trusts during the statutory assessment process?

Mr Weir: The Member is right. There is a desire to look at that, and it is perhaps most acute in special needs education. Across the board, where there is unnecessary duplication — sometimes it can be between different statutory bodies in education or across education — we need to look at how we can roll back and ensure that how the burden can be reduced for parents and schools is almost a separate issue.

Very specifically, on the issue of the health trusts, led by my Department, there is an implementation of improvements to the joint education and health notification referral and statutory assessment — NRSA — project, which is nearing completion. Many of the key recommendations have been implemented: for example, revised standard templates for the health trusts to record information needed for statutory assessment. The EA and the health trusts are testing a mechanism to securely transfer information between them electronically, because we live in an era of GDPR and, indeed, data protection.

Mr Lyttle: The Education Minister will be aware that serious concerns for the Education Authority's administration of special educational needs led to an internal audit. Does the Minister believe that that is an adequate approach to investigating those concerns, and will he update the Assembly on that review?

Mr Weir: I understand that the audit has reached completion. It will be shared first of all, I think, with the Education Authority board. I hope to receive that fairly soon.

It is important, in terms of processes, to get this right. While much of that is directly for the EA to implement, as a Department and as a Minister, we want to make sure that all provisions are made and lessons learned for our special needs children and particularly for their parents. All of us as MLAs will have experienced the frustration of individual parents and throughout our constituency. Whatever the audit comes back with, if there are key recommendations, it is important they are implemented swiftly, so that we are not faced, particularly when it comes to the placement of children with special educational needs, with another summer of difficulties when records appear to be lost and there is inadequate communication. It is a time of high stress when a family is looking at where their child will be placed for their special educational needs. It about getting the substance right but also ensuring that the communication strategy is right.

Ms Mullan: Given the concerns raised and the sensitive information about children that is recorded in special educational needs assessments, how will the Minister ensure that any introduction of electronic record-keeping is compliant with data protection safeguards?

Mr Weir: The Member raises an important point. The work that is being done between the EA and the health trusts to trial this and ensure that what they have is fit for purpose has to be

on the basis that the information is secure. The EA and the health trusts are testing the secure sending of this before it goes live. All documents used to collate and share information relating to statutory assessment have been amended to include explicit parental consent — there is no point in going ahead with any sharing of information unless it is with the buy-in of parents — and ensure that they are GDPR-compliant. While explicit consent will be a choice for the individual parents, the process will mean that there is a better sharing of data and hopefully a more timely, more efficient and better process. Once the testing has been done in respect of GDPR, I will urge parents to give their consent, but that is obviously a choice for each individual parent.

Mr Durkan: I thank the Minister for his answers thus far. I welcome news of the new electronic system, which sounds like it will increase the speed with which assessments are carried out. However, will the system have more agility or flexibility than the current system, so that, as children's needs change, so does the support that they receive, without their having to go right back to the start?

Mr Weir: To be fair to the Education Authority, it has introduced a couple of digital systems recently, the trialling of which has actually worked out quite well: for instance, the checking of eligibility for transport worked well. It is important that there is that level of agility. If we are talking about the digital system, the agility is largely about the transfer of information. The information can transfer, but it is important that we have a wider level of support and protection for special needs education. This will also feed into the new SEN framework, which I hope to consult on in the spring. It is important that we have adaptability. One of the problems that there has been in the past is that a particular assessment is done on a child and then it becomes a fixed point, effectively. That sometimes gives assurance to people, but it can also mean that what we have is not up to date with what is required. Hopefully, the flow of secure information can make the system a little more agile; it certainly cannot hurt. Hopefully, it will also mean that, in respect of special educational needs, we can look at more tailored interventions and, indeed, perhaps earlier interventions. In the past, there has maybe been a little bit too much of a one-size-fits-all approach.

Academic Selection: CREU Report

5. **Mr O'Dowd** asked the Minister of Education to outline his Department's response to the

report from the Centre for Research in Educational Underachievement (CREU), which found that academic selection has significant detrimental social, educational and economic consequences for pupils from lower socio-economic backgrounds. (AQO 62/17-22)

Mr Weir: I was wondering how quickly academic selection would come in. There has been much controversy over language in the last months, so it is perhaps a risk to introduce a fourth language into the equation, but there is a little bit of, "Plus ça change, plus c'est la même chose", from the Member. As nobody has earphones, I should say that that translates as, "The more things change, the more they stay the same". While the report has not been formally submitted to the Department, the findings will be considered. I note that the report talks about further research to develop bespoke solutions. That underlines the commitment in 'New Decade, New Approach' to establishing an expert group to establish the link between educational underachievement and socio-economic background, and it is vital that we take the opportunity to explore that.

The Member will be aware that there is a wide range of views on academic selection. It may be that the Member and I do not quite have a simpatico view on the benefits or otherwise of academic selection. I support the right of schools to use academic selection. Our system has to ensure that it has opportunities for all. When looking at educational underachievement, I consider one of the problems to be that there is sometimes too much of a focus on what happens precisely at 11. Critically, if we are to make big differences when it comes to educational underachievement, a lot of the focus has to be on early interventions. To be fair to the Member and his predecessors, that has been realised for many years and been implemented for many years. Early interventions are the critical bit, because, to some extent, if a problem is persisting at age 11, there is a good argument that we have not really sorted out the problem. I look forward to many fine engagements with the Member in his now elevated role of Chief Whip of the party opposite.

Mr O'Dowd: I thank the Minister for his response. Even without my 11-plus, I understood what he said at the start.

I have no doubt that the Minister believes in evidence-based policy, and, when all the evidence points you in one direction, there is a responsibility on Ministers across the board to make the right decision. When the United

Nations Committee on the Rights of the Child (UNCRC), the Equality Commission, the Human Rights Commission, the four teachers' trade unions, the programme for international student assessment (PISA) and much other international research tell us that the 11-plus and academic selection is bad for your education system, there is a duty on the Minister to follow that evidence. Does he agree that it is time to bring academic selection to an end?

Mr Weir: I could hurry on to other questions by simply saying no. In my experience, academic selection is an argument that, in this jurisdiction and across other jurisdictions, has been raging for 50 or 60 years. There is unlikely to be a level of consensus on it. I take a view that we should compare academic selection with the likely alternative. For instance, across the water in England, there is a system of public schools — private education — where those who are wealthiest are effectively able to buy the best education. There are those who look for schools that will provide a particular education and judge areas where the house prices go up as possibly having the best schools. The alternative is therefore selection by wealth. Whatever the flaws are with academic selection, by comparison, the system across the water drives a much more unequal society.

If we look at the intake in our universities, we will see that we have a much more diverse level of social mobility than in other places. We have seen a steady rise in the success rate of those on free school meals, for instance. We have a system in which, last year, non-selective schools outperformed the average in Wales and, indeed, are ahead of the OECD average. While there could be criticisms of our current system, there is a lot of success to be celebrated as well. If we simply view educational underachievement through the prism of academic selection, we will have missed a trick.

Mr O'Toole: Minister, in 2016, not long before this place fell, you took the unilateral decision to reintroduce transfer-test coaching to primary schools. Can you provide an estimate on how much primary-school teaching time has been spent on transfer-test coaching in the past three and a half years?

Mr Weir: I appreciate that the Member is somewhat new to this place, but he may find that my decision was effectively the reverse. Guidance was issued by the Department to schools that essentially said, "You are not to do anything that prepares up". What happened

was that it became a certain level of false prospectus, in that some schools were providing coaching but, perhaps, not letting the Department of Education know, while some were abiding by the guidance. I actually said that I was leaving it up to the schools to decide.

The Member mentioned coaching. Where there is a ban in place on doing any preparation in schools, coaching will still happen, but, again, it will be those who are in the best position financially to afford it who will get that coaching. What I said was intended to try to produce, to a certain extent, a more level playing field, and it was also done on the basis that, whatever was happening, it was not to be to the detriment of the curriculum being provided in primary schools.

Mr Speaker: I call Kellie Armstrong for a very quick question and, hopefully, a very quick response from the Minister.

Ms Armstrong: It will be very quick. Thank you very much for your patience, Mr Speaker.

There is an increasing body of evidence against academic selection. Can the Minister of Education cite any specific independent research in favour of the suitability of academic selection?

2.30 pm

Mr Weir: I judge it by the pragmatic success story that our schools have been. Northern Ireland has continually achieved the highest results at GCSE level. Less than 1% of our pupils leave without any GCSE qualifications at all. We have seen a steady improvement in the results of pupils on free school meals; indeed, the gap is closing. As I indicated, even for non-selective schools in our system, the results are higher than the OECD average and the average for Wales. The proof of the pudding is very much in the eating. The reality is that we are not living in some utopian type of system. I note that the Member, therefore, wants to see the abolition of grammar schools. If we were to do so —

Ms Armstrong: *[Interruption.]*

Mr Weir: Sorry?

Ms Armstrong: All ability.

Mr Speaker: Time is up.

Mr Weir: Well, it would be [*Inaudible*] but I appreciate that the Speaker has —.

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

Autism Training: Trade Union Discussions

T1. **Mr Boylan** asked the Minister of Education, in the light of last week's motion on autism training for teachers and classroom assistants, which was supported by all sides of the House, whether he will consider entering into discussions with the unions. (AQT 41/17-22)

Mr Weir: I do not in any way want to enter a turf war, but there seems to be a little bit of divergence in the particular positions of the unions; The NASUWT and the Ulster Teachers' Union seem to come from quite different positions. I will work with all the stakeholders to try to ensure that we implement the best possible provision of autism training. If we could get the teaching profession to speak with one voice, that would be helpful as well.

Obviously, the challenges are there as to how we best put it in place, both in initial teacher education and, given some of the expertise out there, in rolling it out to the present teaching workforce so that we ensure that all our pupils get the best possible provision for and awareness of autism in particular.

Mr Boylan: I thank the Minister for the answer. I appreciate the position of some of the unions. Will the Minister seek funding for any scheme that he wishes to introduce in the future?

Mr Weir: I am always keen to seek any form of funding. If the Member opposite can have a word with his constituency colleague for Newry and Armagh, the Finance Minister, I would greatly appreciate any assistance that can be given.

There are opportunities. As we move towards an SEN framework, the training of teachers will carry a price tag with it. I think that we could create something that is integrated. I think that I mentioned in last week's debate that work also needs to be done on initial teacher education. That will require the cooperation of not just the Department but the Department for the Economy and the teacher training institutions. From that point of view, while the Department sets the numbers and can give a level of direction, the details of the curriculum,

ultimately, will be set in conjunction with the teacher training bodies. Ultimately, if there are additional costs, they will probably be borne by the Department for the Economy. If we are to do something, it cannot be done a shoestring; it has to be fit for purpose. I am very keen on any additional resources that my Department can get. I think that I said last week that the one thing that you can pretty much be sure of in education is that, if money is there, it will get spent.

Peace Plus

T2. **Mr O'Dowd** asked the Minister of Education, albeit that he was sorely tempted to return to the subject of academic selection, whether he will engage with the Peace Plus programme for shared education and other departmental programmes that receive funding from the EU Peace programmes. (AQT 42/17-22)

Mr Weir: I am happy to engage with any particular programme. There can be great value in shared education and other activities. As such, despite Brexit, there will be opportunities for that level of cooperation. Looking at some wider context, when a new Government emerge in the Republic of Ireland, there will be certain cross-border aspects that we will need to look at as well. I am very open-minded about trying to engage in any shape or form to build on those experiences. Again, if there are any routes by which additional funding can be levered in, I am very open to them.

Mr O'Dowd: The Minister has to be concerned about the significant amounts of money — I doubt that he has the figure in front of him; he can supply it to me another time — that come from EU funding programmes into the Department of Education, which we are about to lose. Has he factored in how he is going to replace those programmes or how the Department is going to operate without them?

Mr Weir: We can get the detail of the exact amounts. On the direct inputs of those funds into the Department of Education, we tend to be at the lower scale compared with some other Departments. Obviously, there will be engagement with the Executive and the UK Government on where we can find additional funding and where there will be replacement funding. One of the bonuses of Brexit will be the opportunity for the Northern Ireland Executive to receive additional funds that might otherwise have gone to the EU. We have to make sure that those funds are spent in as appropriate a manner as possible.

School Administration

T3. **Mrs D Kelly** asked the Minister of Education whether he has any plans to review the overall administration of our schools and put more money into front-line teaching, given that, last year, the three main teaching unions gave a presentation to the Northern Ireland Affairs Committee at which they said, “Few educationalists would disagree that our system has an enormous body of staff who do little more than check or regulate other staff” — in other words, micromanaging. (AQT 43/17-22)

Mr Weir: Certainly, there is a priority to ensure that what is there is for front-line teaching. Where there can be efficiencies, part of the bid for next year, as it was for this year, will be around where voluntary redundancies can happen in administration.

Whatever level of budget there is, there is a priority to put the maximum amount into front-line services. Perhaps rightly so, the majority of the money within the Department of Education goes directly into teachers' salaries and the clear majority goes directly into schools, so to some extent, whilst there are efficiencies that can be driven from the system, and this is one aspect that will need to be looked at in the wider review of education, I am not convinced that there is a large pool of money. If it was easy for it to be drawn down, that would have been done by now.

Certainly, any places that can make efficiencies will be looked at, because, roughly speaking, about 80% of the overall cost of education is from salaries. I will direct as much of that as possible to front-line services, and sometimes that will mean that difficult decisions need to be taken.

Mrs D Kelly: Will the Minister consider the fact that our classroom sizes are the highest across these islands? What measures can he introduce through the review to address that?

Mr Weir: It depends a little bit, because I have seen some statistics, but I am not sure that they are particularly accurate. As with any set of statistics, you can question their variable base. I can only reiterate that I will try to ensure that, as far as possible, front-line services are delivered within the budget.

One of the issues we probably have with classroom sizes is the high variability in our system. Sometimes, we see several year groups being taught by one teacher, particularly in primary schools, which is not a particularly

good thing. Also, in post-primary schools, we sometimes see circumstances in which the full range of subjects cannot be provided. That is part of a wider reform agenda. At times, that will require a driver to ensure that we get the best possible results for our children. Sometimes, that can lead to certain levels of efficiencies, but efficiencies do not come with an easy button to press; that will require a level of change, which will be a challenge to all of us across the House.

Teachers: Pay and Conditions

T4. **Mr Lyttle** asked the Minister of Education, given that he will be aware of the significant impact of ongoing teacher industrial action and the New Decade, New Approach commitment to urgently resolve the matter, to state how he is working with the Minister of Finance and the UK Government to secure the finance necessary to implement fair teacher pay and conditions, as agreed in 2019. (AQT 44/17-22)

Mr Weir: If this was pantomime season, I would be tempted to say that the genie has just appeared from across the Chamber in terms of the Minister of Finance. I will be working with the Minister of Finance and the rest of the Executive as part of the broader budgetary process. There will be an opportunity in roughly a week's time to meet on a one-to-one basis with the Minister of Finance.

The Member is right to mention pay and conditions, because there is sometimes a pure focus on one without the other. I have had a very good meeting with the unions since I have been in office, and I indicated that, at least on the 2017-19 phase, there is largely agreement on something that is, to borrow from our Prime Minister, oven-ready. All we need is the direct finance to do that. I indicated to them that, if sufficient finance is there, I will move on that very quickly. It is important to get a level of industrial harmony. Arising out of that will also be a range of work streams looking at conditions, and there are opportunities to have win-wins. Changes need to be made on issues around administration, inspection, substitution etc. Without prejudicing anything in the work streams, I will be looking to see how quickly we can move ahead with those things. If something good can be done, the quicker it is done, the better.

Mr Lyttle: I thank the Minister for his update. How confident is he that he will secure the finance necessary to guarantee fair teacher pay and conditions, and is there any threat of an

escalation of industrial action if, indeed, he does not secure that finance urgently?

Mr Weir: I do not want to overhype things. If we are in a situation where things are resolved, that produces a positive way forward. If they are not resolved, there is always the risk of escalation, so the Member is right to highlight that. The question of how confident I am about securing resources might be better directed to the Minister opposite.

Project Stratum: Rural Schools

T5. **Mr McAleer** asked the Minister of Education whether his Department has any plans to ensure that, with the roll-out of Project Stratum, schools in rural areas will benefit from improved broadband connectivity. (AQT 45/17-22)

Mr Weir: The direct detail on the broadband strategy, which I think schools can benefit from, is ultimately being driven by the Department for the Economy. Indeed, it is important that promises that were made on the investment in broadband infrastructure are delivered on by government centrally. As I said, the detail of the roll-out is a matter directly for a different Department, but improved rural broadband will have a very positive impact on our schools. I have visited schools and seen, quite often on some of the digital skills and the use of good broadband, very intelligently used teaching techniques to make use of electronic devices.

Mr McAleer: I thank the Minister for his answer. Will he give us an assurance that he will consult with his colleagues in the Department for the Economy on Project Stratum? Will he also give us an assurance that the Education Authority will be sufficiently funded so that schools will be well placed with additional IT resources to deal with the anticipated improved connectivity?

Mr Weir: As I said, we need to make sure that we are well placed on connectivity. On the 14-to-19 strategy, for example, I will be looking to work with the Department for the Economy. Issues around early interventions, for example, are sometimes cross-cutting between Health and even Justice or Communities. Mental health issues in schools are also cross-cutting. Therefore, a lot of this requires joined-up thinking and joined-up work. I will be very happy to work on the broadband issue with my colleague and, indeed, with other Departments to help to deliver that.

Bullying in Schools: Section 75 Groups

T6. **Miss Woods** asked the Minister of Education whether he will amend schedule 3(3) to the Addressing Bullying in Schools (Northern Ireland) Act 2016 to reflect section 75 of the Northern Ireland Act 1998 to ensure that schools report bullying across all the section 75 groups. (AQT 46/17-22)

Mr Weir: It is important to deal with any bullying incident from whatever source it comes. When the previous Minister brought in anti-bullying legislation, I was Chair of the Education Committee, and I think that it is important that all incidents are recorded.

Perhaps the Member has the legislation to hand. Mention is made in the legislation that, essentially, the bullying incident would be recorded as well as its nature and cause. My view is that bullying is wrong no matter from what source it comes.

The next step, I suppose, before we look directly at any forms of amending legislation, is that there would be consultation soon on how we actually implement the legislation. The Northern Ireland Anti-Bullying Forum has drawn up guidelines that are in a position to be rolled out fairly quickly. There have been some problems with rolling out the training on that that, to some extent, have been a by-product of industrial action in some schools. Alongside a desire to ensure that industrial action is brought to an end, we should get the requisite training for all our teachers on preventing bullying, because, from whatever source, whatever motivation and whatever false prospectus anybody uses for bullying, whether it is in school or outside school, it is wrong. It is a very clear-cut message. We heard that across the Chamber, particularly from our young people at the event on Friday.

Mr Speaker: Unfortunately, time is up. We move on to questions to the Department of Finance.

2.45 pm

Finance

Vehicle Test Centres

1. **Mr Irwin** asked the Minister of Finance whether he will commit to working with the Minister for Infrastructure to ensure the

necessary finance is available to enable vehicle test centres to resume testing services. (AQO 70/17-22)

Mr Murphy (The Minister of Finance): The detail of the situation with vehicle testing is a matter for the Infrastructure Minister. I am aware that she has commissioned an urgent external expert assessment of the steps needed to return the MOT centres to a position where a full testing service can be delivered. My Department has provided support with the procurement of that external expertise. The work commenced on 3 February, and, until such times as that assessment has been undertaken, it is not possible to determine the extent of any repair or replacement programme or associated costs.

It is worth pointing out that the DVA is a trading fund, which allows it to hold reserves to fund planned investment. In the first instance, any necessary expenditure can be funded from those DVA reserves, although that may have an impact on the DVA's future capital in new and refurbished test centres, and we will need to consider that in due course.

Mr Irwin: I thank the Minister for his response. Does he accept that it is serious issue and that it is important it is addressed as soon as possible?

Mr Murphy: Yes. I concur with that. I have had conversations with the Infrastructure Minister. She is clearly waiting to see whether what is needed is a replacement programme, which is capital expenditure, or a repair programme, which is revenue expenditure. Certainly, I will want to do all I can to help her once she has come to the conclusions she needs to come to.

Mrs D Kelly: Minister, can you give us any information on whether there are any more unexpected spending pressures relating to unresolved issues from the three years of Stormont hiatus?

Mr Murphy: There are no shortage of spending pressures, as the Member will well know, hence the reason that we continue to have discussions with Treasury on the funding commitments in the 'New Decade, New Approach' document, to try to secure the necessary resources to meet some of those pressures. That dialogue will continue. I have been clear about the challenging budgetary situation that we face. I will bring a Budget to the House in the next number of weeks, and Members will have an opportunity then to debate it in full.

Mr Beggs: Given the legal aspect involved, will the Minister also review the contracts of those who were responsible for maintaining the equipment in MOT centres and failed to spot the flaws that have caused such disruption?

Mr Murphy: It will be a matter for the Department for Infrastructure to review its contracts. First, we want to assist it in providing some expertise to do the analysis. Once that analysis is done, as I said, depending whether it takes us into a programme of replacement or repair, obviously, there will be the question of the finance to do it. The DVA should have some of that, and other finance may come to us. I think everybody is agreed that we want to get the situation resolved, however that might be and whatever the future implications are for contracts in MOT centres. We want to ensure we get the system back up and working again as quickly as we can.

Mr Lunn: Unfortunately, my question is similar to the last one. I want to ask the Minister about liability for this fiasco, as I call it. It seems astonishing that all those lifts should have failed at the same time. I wonder about the inspection regime, how old they were and who supplied them. Is there any possibility of recovering money so it will not cost the public purse a fortune?

Mr Murphy: As I said in my initial answer, the Minister for Infrastructure has instigated two separate investigations. I hope that some of the questions that he and the previous Member have asked will be answered in those investigations as to how we got to this situation and what the consequences are for contracts, liability and whether there is any ability to claw back and make people answerable for the service that they ought to have provided.

Mr Carroll: I am not sure if the Minister is aware that the Minister for Infrastructure said this morning, in a written answer to a question from me, that there are no plans to bring outsourced maintenance of DVA equipment in-house. Does the Minister share the view of his Executive colleague?

Mr Murphy: I am not aware of her plans. Obviously, I am not across a written answer that was given to you this morning. I almost feel like I am in my old job as Regional Development Minister; I am answering questions about infrastructure. Clearly, it is a matter that she will have to deal with. I presume that, when she has the results of both the investigations that she has set out, she will

bring them to the Assembly, the Committee and the Executive, and then we will take decisions.

Rates: Transitional Relief Scheme

2. **Mr Muir** asked the Minister of Finance whether a transitional relief scheme will be put in place before non-domestic rates bills are issued for the financial year 2020-21. (AQO 71/17-22)

Mr Murphy: Frequent revaluations are in line with policy directions already set by the last two Finance Ministers. Also, business organisations have long called for frequent and regular revaluations. At the last revaluation, in 2015, transitional relief was not considered necessary, even after a period of 12 years, so it would be difficult to justify it now after just five years. The transitional relief scheme that operates in Britain delays the decreased liability for those whose bills go down, as well as the increased liability for those whose bills go up. Any scheme which only worked in one way, suppressing any increases, would be very difficult to justify financially, not least alongside the very many other competing priorities facing the Executive. Therefore, I have no plans to implement a transitional relief scheme for 2020-21.

Mr Muir: The Minister will be aware of the impact of Reval 2020, particularly on the hospitality sector. I ask the Minister to outline what other measures he is considering to assist those businesses? The rises that have been effected to some organisations could result in closure. It is important that the Minister outlines what measures are being considered to assist the businesses affected by this.

Mr Murphy: I am aware that any reval will throw up people who are satisfied. I think some 75% of retail properties will see no change or a decrease in valuation. Obviously, those who see an increase, particularly those in the hospitality sector, have an opportunity to challenge and make an appeal to Land and Property Services (LPS). There is also a factor, particularly in relation to the hospitality sector, where there is a need for information sharing with LPS about turnover. I appeal to people in the hospitality sector to do that as quickly as they can, because it allows a more accurate assessment of their rates liability.

Generally, there are small business rate relief schemes for businesses, but I understand that businesses are struggling. The economic circumstances are not good, and that is why there was a significant consultation undertaken

last autumn. The results are being analysed by me and my Department, and we will make decisions and bring those to the Executive in the coming time.

Mr Frew: Yes, it is correct that we should do revaluations more often to allow businesses to change in a smaller way. Given the fact that some in my constituency could well see rate increases of 600%, is it too soon to roll out a transitional relief scheme? Could it be used in order to remove the shock and trauma that businesses will face if they experience increases like that?

Mr Murphy: Again, I am not aware of the specifics that the Member mentions. I will say that there are significantly more businesses that have either no change or a reduction than have an increase. Now, if there are people who have substantial increases, they should engage with LPS. If it is people in the hospitality sector, there are agreed methodologies that use evidence from receipts and expenditure in order to come to a fair assessment of rental value. It is the rental value that is used for the rates bill. I appeal to people who are suffering as you have outlined to engage with LPS. We have conducted a review and consultation. It was an extensive consultation, and it was well responded to. That has given us much information to allow us to make an assessment. However, businesses that are suffering what they consider to be a very substantial increase need to engage with LPS to see how that can be worked through.

Mr Catney: The hospitality trade can be fickle, and those who find themselves invested in their premises will find themselves much levied upon. I agree with what Mr Frew said about increases in the sector. There must be a fairer methodology available to look at the rates, Minister. I, for one, am not sure that the current rating system is fit for purpose. I hope that the Minister will agree with me and look at ways in which to change it to make it fairer.

Mr Murphy: There are standard methodologies for assessing rental values for properties. There are different valuations for some in the hospitality sector, and, as I said, people can use evidence of receipts and expenditure to come to a fairer assessment. There has been a fairly low uptake in providing that type of information to LPS. I understand that people in the hospitality sector have good and bad times. They have quiet periods of the year and, like all businesses, are struggling. I encourage those who face particular pressures to engage, with

the full information required, in order to get the fairest possible assessment of their rate liability.

Mr Nesbitt: Given that the draft Programme for Government targets the promotion of "longer, healthier, more active lives", notwithstanding rates relief in the sports sector, how do you square that with NAV increases of 30% to 40%? Belfast Indoor Bowls Club has gone up 30-35%; Banbridge Rugby Football Club has increased by 42.16%; and, perhaps, close to the Minister's heart, the Athletics Grounds in Armagh has a 21.75% NAV increase.

Mr Murphy: I understand entirely. As a visitor to the Athletics Grounds, I get asked about those matters. Properties such as sports clubs are rarely rented, so an indirect approach has to be found to establish a rental value. There is a substantial sports rate relief programme. Any part of an overall facility that is used solely for sport can get up to 80% relief, which means only 20% of the rates bill is being paid. If there is a social club or another use with a more commercial outlook, the facility is subject to full rates.

I get it. We want to encourage more people to be active, but, where they use premises or facilities purely for sports, they are entitled to substantial rate relief.

Non-domestic Rating System: Review

Ms Kimmins: I congratulate the Minister formally on his appointment. I am proud to call him my colleague. I know that he will do a formidable job.

3. **Ms Kimmins** asked the Minister of Finance when the review of the non-domestic rating system will be completed. (AQO 72/17-22)

Mr Murphy: I thank the Member for her kind words.

The public consultation closed towards mid-November with very valuable feedback from the public meetings and the 239 written responses received. My Department is in the process of briefing me fully on the business rates review. I want to establish what short- and medium-term policy objectives are available to us as an Executive in the context of the overall Budget.

Ms Kimmins: I know that there is an urgent need for reform of the rating system, particularly for businesses. It is strongly felt in my Newry

and Armagh constituency. Will the Minister also review domestic rates?

Mr Murphy: The question of domestic rates will be part of the Budget programme and Budget legislation that we bring to the Executive, because all of those things will have to be considered in the round to meet the Executive's requirements. Rates is one of the few financial levers that we have to bring in money to provide for services that are very much under pressure across health, education and elsewhere. All of that will be in the mix. We will take propositions to the Executive for decisions that will then be reflected in the Budget legislation brought to the Assembly.

Ms S Bradley: Has the Minister considered adopting a rate relief system for independent retailers, such as that which exists in England?

3.00 pm

Mr Murphy: We will consider all options. As I say, there has been a very substantial consultation. There was particular interest in the Back in Business scheme that provides support for new and emerging business. A lot of support was expressed for a scheme such as that to be reinstated, and I will look at that. The consultation, as I say, was quite extensive, and quite a lot of issues were thrown up during it. I intend to try to study that. The objective of this is to try to bring the fairest possible rates proposition that the Assembly and the Executive can then agree and to ensure that, in doing so, we try to keep businesses viable and town centres economically active. I am happy to look any schemes that may contribute to that. I know that Back in Business received particular attention during the consultation.

Ms Sugden: To determine the net annual value of business properties, Land and Property Service is required to gather data from the various businesses. Is the Minister content with the recent gathering of data that will determine the most up-to-date valuation list? If that could be improved, it might reduce the number of appeals that businesses are expected to bring forward.

Mr Murphy: As I say, there is a standard methodology used for assessing businesses. There are other methodologies used for the hospitality sector and that. If people are not satisfied with their valuation, by all means, they should contact LPS and challenge it, if they feel that the increase from the revaluation exercise has been too much.

I remember being on the Finance Committee previously, and we were very critical of the Department because it had taken 13 years to do a revaluation exercise. That meant that rateable values shot up through the roof, and people got hit with a fairly substantial rise. There is an attempt to do them over a more frequent period — over five years — to make sure that they do not have that type of increase. If businesses or properties are finding that, by all means, they should engage with LPS and try to get a reassessment.

Mr Givan: In reviewing the non-domestic rating system, will the Minister outline how he engages with local government, in particular the Causeway Coast and Glens Borough Council, on its setting of the rate? Although that may be more a question for the Communities Minister, nevertheless, given the seriousness of the issue, is the Minister able to comment on it?

Mr Murphy: I would not want to comment on an individual council's issues, but I would say that we undertake this exercise to try to find the fairest rating system. If we have managed to keep rates down and local government goes off and decides to fill the gap by putting its rate up, that really undoes the work done in this institution. There needs to be a greater degree of cooperation across all the councils with this institution. Of course local government can set its own rate — that is its remit — but, if we have a collective approach to try to support the economy and town centres and to try to get as fair a rating system as possible for domestic and non-domestic properties, we need a significant degree of collaboration and cooperation from local government as well. I have spoken to my officials about that, and we will try to engage with local government in the time ahead to make sure that, whatever decisions we come to on rates, local government's approach does not upend that, one way or the other.

Mr Blair: Can consideration be given to valuations occurring perhaps more regularly than every five years? Can more advanced notice of those valuations be given?

Mr Murphy: This valuation has taken place in five years. As I said previously, when I was a member of the Finance Committee a number of years back, the criticism was that it was 13 years since the revaluation, so there was a determined effort, I am pleased to say, from the Department and from LPS to get valuations done more frequently. I think that anything more than five years would be too long, so I hope that that sets the standard that the Department and

LPS hold to for revaluation. Anything longer than that leads to very significant increases that can be very challenging for businesses.

Confidence and Supply Agreement: Update

4. **Mr McHugh** asked the Minister of Finance for an update on the funding from the confidence and supply agreement. (AQO 73/17-22)

Mr Murphy: The £760 million of the original £1 billion confidence and supply funding has been allocated to Departments between 2017-18 and 2019-2020. That includes £400 million on infrastructure investment; £200 million on health transformation; £100 million on health and education pressures; £40 million on tackling severe deprivation; and £20 million on mental health. The Secretary of State told the parties that the remaining £240 million of that ring-fenced funding has been withdrawn. Discussions with the Treasury on the financial package are ongoing. In particular, I am attempting to restore the confidence and supply funding.

Mr McHugh: I am glad to hear that the Minister is in pursuit of the additional funds that are required in the North to meet many of our objectives. Given that the British Chancellor will deliver his Budget on 11 March, when does the Minister intend to bring forward the Executive's Budget?

Mr Murphy: I am sorry, I did not catch the last bit of the question.

Mr McHugh: When do you intend to bring forward the Executive's Budget to the Assembly, given that the British Chancellor will issue his Budget on 11 March?

Mr Murphy: Sorry; my apologies to the Member.

Yes, that creates a bit of a challenge, because, if, as is promised or as seems to be promised by the British Prime Minister, the Budget involves a significant degree of spending, that will have a trickle-down impact on our Budget. In order to satisfy rates bills going out, we need an early Budget in March. We might then miss that date, and we might have substantial funds to reallocate — I hope that we have — as a consequence of the Budget in Westminster. However, we are not certain of that, so the question will be, "Do we go before that or after it?". I am discussing that with officials, because

we do not want to run late with that and, subsequently, have rates bills for premises going out late to businesses that bank on spending money incrementally over the year, in terms of their rates liability.

It is a bit of a dilemma that the Budget in Britain is on 11 March. It is really in the middle of the timescale for us doing our work, but we obviously want to get some understanding of what finances might flow from that for this institution.

Mr Allister: Is there not a more fundamental question of confidence for the Minister, given his cruel treatment of the Quinn family, that he should be reflecting upon?

In respect of the confidence and supply money, if the offer has been withdrawn, is there any indication that that money is ever going to come to whoever the Minister of Finance might be? If Minister Murphy had a shred of integrity, he would have resigned over the Quinn issue.

Mr Murphy: First, in relation to the question, there was a certain understanding between those who negotiated the confidence and supply money and those who were providing it that it was ring-fenced and that, even if the profile had to be extended into later years, that money would be ring-fenced. The Secretary of State told us verbally — we have no written communication — that such money was no longer on the table. We have been engaging with the Treasury to try to secure that money and the moneys that are committed to in the promises in the 'New Decade, New Approach' document.

I will not take any lectures from the Member who refused to discipline his own party member Trevor Collins, who was campaigning for the UDA killer Torrens Knight, who carried out a massacre in Greysteel.

Mr Allister: You called an innocent man a criminal.

Mr Speaker: Order. Order.

Mr Murphy: The Member who sat alongside loyalist paramilitaries —

Mr Allister: You have a criminal conviction yourself, Mr Murphy.

Mr Murphy: — on the loyalist marching band forum —

Mr Speaker: Order. Will the Minister resume his seat for one second? I just remind Mr Allister that he has to listen to the Speaker when he calls "Order" in the House. I expect that, as I respect all Members, all Members must respect the order and the ruling of the Speaker.

Mr Murphy: Thank you, a Cheann Comhairle. I am just pointing out some of the discrepancies in the Member's own approach in relation to issues, which makes him just another unionist with double standards. In other words, a hypocrite.

Mr O'Toole: I was interested to hear the Minister refer to discussions that he has had about the UK Budget on 10 March. Can he give us an update on discussions he has had around the creation of two bodies: the fiscal council that is mentioned in the 'New Decade, New Approach' document, which will, hopefully, address some of the inconsistencies he talked about in the Treasury's approach; and the fiscal commission — the independent Smith commission-style body — that he has expressed a desire to see set up? Will he give us an update on those two things?

Mr Murphy: The Member is quite right, in that the fiscal council was first mentioned in the Stormont House Agreement and has yet to be set up. It is a function that is very regular in democracies, particularly in the Western world, to assist an Executive with spending plans and with looking at issues to be faced in the longer term. It can be a very useful body. There is not much by way of detail in the description in the document or the reference to it in the most recent agreement. We want to flesh that out a little bit and bring forward some ideas, including a remit, the type of personnel that would sit on it and the type of function that it would provide for the Executive, and put that to Executive colleagues. I hope to do that in the near future.

The Member is correct about the fiscal commission: I have signalled my desire for that. As the discussion on rates shows, we have very limited fiscal levers. To support our Programme for Government priorities, it would be useful for an Executive to have a greater range of fiscal levers at their disposal. As I have indicated to colleagues, I am very happy to do some work on a commission. Again, the detail of its remit and the personnel involved in it need to be fleshed out, but I would like to see such a commission consult with Members and right across the community on what tax-varying levers we may be able to secure and place at our disposal.

The Member is correct that it is an exercise that has already been done in Scotland and Wales. I do not see any reason why we would not try to access some financial levers to allow us to support our Programme for Government, determine our priorities and try to fund them accordingly.

Ms Bradshaw: What will plan B be for the York Street interchange if the Minister is unsuccessful in securing the remainder of the confidence and supply money?

Mr Murphy: This was a report that was given verbally at a meeting. I was not involved in negotiating the confidence and supply money nor how it would be spent, but my understanding is that money that appears to be short was more to do with broadband contracts than the York Street interchange. That is one factor of the money that we want to try to secure, but the bigger factor is the money that was committed to as part of the financial commitments in the 'New Decade, New Approach' document. Those were substantial commitments that were worked through with all the parties, working with senior civil servants, the head of the Civil Service, the permanent secretary of the Department of Finance and senior civil servants from the NIO. It was not simply a wish list that people dreamed up and presented. It was a carefully worked-through document. There are significant commitments in that that need to be met. If they are not met, we will be into a very difficult situation over the next number of years in trying to deliver on our priorities.

FTC Underspend

5. **Ms Bailey** asked the Minister of Finance, given that the Executive had to return £150 million of financial transactions capital (FTC) DEL to HM Treasury, to outline his plans to ensure that ring-fenced funding will not go unallocated. (AQO 74/17-22)

Mr Murphy: Financial transactions capital can be used only for loans to, or equity investment in, the private sector. It cannot be used to fund departmental pressures. The position in 2019-2020 was exacerbated by the inability to use FTC for co-ownership housing as planned. This was due to the delay in taking legislation through Westminster to address the classification issue. The Communities Minister has indicated her intention to resolve this matter for 2020-21.

I am keen to ensure a significant uptake in the use of financial transactions capital, and a

range of actions are being taken. My officials have been engaging with the Treasury and other devolved Administrations to discuss how this funding will be used in other regions. In addition, departmental officials are liaising with the Strategic Investment Board to examine the issues leading to the lack of uptake. I have asked that they also engage with other Departments to explore innovative ways in which the funding can be used. I will bring the result of this work to the Executive in due course.

Ms Bailey: Thank you very much for your answer, Minister. I was glad to hear you mention the co-ownership scheme in particular. Given the level of need for all social housing providers and those working within urban regeneration, does he feel that the Northern Ireland Investment Fund has proved beneficial in relieving any pressures in those sectors?

Mr Murphy: I am certain that the Communities Minister, who is here beside me, will look at all funding opportunities. The priority is to try to provide housing for hard-pressed people and families who are seeking proper homes. I think that that is a commitment the Executive also want to support.

As I said in response to an earlier question, the commitments that were given in the 'New Decade, New Approach' document need to be fulfilled. That will provide us with a significant amount of capital over the next 10 years, which will allow us to engage in some of those programmes. I am certain that the Executive and the Communities Minister, in particular, will look at any and all resources that may become available to try to press forward with that programme.

3.15 pm

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

Rates: Revaluation Process

T1. **Mr Irwin** asked the Minister of Finance, albeit that he has answered a number of questions on rates, whether he accepts that there is concern at the lack of consistency in the revaluation process, with some people experiencing a massive hike in their bills. (AQT 51/17-22)

Mr Murphy: I certainly do. That is the evidence — . I am an elected representative in the

constituency, as is the Member, and like me, he will be talking to business people and business owners about some of the issues they have with that. As I said, there are different methodologies to calculate that. There has been a substantial consultation with the business community over the autumn. Out of that, some suggestions have flowed, and I want to look at those carefully. The objective in all this is to get the fairest possible rating system for people and to ensure that businesses remain viable and that nothing that the Executive do challenges them in trying to do that. However, the revenue from rates is hugely important in the provision of health, education and other public services, so that is the balance that we have to strike. If there are instances where, people feel, the valuation has been substantially too high, they need to engage with LPS. If they are in the hospitality sector, they need to provide some evidence of their turnover, but, in other sectors, they need to engage to see whether they can get a change of approach to it.

Mr Irwin: Does the Minister accept that, for some businesses, the rates have become intolerable? I know of one business in a small town in the Newry and Armagh constituency that had a rates bill of £36,000, which was increased, in the new proposal, to £50,000 a year.

Mr Murphy: That seems very substantial, but I would need to know the details of the business involved to make any further comment on that. I would say that, where people feel that the increase is unwarranted, they should engage with LPS and should provide whatever information they can to challenge that. I will encourage LPS to engage with all businesses to make sure that people can attempt to make their case to LPS to try to get the fairest possible rating liability assessment.

New Decade, New Approach: Financial Commitments

T2. **Mr McNulty** asked the Minister of Finance, given the strong possibility that his party will be in government in the South, to outline his plans to engage with the Irish Government on the financial commitments in the New Decade, New Approach agreement. (AQT 52/17-22)

Mr Murphy: I had been in the process of seeking a meeting with the Finance Minister in Dublin, Paschal Donohoe, when the election was called, so it was not possible to have that meeting. The election came very quickly after

our institutions re-formed, so, clearly, there is a need for a meeting. I have to say that the commitments given by the Government in Dublin as part of the agreement were outlined clearly to us in financial terms as to what the amounts were, whereas that was not the case on the British Government side. I have had conversations with the Taoiseach and the Tánaiste since that, and I expect them to live up to those commitments.

There are, obviously, other areas we need to explore in terms of European funding or funding that may flow from Brexit preparations. The earliest possible meeting with the new Finance Minister in Dublin is something I intend to pursue very quickly.

Mr McNulty: Will the Minister pursue any other all-Ireland priorities?

Mr Murphy: A bit like him, the all-Ireland priority I am pursuing is Armagh for the title *[Laughter.]* Aside from that pressing issue, of course, there are a range of issues, and it is important that we get an early meeting of the North/South Ministerial Council to pick things up where it left off over the years. As I say, there are issues and challenges that flow to all parts of the island from Brexit, from the protocols that have to be worked out and from the arrangements that need to be made as a consequence of that, but there are other significant areas. There is mention of a border fund in the document, and that is something I want to explore with the Finance Minister in Dublin and with the Treasury, because border communities in both states have suffered most from peripherality and will continue to suffer as a consequence of Brexit, regardless of how it plays out. While I want to have those discussions, the North/South Ministerial Council is the best vehicle for them, and I look forward to its earliest possible reinstatement. Of course, we have to get a Government elected in Dublin, and who knows what the make-up of that may be, but the sooner we have a Government in place, the better, and I think this Executive can get down to business with it.

Procurement: Reform

T3. **Mr Lynch** asked the Minister of Finance for an update on his plans to reform procurement. (AQT 53/17-22)

Mr Murphy: People do not often recognise that the Executive, small and all as we are in this place, are a substantial spender of public funds. We have an opportunity to ensure that those funds are spent in an ethical way that promotes

equality but also in a way that supports the Programme for Government commitments and priorities that the Executive have. We need to have a strong hold on procurement policy. I intend to review procurement policy. I will also consider, in the future, a social value Act to make sure that we get the best benefit for society out of public money, which is, after all, society's money that we are in charge of spending in this institution. I want to see procurement done in a way that is ethical and promotes the values of this institution and the objectives of the Programme for Government.

Mr Lynch: I thank the Minister for his answer. The social enterprise sector is of the strong view that, if social value is to be properly accounted for, it has to be part of scoring criteria for tenders. Does the Minister intend to consider that issue as part of the pre-consultation?

Mr Murphy: Yes, we do, and there has been ongoing engagement with the social sector. Some of the issues that they have raised can, I think, be changed as a matter of policy. A social value Act is certainly one issue that has been put forward and is under consideration. If I intend to bring forward proposals on that, I will bring them to the Executive and discuss them with the Finance Committee. At a time when we have a very restricted budget in public finances, we need to make sure that we spend them in the best way possible that promotes not only the greatest benefit for society but the objectives of the Programme for Government.

Paul Quinn

T4. **Mr Butler** asked the Minister of Finance, given that he will be aware of the disquiet, public concern and concern of many in the Assembly at his inability to give an adequate public apology to the family of Paul Quinn, whether he would like to take the opportunity now to state unequivocally that he accepts that Paul Quinn was not a criminal and to pledge to give a full account of the incident, as he knows it, to the PSNI and an Garda Síochána. (AQT 54/17-22)

Mr Murphy: First, I made a statement last week, and I have written to that family. I would caution the Member in saying I should give a full account of the incident as I know it, because that is a presumption that I have knowledge in relation to that incident. I would just caution him in relation to his language and the Committee that wrote to me in the same terms. It is a very dangerous presumption to make for me,

personally, but also for those who make it, in terms of their legal future.

Mr Butler: No presumption meant, Minister. Has the Minister considered his position at any point in these past few weeks in line with the seven principles for public service and the ministerial code of conduct?

Mr Murphy: Well, I say no. Can I say that the incident he refers to is some 13 years old? Not two weeks ago here, your party leader welcomed my appointment as Minister and pledged himself to work with me in good faith. I find this belated adherence to the issue that you have now raised —. I have known people in your party — your party leader — for four years. The issue was never raised with me once. I have been Chair of the Economy Committee, and he was my Deputy Chair: never raised the issue once. I met the Chair and Deputy Chair of the Finance Committee a number of weeks ago: they never raised this issue with me. They wished me well; they wanted to support me in my role as Minister. Yet, in this last week, apparently, they have had some serious considerations about my fitness for being a Minister. So you will understand if I feel somewhat sceptical about their belated interest in this issue. As I said in a previous answer, I have written to the family; I made a statement last week; and that is where the matter rests with me.

Brexit: Economic and Fiscal Impact

T5. **Mr McGlone** asked the Minister of Finance whether his departmental officials will work with the Department for the Economy to publish detailed assessments of the economic and fiscal impact on Northern Ireland of the European Union (Withdrawal Agreement) Act, including the impact if the UK does not conclude a trade deal with the EU by December. (AQT 55/17-22)

Mr Murphy: As the Member knows, the Executive have established a Brexit subcommittee. One of the first things that we ascertained last week is that the consequences of a no deal, even though they are perhaps less serious now than they were prior to that agreement, are still on the table for us. That option still has to be planned for.

We will continue to assess not only the loss of European Union funding across the various programmes but the cost of the implementation of the protocols here. We want to engage with Treasury on that. I had a discussion with the Scottish and Welsh Finance Ministers about

that last week. There are implications from loss of funding for both Scotland and Wales, but, uniquely here, we have the additional cost of implementing the protocols and the negative impact that some of the protocols may have on our economy.

Those are additional questions that will arise, but I expect that the subcommittee, which met for the first time only last week and is meeting again tomorrow, will work through the issues. We will work with the other institutions. We will work with Dublin, we will work with Brussels, and we will engage with Treasury to try to ensure that we suffer as little as possible from the consequences. The Member will recognise, as I do, that there is no good outcome from Brexit for anybody on this island.

Mr McGlone: You have kindly outlined the connections that you have had with Ministers in other regions on the issue. Will you advise me, please, whether any mechanism has been established whereby there can be progress updates on how the withdrawal agreement is moving along — those negotiations with the EU — and on whether there might be a trade deal before the end of the year? What is the mechanism for that, if one has been established with the various regions?

Mr Murphy: For the devolved Administrations, there is that joint ministerial meeting. One happened two weeks ago in Cardiff that the First Minister and deputy First Minister were at. I think that that was the first experience of that institution from a ministerial point of view. I know that the Scottish institution has complained long and loud about a lack of information coming to that. Our First Minister and deputy First Minister will have to test it to see whether we get satisfactory information and updates on how negotiations are proceeding.

Of course, we can engage with Brussels at any stage, as I intend to do and as, I am sure, other Executive Ministers intend to do. We can also engage with Dublin to get a sense of how negotiations are going. We do not have only one fighter in the game, if you know what I mean, but other sources of information. It is important, however, for the Executive and the Assembly to have access to all the information that we can, because, as we have said, the impact on this island will be worse than anywhere else. The consequences for us are worse than for anywhere else. We need to secure all the information necessary to try to offset as best we can the consequences that flow from Brexit.

Rates: Hospitality and Retail Sectors

T6. **Mr Catney** asked the Minister of Finance, after reminding him that he is a member of the Finance Committee and that, like the Minister's former colleague Francie Brolly, he wants to do whatever he can to try to help, whether the Minister agrees that there is a genuine fear, especially among the hospitality trade, of what is coming down the road, and, given that he has heard the Minister say that he wants to engage with that sector, to state whether he will engage with the hospitality and retail sectors at meetings, at which the Member would be happy to accompany him. (AQT 56/17-22)

Mr Murphy: I am not simply a Minister but a constituency representative who engages with businesses in his constituency frequently, so I am very aware of some of the issues that have been raised. A rates round table was planned for the Executive on Wednesday, but the Executive have arranged an awayday session that has superseded it. I am almost certain that a date for it has been rescheduled, when we will get in all the sectors and have a full discussion about the impacts of the incoming rates policy.

We have not set the rate yet. We want to make sure that we hear fully and get all the information from all the sectors on how this is impacting on them, to enable us to make the most fair decision. As I have said on a number of occasions, the objective of this is to get the fairest rate possible so that we can support people in business, try to grow the economy and meet some of the Executive's Programme for Government targets.

Mr Speaker: Time is up. I ask Members to take their ease for a couple of moments.

3.30 pm

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

Health

Mr Deputy Speaker (Mr Beggs): I ask Members to take their seat again, please. It is now time for questions to the Minister of Health. I advise Members that question 7 has been withdrawn.

Mental Health Services

1. **Mr Lyttle** asked the Minister of Health to outline his plans to enhance mental health services for young people. (AQO 85/17-22)

Mr Swann (The Minister of Health): As the Member is aware, mental health is one of my top priorities, and this includes delivering better child and adolescent mental health services (CAMHS) for people under 18. To do this, I will pursue a particular focus on prevention and early intervention. This will be done on a cross-sectoral basis, particularly with colleagues in the education sector, to promote emotional and mental well-being in schools, educate our young people on their mental health and strengthen the links between schools and mental health support services.

In parallel with that, I want to deliver investment to tackle long and unacceptable waiting lists so that our young people do not have to wait longer than nine weeks to see a CAMHS professional. This, of course, will require the support of the Executive in the forthcoming Budget process, and this additional investment will be used to address current workforce challenges in the sector and improve access to CAMHS to ensure that our young people get the help that they need. In providing CAMHS, a particular focus will be on leading the interdepartmental work on the action plan in response to the Children's Commissioner's 'Still Waiting' report.

Finally, in line with the New Decade, New Approach agreement, I will publish a mental health action plan by the end of March and a mental health strategy by December 2020. This will be informed by the findings of the regional children's mental health prevalence study, which is due to report later this year, and will set out the strategic direction and service requirement for CAMHS over the next decade. In all of this work, I am fully committed to working in partnership with all relevant stakeholders to allow everyone to have their say in shaping what our mental health services will look like in the future.

Mr Lyttle: I thank the Minister for his answer. The Minister will, of course, be aware of the level of anger across our community at the inadequate investment in mental health services for children and young people. Indeed, the system has been found by the Children's Commissioner to be:

"under significant pressure, finding it difficult to respond to the scale of need and the

complexity of issues with which children and young people are presenting."

What specific urgent actions is the Minister taking to urgently improve the provision of and investment in mental health resilience and suicide prevention services available to young people in Northern Ireland? Will he meet the Northern Ireland Youth Forum on this matter?

Mr Swann: First of all, with regard to meeting the Northern Ireland Youth Forum, I think it already has a question in. As regards the specific actions, I am fully aware of the Northern Ireland Commissioner for Children and Young People's report and the actions and recommendations that she has brought forward. We have not been able to fully scope all 50 of those recommendations into what our future mental health strategy will look like, but, as I said in my opening comments, funding for our CAMHS is one of the major stumbling blocks that we have.

Investment in CAMHS is now over £20 million annually. That is actually double what it was 10 years ago, but this figure does not include investments made by the Public Health Agency in a wide range of children's services, such as family support services, safeguarding and primary care services. In addition, more than £0.5 million of non-recurrent investment from the transformation money was made available to CAMHS-specific projects in Northern Ireland in 2019-2020. It is well recognised that CAMHS is underfunded, but I hope to address that in my tenure as Health Minister, with the support of Executive colleagues.

Mrs Cameron: The Minister mentioned that he will be working with the education sector; that is very welcome and very appropriate. Will the Minister comment on any consideration he is giving to working with the third sector and what help and support he can be to that sector so that it can be a help to him on the issue of mental health?

Mr Swann: I thank the Member for her question. Her last comment is the critical bit: it is about what help it can be to me as well as what help I can be to it. When it comes to the mental health and well-being of people in Northern Ireland society in general, it is about interaction and joining the dots between the voluntary and community sector, the Department and service providers to make sure that we have a holistic approach to meeting needs. There is no simple fix for the challenges that we face at the moment. That is why it is important to have involvement and buy-in from

all our sectors to the mental health strategy. I want to ensure, through reaching out, that there is co-production as we take the process forward. I recognise the value that they contribute to what we, as a Department, want to do.

Mr Gildernew: It was said in the Health Committee that there is a lack of data relating to children's mental health in particular. Will the Minister take account of that and see whether he can urgently move to address the lack of data, as any forward planning will be dependent on good data? There are also concerns around data transfer post-Brexit. Will the Minister also consider those issues?

Mr Swann: I thank the Chair for his comments and his question about how data will be managed in regards to Brexit. That is an issue that we are looking at across the entire Department and health service, because it will affect the mental health and well-being of not just our young people, which is where the question started out from, but all sections of our mental health system. We are clarifying exactly how the data can be coded correctly across the Department and all the departmental structures to make sure that we recognise and identify those issues collectively. We are aware that the coding is not pulling together all the data that we need. That was raised in the Committee, as the Chairman noted.

Ms Sugden: Last week, a young constituent told me that, when she tried to access the CAMHS crisis team, she was told that it provided services only to those aged up to 17 and nor could she access the adult crisis services. If it is the case that there is a gap of one year and we are not addressing 17- and 18-year-olds in crisis, that gives me great cause for concern. I am keen to hear your thoughts, Minister.

Mr Swann: I do not know the specific case that the Member refers to, but, if she wants to ask for a meeting outside, we will raise that issue with the CAMHS support team. I would be surprised if there is a gap between 17 and 18, because I know that, for someone with special educational needs, for example, the transfer between those age groups is something that is taken very seriously. If the Member wants to raise that specific issue with me, I will look at it with her.

Trans Healthcare

2. **Ms Armstrong** asked the Minister of Health to outline the actions he is taking to depathologise trans healthcare to reflect recent changes to the World Health Organization's classification of diseases and in international best practice. (AQO 86/17-22)

Mr Swann: A review of gender identity services is under way to identify a new model of care for transgender and non-binary people in Northern Ireland. As part of that process, a gender identity service pathway review group has been established. Membership of the group includes officials from my Department, the Health and Social Care Board, the Public Health Agency, the Patient and Client Council, the Royal College of General Practitioners, and service users' representatives. The group is, of course, aware of the declassification of gender identity issues as mental health problems in the eleventh edition of the international statistical classification of diseases and related health problems, and it will be mindful of that when taking its work forward. The group is due to report on its findings and recommendations by June 2020.

Trans and non-binary people also experience the same health problems as the rest of the population. Therefore, if their condition is unrelated to gender dysphoria or its treatment, they will be treated in the same way as any other patient with that condition.

Ms Armstrong: I am aware that there are representatives of trans persons on that review panel. However, the criteria to pick those people were never published. As we come out of New Decade, New Approach, and in light of civic engagement and public consultation, other organisations such as TransgenderNI may be involved in that review. Will the Minister meet TransgenderNI?

Mr Swann: I thank the Member for her supplementary. I will answer the last part first: I will invite a number of organisations to an LGBTQ+ round table at the end of March. To my knowledge, TransgenderNI is one of those organisations. In regard to her earlier point, organisations have been asked to identify to the Department what they want to discuss at that round table. If they make that a priority issue that they want to raise, we will consider it at that point.

Ms Ní Chuilín: I would be quite shocked if, at the meeting with TransgenderNI and others, the issue of conversion therapy, and the need to

bring legislation forward to ban it, was not raised. Does the Minister have any plans to bring forward legislation to ban the inhumane practice of conversion therapy?

Mr Swann: I will be honest: this is the first time the issue has been raised with me in my time as Minister. If the issue is brought up at the round table, we will definitely consider it. As the Member has raised it today, I give her the commitment that we will put it in our work scope.

Mr Deputy Speaker (Mr Beggs): Question 5 has been withdrawn.

GP Practices: Closure

3. **Mr Newton** asked the Minister of Health how he will address the closure of GP practices. (AQO 87/17-22)

Mr Swann: I thank the Member for his question. As he is aware, general practice is a crucial part of our health service and is the first point of contact for the majority of people who access Health and Social Care. Although the number of GP practices in Northern Ireland has reduced from 350 in 2014 to 327 in 2019, there were only five practice closures in that period. The remaining 18 practices were part of mergers with larger practices that took place to ensure longer-term sustainability. In most cases, those mergers offered patients an increased range of services, with access to a multi-professional workforce, including new roles such as practice-based pharmacists and advanced nurse practitioners.

To minimise disruption to patients, where the Health and Social Care Board receives notice of a potential closure, it takes all the necessary steps to secure the continuation of GP services. That includes advertising the contract widely and liaising with local practices that may wish to operate an additional surgery. Patients are kept informed throughout that process.

To address GP workforce challenges, we are also working hard to support the recruitment and retention of GPs. The number of GP training places has been significantly increased over the last few years, from 65 in 2015 to 111 in 2019. Initiatives are also in place to support GPs to return to or remain in general practice through the GP induction and refresher scheme and the GP retainer scheme.

The induction and refresher scheme aims to provide support to GPs returning to or entering clinical practice in Northern Ireland by ensuring

that GPs who have not worked in clinical general practice for 24 months or more and those who have not previously worked in general practice in the UK can be appropriately inducted and have the necessary skills for the provision of general medical services. By the end of January 2020, eight doctors had completed the induction and refresher scheme, with a further three currently completing the scheme

Finally, through the transformation programme, we are reshaping primary care services. The roll-out of multidisciplinary teams (MDTs) is delivering new capacity and innovation into primary care, bringing services closer to our communities and improving access for all our citizens. We are delivering MDTs in every trust area, improving access to physiotherapy, mental health support and social workers. MDTs are a cornerstone of our plans to transform the health service and will make an important contribution to the long-term sustainability of general practice.

Mr Deputy Speaker (Mr Beggs): I remind the Minister that there is a limit of two minutes for an answer; he can request an extra minute if he feels that he is talking about a particularly important issue.

Mr Newton: Although the Minister has taken that little bit of extra time, I welcome his response because he has delved into the matter and has given a very detailed answer. When it comes to practices coming together, my constituents would take some convincing that that has been to their advantage —

Mr Deputy Speaker (Mr Beggs): Does the Member have a question?

Mr Newton: — when they have to make appointments or cannot get appointments unless they wait a long time.

Mr Swann: I thank the Member for his supplementary. We have to address that issue by recruiting more GPs. As I said, the number of practices has not reduced greatly, but the issue is getting more GPs into the service and the multidisciplinary teams. Somebody who phones a GP practice might not necessarily need to be seen by a doctor; a pharmacist, a physiotherapist or even a mental health specialist may be the better professional for the continuation of their care.

Somebody might think they need to see a GP, but, with a multidisciplinary team, there may be another service professional in there who is

better placed to support them. Through the introduction and expansion of multidisciplinary teams, we hope to address that problem.

3.45 pm

Ms Anderson: In the context of increasing the supply of GPs and of tackling regional inequalities west of the Bann, you will be aware there is growing frustration in Derry about the expansion of Magee university. You know that there is an outline business case on your desk, and I know you have been looking for further clarification on that. Where are you with regard to giving consideration to moving on the expansion of Magee? We would like to address the frustration in Derry, but primarily we want to get the medical school in Magee moved forward.

Mr Swann: I thank the Member for her question specifically on where we are with the medical school at Magee. I do not have the full business case in front of me, because we met with Robin Walker, the junior NIO Minister, the week before last to clarify whether the moneys promised in New Decade, New Approach apply to revenue and capital for the Magee business school. We are seeking clarifications on that and on where the moneys can be aligned. The Member will be aware that, while the medical school is part of my remit, there is cross-sectoral departmental input from the Department for the Economy into the wider expansion of Magee. I assure her that we are looking very seriously at the medical school at Magee for the provision of GPs and at people getting post-degree qualifications at that medical school, because that will address, in our opinion, some of the GP shortages we face.

Mrs Barton: Is the Minister aware of the particular challenges of recruiting and retaining sufficient numbers of GPs in Fermanagh and south Tyrone?

Mr Swann: I thank the Member for her question, which follows on from the one that was asked previously. There is problem with a shortage of GPs across the country, and I suppose that is felt especially in Fermanagh. However, given the rural nature of the Member's constituency and the prominence of small GP practices that cover large rural communities and populations, I recognise there are particular challenges in the county. I hope the significant increase in GP training places, as well as Magee, will address that.

Mr McGrath: The Minister referred to closures and the amalgamation of some practices. Is

there some specific work that can be done to mitigate those closures in rural areas, which have been mentioned, where such a closure would have a greater impact, as people would have to travel further if services were centralised or closed?

Mr Swann: On that question of access to a GP in the rural community, when we look at the mergers of GP practices, we see that GPs are private contractors, so, while we have some input into and interaction with the signposting of patients and on how the best care provision is delivered, we can have an influence but cannot direct GPs on where those services should be. The Member's point is well made, but it is also about how we expand the multidisciplinary teams into our rural practices, because, as the Member said, it is difficult to retain GPs in rural constituencies. As I said, it is about how we bring in those other health professionals, like, as I said, physiotherapists, community pharmacists and all the rest of it to make sure the service people are being provided in their GP surgery is one that delivers in a timely fashion.

Oral Health Strategy

4. **Ms C Kelly** asked the Minister of Health what plans he has to revise and update the oral health strategy 2007. (AQO 88/17-22)

Mr Swann: I thank the Member for her question. I may require an extra minute for this answer, Mr Deputy Speaker.

The development of a new oral health strategy would carry a significant resource cost, and, in the context of the range of financial pressures facing Health and Social Care, it has not been possible in past years to identify funding for that. That having been said, my Chief Dental Officer's professional view is that most of the 2007 oral health strategy remains fit for purpose, given the current evidence base and cost-effectiveness of available interventions and available funding. We are making excellent progress in some of those key areas, and I think that is important to stress today.

For example, recently emerging data for five-year-old children provides evidence of further significant improvement in respect of the relevant oral health strategy targets. One target was to improve the then 39% of five-year-old children who were decay-free to 50% within 10 years. In 2013, the data indicated that we had actually achieved 60% of five-year-olds who were decay-free. The emerging data from 2018-

19 indicates that 70% of five-year-old children are decay-free.

There have also been very significant additional improvements with regard to the severity of dental disease in that age group of children. Another oral health strategy target aimed to improve the relevant technical metric by a threshold of 24% in 2013, and the data has highlighted a 44% improvement. The latest data appears to indicate that a further 18% improvement has been achieved since then.

These are notable successes, especially given the many regional differences that we face at UK level that enable England to generally achieve better child oral health outcomes, but the work continues. My Chief Dental Officer has established oral health options groups to allow for the consideration and development of further oral health policy options for the two most urgent groups at present, namely children and the elderly. In parallel with that, I will continue to pursue additional funding for this important area.

Ms C Kelly: Thank you for your answer, Minister. I am glad that there is a group working for children and young people. That was part of my supplementary question. Can the Minister outline how the strategy is still fit for purpose when its data is 17 years old?

Mr Swann: I thank the Member for her question. As I said, with regard to the feedback that I have had from the Chief Dental Officer, it is where we target resources at present, both physical and monetary. Two of the main targets in that area, as I said, are younger people and older people. I gave the specific measure of where we are improving children's dental health. The Chief Dental Officer wants to focus on those two groups. That will allow faster delivery of outputs and allow for — forgive the pun — a better, bite-sized approach, so that we can actually look at those two groups. We have engaged with hospital specialists, professional representation from clinicians and general dental practice, community dental service representatives from the Department, and the board.

While I have mentioned younger people, in the elderly group the changing ageing demographic in the population already presents challenges, with, inevitably, ever-increasing need for health and social care services. People are retaining more of their teeth, and for longer, which represents a significant oral health improvement over the decades. Whilst many people in older age can maintain and enjoy

good oral health, there is a need for higher service provision for the frail elderly population. Officials are aware of the issue. The elderly options group will help to develop possible measures. It is about taking the strategy piece by piece, rather than developing an entirely new strategy, that we are working on at present.

Mr Deputy Speaker (Mr Beggs): I remind Members to continue to rise in their place if they wish to be called.

Ms McLaughlin: The Minister has actually touched on what I had intended to ask, but can he be more specific on the efforts that are being made to encourage the uptake of dental care, particularly among older people? That cohort is particularly at risk of difficulties with oral cancer, which can have absolutely devastating effects, not just on the person who has it but on their wider families —.

Mr Deputy Speaker (Mr Beggs): Can the Member come to her question?

Mr Swann: I am conscious that my answer did cover the Member's question, but she raised an important topic. Whereas we usually think of our dentists as looking solely at teeth and fillings, dentists are actually a key front-line defence in the early identification of oral cancer. It is about recognising the larger contribution that dentists make to the health service in Northern Ireland. As I said with regard to the older group, there are additional challenges as dementia becomes more prevalent. That puts further challenges on dentists who deal with those patients. The dental profession is changing from how most of us knew it as children. Its provision is becoming a more integral part of our health service.

Ms Bradshaw: Minister, the statistics and progress that you outlined for oral health are very encouraging. Last time, you touched on the key role that our community dentists can play. Given the growing pressures on our independent dental contractors, are you minded to review the current health service dental fees?

Mr Swann: As I said to Members earlier, it is not something that is on my table at this minute in time, but as the Member has raised it I am sure that it will now be on my officials' radar. The Member has made her point. I am sure that her leader's husband will be particularly keen on this, as he is a dentist. *[Laughter.]*

East Antrim GP Federation

6. **Mr Stewart** asked the Minister of Health for his assessment of the work of the East Antrim GP Federation. (AQO 90/17-22)

Mr Swann: I thank the Member for his question. GP federations are community interest companies (CICs), established and owned by GPs. Although they are a relatively recent addition to primary care, they have very quickly made a hugely valuable contribution to supporting GPs and improving primary care services.

I understand that the East Antrim GP Federation has been working positively with local Health and Social Care partners in the Northern Trust area to deliver better services for patients. For example, the federation is delivering a proactive nursing-home service, which has been running since October 2018. The service provides anticipatory care for nursing-home residents, reducing inappropriate emergency department attendances and hospital admissions.

Further practices in the federation are also participating in the primary care paediatric hub, which seeks to link primary and secondary care clinicians to provide high-quality care for children and families. It is clear that that approach is making a significant and positive impact on the health service and, crucially, on the lives of patients.

I am clear that partnership working, right across the system, is the best way in which to deliver the transformation that we all want to see. It is equally clear that a strong network of GP federations can play a crucial role in the process. I take the opportunity to record my thanks for the important work of the East Antrim GP Federation, and, indeed, of all our federations.

Mr Stewart: I thank the Minister for his answer. I very much welcome his positive assessment of the East Antrim GP Federation to date, which embeds pharmacists in GP practices. Will the Minister provide an update on the roll-out of practice-based pharmacists, please?

Mr Swann: I thank the Member for his question. The practice-based pharmacist initiative has been rolled out through the GP federations, including the East Antrim GP Federation. The GP federations are acting as employers rather than individual practices. That has enabled a network of pharmacists to be established that can deliver a resilient,

sustainable service. The initiative also provides a support network for pharmacists to share and learn from best practice.

Practice-based pharmacists play an important role in releasing GP time spent on prescribing activities, and that increases overall GP capacity. They are working with GPs to improve the quality and safety of prescribing and to secure efficiencies in the primary care prescribing budget. As well as important patient care, the initiative is a key enabler of transformation in general practice and enables pharmacists to make greater use of their clinical skills as part of a multidisciplinary team.

Currently, 274 practice-based pharmacists are in post, and a further wave of recruitment is due in 2020. That will increase the number to 330.

Partnership Working

8. **Mr McAleer** asked the Minister of Health how partnership working and co-production will be included in the criteria for the reconfiguration of services. (AQO 92/17-22)

Mr Swann: I thank the Member for his question. My Department is adhering to the statutory requirements for public involvement and consultation set out in the Health and Social Care (Reform) Act (Northern Ireland) 2009 and to the policy position set out in the regional Health and Social Care publication, 'Co-production Guide: Connecting and Realising Value Through People'.

As described in my Department's guide, working together in partnership is about realising value through people. It is about identifying and harnessing the different skills, experience and expertise residing within individuals and their communities to build truly representative networks that can deliver real and positive change.

We are all aware that how health and social care is provided here must change, and that means that there are difficult choices to be made; for example, how to balance demand and prioritise services in the midst of financial constraints and how to balance local accessibility with the quality of care that can be provided.

I am committed to using existing mechanisms and to seeking out new ways of working to connect those providing health and social care, those with lived experience of that care and their families and carers, policy-makers and

local communities to the planning, delivery and evaluation of those services.

Co-production is integral to all planning for the transformation of hospital services in such cases as the Daisy Hill pathfinder project, the review of urgent and emergency care, and day case elective care centres. The cancer strategy is also currently being taken forward through co-production. I have confidence that, by truly putting people at the heart of making decisions and choices about services and by providing a direct link to the designing and planning of those services at a strategic level, we will achieve the improvements in experiences and outcomes we need to transfigure health and social care provision.

4.00 pm

Mr Deputy Speaker (Mr Beggs): That is the end of our time for listed Health questions. We move on to topical questions. I advise Members that topical question 4 has been withdrawn.

Coronavirus: DOH Preparation

T1. Mr O'Dowd asked the Minister of Health for an update on his Department's preparation in response to the ongoing spread of coronavirus. (AQT 61/17-22)

Mr Swann: If I may, Mr Deputy Speaker, I will take a wee bit more time with this, because I am aware of the importance of the issue. I thank the Chair of the Health Committee for his interaction and support while we have dealt with this over the past few weeks.

My Department has set up an emergency operations centre and has updated relevant websites with advice to members of the public. A helpline for coronavirus has been established in Northern Ireland to provide advice for those who may have concerns following a visit to China and the now expanded region in the past 14 days. It operates a 24-hours-a-day call centre, and its number is 0300 555 0119. The Chief Medical Officer has also issued letters providing guidance to clinical staff on what to do if they encounter patients with respiratory infections arriving from overseas.

My Department, along with other public health agencies, remains in regular contact with the relevant authorities across the United Kingdom and the Republic of Ireland to ensure that any necessary precautions are in place in Northern Ireland in response to the situation. I have also updated my Executive colleagues and do so weekly and have their full support and

commitment for dealing with the issue. I have asked my officials to consider what additional public health legislation may be of benefit in our efforts to contain the future spread of the novel coronavirus in Northern Ireland. My Department will continue to remain in contact with officials in the Republic of Ireland and work closely with officials and public health colleagues in the event of a case on the island of Ireland.

A joined-up approach to communications remains vital. We have been working closely with our PHA and communications teams throughout the four nations to ensure that we send out a clear, coordinated and consistent message across the United Kingdom.

Mr O'Dowd: I thank the Minister for his answer and for the number of written statements that he has issued to Members over the past period; indeed, I am aware of his cooperation with the Health Committee. Does he agree that information is crucial at this stage? It is important that as much information — correct information — as possible goes out to the public, because the last thing we want is misinformation and rumours. The spread of misinformation is dangerous. I encourage the Minister to continue issuing information to Members and the public.

Mr Swann: I thank the Member for that. He used the phrase "correct information": the last thing we want is a public health scare. I stress to Members that we need to be careful that we do not stigmatise the Chinese community in Northern Ireland. It would be very easy and very dangerous to do that.

At this minute in time, there are no reported cases in Northern Ireland. As long as we can maintain that, it will be beneficial to us. I stress, however, that, I think, it is a matter of "When", not "If". At this time, the work that we are doing along with our colleagues in the United Kingdom and the Republic of Ireland has meant that, so far, we have not had a positive case, but, as I said, it is probably a matter of time rather than anything else. Our information that we are getting out there is crucial, and it is important that members of the public contact the helpline, if they think they have symptoms.

Cystic Fibrosis Drugs

T2. Ms Ní Chuilín asked the Minister of Health, after stating that the Minister taking an extra minute to answer the previous question was the right thing to do in order that people get the right information, for an update on those cystic fibrosis drugs that have recently been cleared

by NICE and are being used in treatment and those that are awaiting clearance, in the light of the NICE guidelines on the availability of drugs for sufferers of cystic fibrosis. (AQT 62/17-22)

Mr Swann: I know that the Member has written to me on the issue about specific cases and specific drugs. With regard to NICE and accessing certain medications, there are procedures in the Department whereby specific funding for individual cases can be applied for. I will forward that information to the Member, if she feels that it would be helpful. Without going into any of the drugs that she has not mentioned, it would be remiss of me to name individual drugs that either do or do not have NICE clearance, because I do not have that information in front of me.

Mr Deputy Speaker (Mr Beggs): I call Carál Ní Cheelin for a supplementary.

Ms Ní Chuilín: It is Ní Chuilín. OK? Go raibh maith agat.

If the Minister does not mind, will he do that? I appreciate that that is a lot of information to be bounced with in topical questions.

Will the Minister take the opportunity to scotch any rumours by confirming that, once a medical practitioner, a doctor or a consultant recommends a drug for a patient, they are recommending that treatment for them on the Health and Social Care budget and that families will not be left to foot the bill, even if some of the drugs companies have given the licence to us on compassionate grounds, awaiting NICE approval? It is just that there is a lot of speculation out there, and we need to clear that up, particularly through the Cystic Fibrosis Trust and the Patient and Client Council.

Mr Swann: The clarity given by the Member is well made. I will get back to her with specific guarantees and advice on that issue, rather than giving that verbally here. I want to get it in the correct terminology so that the Member has that to pass on to her constituents and the organisations that are campaigning to access drugs that are not currently listed by NICE or the other medications that are covered by NICE that may be accessible on prescription through a consultant or a specific GP.

Breast Assessment Services: Consultation

T3. **Mr Beattie** asked the Minister of Health for an update on the consultation on breast assessment services. (AQT 63/17-22)

Mr Swann: I thank the Member for the question on what is a critical service. The Department has been doing a piece of work on that through the term that we have not been in place. We are aware that there is a clear need to reform breast assessment services. A shortage of specialist staff and a growing demand for breast assessment services due to the ageing population have resulted in an uneven performance across the five trusts, despite the best efforts of our hard-working staff. Action is needed to address the vulnerability of the current system and to make the service more resilient to current and future demand. The public consultation on reshaping breast assessment services closed on 30 August 2019, with over 4,600 written responses received. My officials have now completed the consultation and analysis. Once I have carefully considered all the evidence presented to me, I intend to announce my decision on the way forward. I will, of course, update the House in due course.

Mr Beattie: The Minister will be well aware that the assessment centre in Craigavon Area Hospital in my constituency has featured heavily in that consultation. He will also be aware that I, along with the fantastic charity Knitted Knockers, which makes handmade breast prosthetics for women who have had mastectomies and breast operations, have asked to meet him. Will he facilitate that meeting with me and the charity?

Mr Swann: As far as I am aware, there is a written request in, and I will facilitate a meeting with the Member and the members of Knitted Knockers, as soon as he can bring them forward and contact my office.

Emergency Departments: Waiting Times

T5. **Mr Durkan** asked the Minister of Health for his assessment of our emergency departments and their waiting times, given that all Members will have seen and heard the reports of the pressures facing them across the North. (AQT 65/17-22)

Mr Swann: If I go over the allotted time, Mr Deputy Speaker, I regret it.

I deeply regret that some patients have had excessively long waits in emergency departments. The current waiting times are simply not acceptable. I am fully aware of the intense pressure that staff in our emergency departments continue to work under, and I have absolutely no doubt that we have excellent staff working in very challenging environments. I pay tribute to all our staff in the health and social care system, particularly those staff who have had to face increased demands in emergency departments in all our hospitals and continue to do their best in extremely difficult circumstances. Emergency departments continue to experience significant pressures, and there is an increase in the complexity of conditions presenting at emergency departments, particularly among the growing frail and elderly population.

The increase in demand for emergency care that we have seen in recent years illustrates the mounting pressure that the health and social care sectors are coming under and reinforces the need for change and transformation of the system. We need not only to reduce waiting times but to put in place solutions that will make the service sustainable in the longer term. That will be one of my key priorities as Minister. As the Member may be aware, my Department is undertaking a clinically led review of urgent and emergency care across the region that aims to establish a sustained regional care model that will fit the next 10 to 15 years. It is expected that an initial report will be ready for my consideration early this year.

I reassure those who say that they are losing faith in our system that the members of the health and social care system are working hard, and we are working hard to restore their confidence.

Mr Durkan: I echo the Minister's praise for our heroic health workers. Will he inform the Assembly of any plans to extend and improve the emergency department at Altnagelvin Area Hospital in my constituency?

Mr Swann: The Member is probably not aware that I visited the ED in Altnagelvin last week, along with the care service. I saw at first hand the fantastic work that they do. I see John Dallat nodding in the background because I visited the cancer centre as well. The pressure on the ED, even at that time on a Wednesday afternoon, was considerable. There were ambulances waiting to discharge patients.

My officials have been working on a long-term capital plan for the health and social care

service, and, as part of that process, they have asked all health and social care trusts to put forward their key priorities. The Western Health and Social Care Trust has been developing an outline business case for Altnagelvin phase 5.2 to include theatres, the accident and emergency department and the outpatients department. That is planned to be taken forward in two phases: 5.2A and 5.2B. The capital cost of the project is expected to be in the region of £110 million, with an additional revenue cost of £13 million per annum to enable them to open it. That was pressed on me by the chief executive of the trust when I visited. The outline business case is being worked on, and, as soon as it is presented, like everything else, it will be in the mix. I look forward to Executive colleagues supporting the financial bid.

Mr Easton: What plans is the Minister putting in place to cover the 3,000 vacancies in nursing positions across Northern Ireland?

Mr Swann: The Member is aware that the shortage of nurses is one of the key challenges that we face in our general health service. Nurses are now no longer just nurses on a ward; they are part of our GP service. Nurses are the critical link. We have to address the challenge in bringing our numbers back up to date. The Member will be aware that it is part of the recurring process where we asked for an extra 900 places as part of New Decade, New Approach and how we bring that forward in conjunction with the relevant trade unions and bodies.

We are training 1,025 nurses per year, so we will have an extra 300 nurses over the next three years. We should be providing 1,325, but it is not just about bringing new nurses into the system. In an earlier answer, I mentioned getting GPs to come back into practice. We also have to look for the support mechanisms that bring nurses back into practice and into our health service, so that they can provide support and critical care for our patients.

Mr Easton: Are lessons being learned about all those positions that are not being filled? Is there an answer to the question of why that has happened? We should not let it happen in the future, because it has a knock-on effect on outpatient appointments and so on.

4.15 pm

Mr Swann: As I said in the answer, I am fully aware of the critical role the nurses play. The engagement I had with their trade union

representatives in bringing the industrial action to a satisfactory close was supported by all other Executive colleagues. One of the things the nurses put forward at that time was that it was about not just pay but about safe staffing and how they are supported and enhanced in their roles. Work has been done on that. The former vice chancellor of Ulster University Sir Richard Barnett has led an independent nursing and midwifery review. That has come forward with a number of recommendations about how we support our nurses and midwives as critical components in the workforce. That report is due to come back very shortly and will probably be published in the next two or three months, with Sir Richard's recommendations about how we value and support our nurses as part of that workforce.

Mr Deputy Speaker (Mr Beggs): That is the end of our time for questions to the Department of Health.

Infrastructure

Mr Deputy Speaker (Mr Beggs): I advise Members that questions 5 and 11 have been withdrawn.

Flags and Emblems

1. **Mr Muir** asked the Minister for Infrastructure for her assurance that illegally erected flags and emblems will no longer be displayed from departmental property. (AQO 98/17-22)

Ms Mallon (The Minister for Infrastructure): I thank the Member for the question. I am aware of the problem of the erection of illegal flags and emblems on street furniture. It is a persistent problem and one that needs to be dealt with in a comprehensive manner. The flying of flags and the attachment of emblems to departmental street lighting columns is an offence under the Roads Order 1993, and my Department has the power to remove them from its property. One of my Department's primary considerations is the safety of the public, and where unauthorised flags or attachments pose a hazard to road users, my Department will always seek to remove that danger. While recognising my Department's responsibility, the reality is that if we as a society are to find a sustainable and lasting solution to the problem of illegal flags and emblems, we must all step up, as Ministers, as a united Executive, as leaders and members of all parties in the Assembly, with councils, landowners and agencies, including the

Housing Executive and PSNI, and, importantly, with and in support of communities.

I understand this is an area being explored — with a view to finding consensus — by the Commission on Flags, Identity, Culture and Tradition, set up as part of the Fresh Start Agreement, with a report due to the First Minister and deputy First Minister. I also note the commitments to accommodating and respecting identities and cultures in the New Decade, New Approach agreement. It is long past time that we got to grips with this issue and the issues that lie beneath it. I assure the Member that I am committed to working with Executive colleagues and everyone required so that we can deal with the issue in a comprehensive and lasting way.

Mr Muir: I welcome the Minister to her role. As a fellow park runner, I know she will succeed.

I thank her for her response. Does she agree that the erection of flags and emblems can be used to mark out territory? What is the status of the flags protocol that is in place? How is that being implemented?

Ms Mallon: Yes, I agree that flags can be used to mark out territory. As I said in my response, it is a problem that persists and that we need to comprehensively try to deal with.

I believe that the answer to taking the issue forward lies in the commission and that we really need to find a political consensus and show leadership at all levels to try to achieve that. I am committed to doing that in my Department, but I am realistic. I understand the nature of the problem, so I also understand that, if we are to genuinely deal with it, we must all work together.

Mr Storey: I welcome the Minister to her post and wish her well. Unfortunately, for many years in my constituency in the village of Rasharkin, illegal signs have been put up on top of directional signs. That is intimidating. They have been put up in support of republican prisoners, and, repeatedly, the police and your Department have failed to address the issue. When will you allow the Protestant minority in the village of Rasharkin to live free from the intimidation caused by that type of activity?

Ms Mallon: I thank the Member for his question. I firmly believe that everyone should live free from intimidation. I do not see this as an issue of one side or the other. I accept that my Department has a role to play. It is clear that, under article 87 of the Roads Order, it is

an offence to fix certain attachments to the surface of a road, tree, structure or other works in or on a road. It is that legislation that my Department seeks to rely on. I want to work with the PSNI; I want to work with communities; I want to work with every single Member in the House, because that is the only way that we are going to genuinely tackle this issue in a sustainable and lasting way.

Ms Ní Chuilín: I, too, welcome the Minister to her first Question Time and wish her well. The Department has been working on revised guidance to staff around this issue for some time. Will she ensure that robust measures are taken through legislation to deal with illegally erected flags? I am sure that she will agree that everyone, regardless of who they are or where they live, has to live free from sectarian harassment.

Ms Mallon: I absolutely agree with the Member. I have asked for a detailed submission on the guidelines. As I have said consistently in answering the questions, we need to deal with this robustly, but we need to do it in a way that tackles the underlying issues as well. It is not just a simple issue of erecting an illegal flag or a banner on a lamp post or a bit of street furniture. We need to get to grips with the underlying issues. We all need to show leadership, and that means that we should be as vociferously opposed to illegal paramilitary flags representing loyalist paramilitaries going up as we should be for issues to do with dissident republicans. We need to approach this in a very equal way. I want to work with everyone in the House, and I want to play my part in tackling the issue.

Mr Allister: I agree with Mr Storey's comments to the Minister and I trust that she will take them on board. In respect of her Department, we not only have the issue of flags but the issue of permanent structures on departmental lands and those of arm's-length bodies in the form of memorials glorifying terrorism. What action is being taken in that regard? A predecessor of hers told me that there were 34 such memorials in place. Has any action been taken, and does she agree that until we get to zero tolerance of the physical force tradition, then we are going round in circles on this matter?

Ms Mallon: I thank the Member for his question. If he has details of any structures that are on DFI land, I will be happy to look at them. Yes, we should have a zero tolerance approach, but we should do so universally. We should not accept signs or structures in some places while not accepting them in others. I look

forward to working with the Member and with others as we take that universal zero tolerance approach.

Community Transport

2. **Mr Dallat** asked the Minister for Infrastructure whether, as one of her priorities for connecting communities, she will commit to maintaining community transport to ensure a level of service for those who depend on it. (AQO 99/17-22)

Ms Mallon: I thank the Member for his question. Investment in infrastructure is not an end in itself; it is a bedrock on which we deliver our Programme for Government outcomes. That is why, over the next two years, my focus will be on developing a sustainable water, drainage and transport infrastructure that improves people's lives, unlocks economic potential and plays our part in tackling the climate emergency — the single greatest global challenge we all face.

I clearly recognise the important contribution that community transport makes towards delivering that ambition and connecting some of our most vulnerable people and rural communities. However, severe constraints on my Department's budgets over recent years have resulted in reduced funding across a range of areas, including community transport and the public transport network with Translink. That has created significant challenges and is not sustainable if we, collectively, are to deliver on our Programme for Government ambitions to connect all our people and communities to the opportunities which many of us can take for granted.

I am committed to finding solutions to protect and maintain rural and community transport services. However, we all need to recognise that the benefits of community transport go well beyond my Department, impacting across the full range of Programme for Government outcomes. The fact that health-related trips currently account for one quarter of all community transport journeys is a perfect illustration of those wider impacts. At a time of constrained budgets, delivering my ambitions for community transport will require innovation, greater collaboration and cross-departmental working. I hope that Executive colleagues and all parties will support my efforts to ensure that the most vulnerable across our communities and rural areas can continue to benefit from that essential service.

Mr Dallat: I thank the Minister for her comprehensive answer. I want to acknowledge the support and help that her Department gave during the suspension of the Assembly.

I welcome the fact that the Minister has given an undertaking to work in partnership with other Departments. I ask her to ensure that that happens and that community transport continues to serve the people in the way in which it has done in the past.

Ms Mallon: I completely agree with the Member. He makes an important point: if we are to achieve our ambitions of delivering a sustainable community, we need to work together.

Community transport is an issue not just for my Department. For many, it is an issue of health and well-being and an important means of preventing social isolation. It is a lifeline service that enables some of the most vulnerable groups and communities in society to access basic opportunities. The fact that health-related trips account for one quarter of all community transport journeys illustrates that clearly.

I am keen to work with Executive colleagues to deliver collaborative programmes, such as the assisted rural travel scheme, on which I work alongside the Minister of Agriculture, Environment and Rural Affairs. We need to ensure that we continue to support vulnerable people so that they can access the opportunities that many of us take for granted.

Ms Dillon: I wish the Minister well at her first Question Time. I am happy to hear the acknowledgement of social isolation. I represent Mid Ulster, which is a very rural constituency. It stretches the whole way from Swatragh to Fivemiletown, so it covers a massive area. A lot of people in the area are very socially isolated. In the index of over 500 areas with a lack of services, Pomeroy comes eighth.

Will the Minister give a commitment that she will try to roll back from some of the budget cuts for rural transport? The cuts really do create massive issues in accessing services.

Ms Mallon: I assure the Member that I absolutely recognise the importance of community transport in reaching out to and connecting some of our most vulnerable citizens. It also allows them to access services and tackle the social isolation that you spoke about.

The reality, however, is that I have inherited severe budgetary constraints, within which I have to operate. What I am doing in these initial weeks is assessing the priorities in my budget for flagship project commitments and the commitments in New Decade, New Approach, as well as my own priorities.

I assure the Member that, for me, community transport is a very important service, and I think that the answer lies in collaborative working across a number of Departments and with councils.

Mr Buckley: I am glad that the Minister mentioned the dependency that many rural constituents have on community transport services. What is her assessment of the provision currently on offer for rural constituents? Furthermore, will she elaborate on the conversations that she has had with ministerial colleagues on how we can address the issue?

Ms Mallon: Community transport provides a vital service. Services have been operating under constraints, because we have seen budget restrictions imposed as a result of budget cuts to my Department. The assisted rural transport scheme is funded by the Department of Agriculture, Environment and Rural Affairs. I administer it. I want to continue to do that, and I think that there is scope to do so, but there is a conversation to be had with a number of Executive colleagues. I have just said that about a quarter of the trips are for health appointments, so I want to have a creative and collaborative conversation with the Minister of Health.

The truth is that all our budgets are facing challenges. We need to be smarter in how we are delivering services. For me, it is particularly about going into those communities that are not able to access public transport and the other modes of transport that many of us do have access to.

Mrs Barton: Minister, I also welcome you to your position.

Will the Minister acknowledge that delays in approving departmental budgets mean that coordinating staff and those critical to providing such a high level of service will have received employment notices, and some may even be seeking more secure employment? To end such uncertainty, when will the community transport organisations be notified of the 2020-21 budget?

4.30 pm

Ms Mallon: I firmly believe that single-year budgets create a lot of pressure right across the system. They do not allow us to properly plan. They do not give certainty to people who are put on protective notice while doing vital work. I welcome the commitment in New Decade, New Approach to move to a multi-year budget, which will assist this very much. As regards the situation facing me, I do not yet know what budget I will have for the incoming year. I want to use that money to give as much certainty to people as possible, while making sure that we use it in a transformative way.

Ms Armstrong: I declare an interest, having worked in community transport for 16 years before coming to the House in 2016. I am very grateful for the Minister's words. I worked for so many years, lobbying the Committee, to try to get those words into the Department. She mentioned it being sustainable. As many in the House will know, one of the things that has happened with community transport is the ongoing threat to its existence because of the lack of clarity on operating licences. Will the Minister commit to sorting out the issue of the section 10B permit, or replicate the GB system by bringing in section 19 or section 22 community bus services? Without that clarification, community transport is dying on the vine.

Ms Mallon: I understand that there are issues around the 10B permit that continue to generate interest and concern among stakeholders. I have already had some correspondence from Members and others on that issue.

In December 2019, the High Court in London provided an important judgment — I am sure that the Member is well aware of this — on what activities can be defined as "non-commercial". The ruling did not provide a definition of "non-commercial", but it outlined a set of principles. My officials continue to work through that to determine the implications for Northern Ireland of that recent High Court judgement with a view to developing guidance on the matter. I realise the impact that it is having. I would like us to move to a position where we get clarity on the guidance, hopefully in a very helpful and timely manner.

Public Transport/Active Travel: Investment

3. **Mr O'Toole** asked the Minister for Infrastructure to outline her plans to address the

climate crisis through investment in public transport and active travel. (AQO 100/17-22)

Ms Mallon: I thank the Member for his question. Tackling the climate emergency is the single biggest global challenge that we face. As Infrastructure Minister, I am focused on delivering clean public transport and active travel options to build connectivity, reduce emissions and promote health and well-being for all. Poor air quality poses a major risk to public health. Long-term exposure to air pollution can cause chronic conditions, such as cardiovascular and respiratory diseases, that affect the quality of our lives and life expectancy.

Given the impact of transport on greenhouse gas emissions and air quality, reducing congestion and decarbonising public transport must be a priority. However, we need to achieve this at a time when our public finances are constrained. So, it is vital that we work in partnership, harnessing the collective resources of our public and private sectors and civil society to deliver innovative solutions that benefit everyone.

I hope that Executive colleagues and Assembly Members recognise my Department's important role in improving lives, tackling health inequalities and protecting our environment. I look forward to us all working together, recognising that investment in infrastructure is not an end in itself. It is about people and place. It is about unlocking our economic potential, protecting our valuable environment to transform and connect lives, and improving health and well-being for all our communities across Northern Ireland. While this is a huge task, I can assure the Member that I am ambitious. Collectively, we cannot just be ambitious; we can deliver lasting change for our communities, now and for years to come.

Mr O'Toole: I welcome the Minister to her post. I also congratulate her on being the first Minister to get on her bike and get in high-vis, as she did last week. That is very welcome and an example to us all. With that in mind, I ask the Minister to set out further plans for future investment in cycling, walking and the railways.

Ms Mallon: Yes, I am excited to be in the e-car, and I jumped on the e-bike as well. I would recommend the e-bike to everybody. It is a really good experience.

The Member is aware that I have set out an ambitious vision for a low-carbon future and one of my key challenges is to increase

sustainable travel options for people, including rail, walking and cycling. If more people choose to turn to greener transport options, it will not only help to address climate change but make a positive contribution to general health and well-being. Over the coming weeks, I want to carefully consider how best to deliver on my active and sustainable travel ambitions. Once the Budget process provides clarity on the resources available, I will be able to firm up my objectives, and I look forward to discussing and debating them on the Floor of the House.

Miss McIlveen: The Minister will be aware that only 427 battery electric vehicles were purchased in Northern Ireland last year, and, with only 337 charging points, it is hardly a surprise. In the Ards and North Down Borough Council area, there are only eight charging points, with only three of those being in the Ards area, which, as it is a tourist destination, is not enough. If we are serious about lowering emissions, we need to get the basic infrastructure in place. Can the Minister tell the House what funding streams she is actively pursuing to assist councils in improving the current situation?

Ms Mallon: I absolutely agree with the Member. I am finding out at the coalface, given that I have an e-car, about the limited amount of infrastructure that there is. If we are serious about encouraging people to use low-emission or zero-carbon-emission vehicles, we have to absolutely address the infrastructure. She is right: the 337 charging points are just not enough.

The Utility Regulator is looking at a report that should be helpful in trying to open up the network, and I will be taking guidance from that. I am also aware that the Department for Transport very recently announced that it will be doubling the funding available for on-street charging, which is really helpful for people who do not have access to a garage or a driveway. While we cannot draw that funding down directly, I have asked officials to work with others to support applications, and we will continue to work with the Office for Low Emission Vehicles to see if we can maximise the opportunities around that.

I have also had a conversation with the Minister of Agriculture, Environment and Rural Affairs, Minister Poots, and he is keen to work with me, as I am with him, because we both recognise that it is an important step forward in at least tackling the climate emergency.

Mr McGuigan: I congratulate the Minister on her appointment and welcome her views and comments on cycling and active travel. I look forward to working with her on the many issues that I have on those topics. Today is just about noting the Minister's comments on the recent announcement by Translink that it intends to use renewably-sourced hydrogen fuel, sourced from a wind farm in North Antrim — my constituency — to power buses built by Wrightbus in my constituency. Given that, does her Department have any plans to follow that lead by decarbonising ferries, particularly the Rathlin ferry in my constituency, to use hydrogen power?

Ms Mallon: Yes, I was at the launch of the three hydrogen buses at Translink. A number of Committee members were there. It is really exciting. It is the first in Ireland, and, once again, Northern Ireland is leading the way. I would like to see us do more of that; it is just amazing that we have buses and their only emission is water. We need to get more of that, and I am delighted that they could be on the road later this year.

The hydrogen ferry in Rathlin is not currently being considered, but I am very aware of the great efforts of the community there to make Rathlin a zero-carbon economy. I want to be able to play my part in that. I look forward to chairing the ministerial forum, and I really look forward to getting to Rathlin myself to meet people and to hear about their exciting plans, be it for a wind turbine or for the ferry. I am looking forward to learning more and doing what I can to assist them.

Vehicle Test Centres: Pressures

4. **Mr Gildernew** asked the Minister for Infrastructure whether she has considered adopting the approach taken by the National Car Testing Service to ease the pressures faced by vehicle test centres. (AQO 101/17-22)

Ms Mallon: The current situation is not acceptable, and I have instructed the DVA to work urgently to get a safe, sustainable and trusted service up and running as soon and as safely as possible. Testing on heavy goods vehicles and buses is continuing. Heavy-duty lanes are also being used, and MOT centre opening hours are being extended to prioritise taxis and four-year-old cars for private customers and dealerships. All other customers, except those with taxis or four-year-old cars, are being automatically issued with an MOT exemption certificate, which they can use to tax their vehicle and thereby continue to

drive. Two new lifts have been installed to provide additional capacity, and three existing lifts have also been independently inspected and cleared for use. I am determined to explore all options to minimise the disruption to customers, but the safety of staff and customers will continue to be my top priority.

The roadworthiness test is part of a wider regime designed to ensure that vehicles are kept in a safe and environmentally acceptable condition during their use. In Northern Ireland, we have no powers to omit the underbody inspection of a vehicle test, which is what is happening in the South, but I have powers under the Road Traffic Order to issue temporary exemption certificates for the whole test, which I moved quickly to do. That also allows drivers to tax their vehicle and stay on the road. My approach to issuing certificates of temporary exemption is a measured one that minimises disruption to customers, provides capacity to test priority vehicles and allows the space to put in place sustainable measures to restore a full, safe vehicle testing service. I am committed to doing that, but I must ensure the health and safety of staff and road users.

Mr Gildernew: Does the Minister acknowledge that parity with the South's testing system for cars would greatly alleviate the pressure and backlog facing MOT centres and potentially save the Department from some of the spending envisaged for a new network of test centres?

Ms Mallon: As for parity with the South, if we are talking about partial MOT testing, that is not possible. It was one of the options that I explored, but it was not possible given the legislation here. I would not have been able to extend the temporary exemption certificates, which would not have allowed people to tax their vehicle and keep it on the road. The issuing of temporary exemption certificates was the right decision for us.

The Member will be aware that I am considering all the options, one of which is a move from once-a-year tests for four-year-old cars to 10-year-old cars to tests every two years. I want to explore every single option to try to resolve the situation and get us to a better place.

Mr Dunne: I welcome the Minister to her post and look forward to her visiting north Down to see the numerous problems that we have in relation to infrastructure. Does the Minister agree that it is difficult to understand how all vehicle lifts in test centres are unserviceable at

present? Does that reflect poor management? I would appreciate clarification on the measures that she has proposed in relation to the testing of four-year-old cars, taxis and trade vehicles.

Mr Deputy Speaker (Mr Beggs): I think that that was two questions. The Minister may choose to answer one or the other.

Ms Mallon: It is just not possible to issue four-year-old vehicles with a temporary exemption certificate. I am as frustrated as, I am sure, the Member is about that. The measures that I have put in place are to prioritise the MOT testing of four-year-old vehicles with individual customers and car dealerships. We have utilised heavy-duty lanes for priority vehicles. We are looking at extended opening on Sundays, again to prioritise four-year-old vehicles. We are trying to do what we can.

I am concerned that we got to a point where cracks were noticed for the first time in November past and we have escalated so quickly to the situation that we now find ourselves in. That is why the measures that I have put in place to address the situation include two reviews. One review is by auditors and is independent of my Department. I want to understand what happened, who knew what and when, and what action was taken. A key part of that will be the contract that was involved for the inspections. The second review is via the appointment of independent engineers, whom I have asked to provide me with independent expert advice about the steps that I need to put in place to get our MOT centres fully and safely operable as quickly as possible.

4.45 pm

Mr Deputy Speaker (Mr Beggs): That is the end of our time for listed questions. We now move on to topical questions. I advise Members that topical question 3 has been withdrawn.

Residents' Parking: Holylands

T1. **Mr Stalford** asked the Minister for Infrastructure what assessment her Department has made of the success or otherwise of the residents-only parking scheme in the Holylands area. (AQT 71/17-22)

Ms Mallon: The Member raises a very important issue. The very first residents' parking scheme, as I understand it, was in the Rugby Road area of Belfast. That is being evaluated. I know there are requests for residents' parking

schemes in a number of places. I want to get the assessment of the Rugby Road one. I want to understand what works and what does not so that we are applying best practice and learning as we try to roll the schemes out into other areas if that is what communities wish.

Mr Stalford: I thank the Minister for that reply, and I was remiss to not welcome her to her place. There is no doubt that the residents of Rugby Road think the scheme has worked. The Minister represents a city constituency, like myself, and she is aware that in communities like Sandy Row, the Markets and Donegall Pass there is a real desire for these schemes. Will the Minister ensure that the assessment of the success of the Rugby Road scheme is carried out as expeditiously as possible so that we can get this rolling for people living in inner-city communities in Belfast?

Ms Mallon: Yes, I am very mindful that the fact that we did not have an Assembly or Executive for three years, means that we are behind on a number of things. I want to be able to expeditiously look at things, but I will also look to the Member and other Members to help me engage with local communities, because these schemes can and will work only if they are done with the consent of the community. I look forward to, no doubt, getting letters from the Member inviting me out —

Mr Stalford: They have already been written.

Ms Mallon: — to meet residents and to discuss that very issue, and I will be very happy to do so.

Yellow Weather Warning: Contingencies

T2. **Ms McLaughlin** asked the Minister for Infrastructure, with storm Ciara bringing rain, high winds and localised flooding over the weekend, while today we have snow, and recognising the great work that her Department did over the weekend, to outline what contingencies she has implemented in response to the yellow warning that is in place for the next few days. (AQT 72/17-22)

Ms Mallon: I thank the Member for her question. The worst of the heavy rainfall associated with the storm fell across the west. Critical information on potential impacts as a result of the rainfall was shared with key partner organisations to raise awareness, and my Department played a key role in establishing

the effective multi-agency emergency response to the storm.

My Department also placed staff on standby, opened control centres and maintained a presence at key known vulnerable locations that were considered to be at risk to enable a prompt emergency response, which, ultimately, involved the deployment of over 2,000 sandbags. The effort by staff was huge, and I put on record my thanks and appreciation to them, because they have worked tirelessly to keep us all safe.

This week, weather warnings have been issued by the Met Office for wind and snow until the middle of the week, with a few centimetres of snow forecast for ground around or above 150 m. Any snow accumulations over lower ground are likely to be temporary. However, icy surfaces will be an additional hazard.

Ms McLaughlin: I thank the Minister for that response. I am sure all constituents will feel a great deal of comfort at her Department's level of preparedness. In my constituency of Foyle, there has been some localised flooding. One of the reasons for that was blocked gullies. Will the Minister commit to looking in to unblocking those gullies in the Derry city area?

Ms Mallon: I have been advised that culvert inlet grills were cleared and gullies were maintained as part of my Department's proactive preparatory work ahead of Storm Ciara and that that did, indeed, reduce the risk of flooding in many locations across Northern Ireland. However, I recognise the concerns the Member raised about her constituency, and I will ask officials to get in touch with her to assess the situation.

Glider Service: North Belfast Route

T4. **Ms P Bradley** asked the Minister for Infrastructure, after wishing her well in her new role and reminding her that all politics is local, with them both serving as North Belfast MLAs, for an update on the Glider service and to state whether a route has been decided on, and, if not, when that will happen. (AQT 74/17-22)

Ms Mallon: The Glider service was launched in September 2018, and the Gliders produce 30% less emissions than the buses that they replaced. It is proving to be extremely popular, with 45,000 additional passenger journeys, and I want to build on this success. The north-to-south Belfast Glider route is one of the projects identified for inclusion in the Belfast region city deal. The next stages will require close working

across all Departments and with the other Belfast region city deal partners to try to find agreement on funding on which projects are most capable of being delivered, but, to that end, my officials are also working closely with the councils and with other partners to take forward a feasibility and options appraisal, which will help in identifying route options. This work should be completed by the end of the year.

No decision has yet been made on the north Belfast route, and I understand that we will have different views across the constituency. I am keen to learn from the Glider experience in phase 1, so I think that it is very important that, when we have the feasibility and options appraisal around the preferred routes, I do take time out to consult with people across north Belfast to make sure that we are making the best decision that can benefit the maximum number of people in north Belfast.

Ms P Bradley: If it is decided that the route will go along the Antrim Road and not the Shore Road, will the Minister undertake to look at at least one extra train halt? We have two train stations in north Belfast — Whiteabbey and Yorkgate — and the park-and-ride at both of those is packed to capacity. There is certainly value and merit in looking seriously at at least one extra train halt.

Ms Mallon: I can certainly see the merits in the case for an additional train halt. North Belfast is one of the places that is very much disconnected, and I think that we could be doing so much more to connect it with public transport, not least with rail. I have been in meetings with North Belfast Members, and I know of their passion for the place and share it.

There is a case to be made for Yorkgate station, where a lot of work could be done. There is a case to be made for transport-led regeneration in areas like North Belfast, South Belfast and a whole range of constituencies. It is something that I want to consider, but I have to be realistic as well. I have inherited a severely frustrating budget. There are many things that I would really like to do that I think are worth doing and which we should be investing in, but I have to always assess the priorities.

There are flagship Executive projects that I am committed to, there are commitments in New Decade, New Approach, and then there are my priorities on top of that, I assure the Member that maximising public transport, getting people out of cars and on foot and onto bikes and

getting them to use public transport, be it bus or rail, is really important to me. I want to do as much as I can within those constraints.

Winter Gritting Schedule

T5. **Mr McGuigan** asked the Minister for Infrastructure, given that we have had a mild winter so far, albeit with storm Ciara and the possibility of snow this week, whether she has any plans for her Department to review the winter gritting schedule, particularly to ensure that the routes to rural schools are treated. (AQT 75/17-22)

Mr Deputy Speaker (Mr Beggs): Order. I ask Members who wish to have a conversation to please do so outside of the Chamber. I am trying to listen to the Member who is asking the question, as I am sure other Members are.

Ms Mallon: The winter gritting service is critically important, and, again, I pay tribute to the staff who are involved in that and who are working through the night to keep us all safe.

I am going to sound like a broken record here, but it is because I am being honest. The winter service budget is another area that is under severe pressure. We are reliant on in-year monitoring bids, and that is not sustainable going forward. If I am quoting correctly from the figures, 28% of the road network is gritted, which covers about 80% of the traffic. Yes, I would like to do more, particularly around rural schools, but again it comes back to that issue of budget. If we were to increase the network that we were gritting, we could see a doubling of the budget that is required to do that.

I would like to do more, and that is probably going to be a mantra, but there are budget constraints. We can look at things on an individual basis as well. Some Members mentioned to me the issue of funerals in rural areas, and there is stuff that we can do with councils on gritting work. It is an area that I am aware of. I do recognise the importance of it, and, again, I want to do as much as I can, but I operate within a very restricted budget.

Mr McGuigan: I understand that the Minister may not have the information at hand, but she did say that achieving greater winter gritting would require a doubling of the budget. How much is that in monetary terms?

Ms Mallon: I do not know whether I have the figures here, but I can follow up in writing with them. My understanding is that the current

budget is maybe £5 million to £7 million to grit 28% of the road network. That covers 80% of the traffic. If I were to move to, say, 100%, you are talking about £10 million. Those are the figures that I have. I will double-check and follow up in writing.

Strabane: Footbridge

T6. **Mr McHugh** asked the Minister for Infrastructure, after congratulating her on her new post and thanking her for her statement on the development of the Great North Road in Strabane, which was very important to those who lobbied for that improvement, for an update on the footbridge from the Strabane depot to the centre of Strabane town. (AQT 76/17-22)

Mr McHugh: Ar dtús, ba mhaith liom comhghairdeas a dhéanamh leis an Aire ina post úr, agus ba mhaith liom fosta buíochas a ghabháil léi as a ráiteas ar maidin.

Ms Mallon: I thank the Member for his kind words. I appreciate them very much.

I understand his interest in the issue. A number of Members for West Tyrone have written to me about the footbridge. I can confirm that my officials are actively engaging with Derry City and Strabane District Council to develop further the concept and design for the footbridge. As I said, I know that the matter is very important to a number of MLAs and to the people of Strabane, and I want to do what I can to progress the situation, but it has to be part of the city deal package. Therefore, at present, until the heads of terms for the city deal have been finalised, it is not possible for me to give any more definitive information on it.

Mr McHugh: I ask the Minister to appreciate just how important the footbridge is to the centre of Strabane town. It crosses the River Mourne. Currently, it is quite a distance to walk from the main shopping centre to the bus depot. The development of the bridge would be significant, not only to traders in Strabane but to people who come to the town by bus. It would encourage them to use public transport, because they could easily access the shopping centres at the same time.

Ms Mallon: I recognise the merits of the project. It sits very well with my priorities on connecting people, encouraging people to be active and sustainable transport. For all those reasons, I see its merits. I need to work within the city deal funding. I want to do what I can. I look forward to being down in Strabane to see

some of the designs for myself and to meet the Member and others to hear about the importance of the project.

Street Lights

T7. **Mr Dunne** asked the Minister for Infrastructure whether she realises that a lot of people are left in the dark out on the streets and to advise what plans there are to restore street lighting, given that over 1,000 street lights in his North Down constituency have been out for a number of months, which, given that we are told that this is due to the non-availability of an external contractor, the Minister will agree is unacceptable. (AQT 77/17-22)

Ms Mallon: The Member touches on a very important issue. The reality is that it takes £3.5 million per annum to carry out a full street-lighting repair system. The current budget allocated is £1 million. We have 12,000 streets lights out right across Northern Ireland. Before the severe budgetary situation was imposed on the Department, there was an internal team and external contractors. The external contractors had to be let go. The truth is that we are operating with a team of five full-time and three part-time workers, who are servicing all the street lights across Northern Ireland.

It is a situation of grave importance. I very much believe that if we are to demonstrate to people that having an Assembly and Executive makes a big difference in their lives, one of the ways in which to do that is to address quickly the street-lighting issue and to fix potholes in the roads. They may not be the most transformative projects in the world, but they are really important to people.

I have a bilateral meeting with Minister Murphy tomorrow. I will be making those points to him, because it is not just in my interest as the Minister who is responsible but in the Executive's interest to do much more to switch our lights back on.

Mr Deputy Speaker (Mr Beggs): That concludes topical questions. Members should take their ease while we change the Chair.

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

5.00 pm

Mr Allister: On a point of order, Mr Principal Deputy Speaker. I refer you to Question Time and the questions to the Minister of Finance. I

ask that the Speaker's Office reviews Hansard, because it is my belief that, at a point, Mr Murphy referred to me as "a hypocrite". Further, it is my understanding that such language has previously been deprecated when Members have used it and the Chair has taken a stance. I refer you to two incidents and two previous rulings by the Speaker on 24 November 2009 and 3 October 2016. I ask that the suitability and the parliamentary nature of the language deployed by the Minister be explored.

Mr Principal Deputy Speaker: I thank the Member for raising the point of order. Good conduct and order in the Chamber is covered by Standing Order No 65, and it refers to the use of unparliamentary language. 'Rules of Behaviour and Courtesies in the House' also talks about the standards of debate:

"The Assembly does not observe the concept of some expressions being deemed 'unparliamentary'. Instead, the Chair requires Members to show each other respect in the Chamber, whether they are on their feet or seated."

In the context of what you have said about previous rulings and precedent, Mr Allister, I will raise this with the Speaker's Office and ask for Hansard to be reviewed. We will report back as to whether remedial action will need to be taken on the matter. I hope that satisfies the Member.

Private Members' Business

NICE Guidance on Fertility

Debate resumed on amendments to motion:

That this Assembly recognises the serious emotional distress felt by those experiencing fertility problems in our society; notes that the Department of Health has endorsed the 2013 National Institute for Health and Care Excellence (NICE) clinical guideline on fertility (CG156); commends the efforts of those campaigning for the full implementation of NICE guidance on in vitro fertilisation (IVF); welcomes the commitment within New Decade, New Approach to make three cycles of IVF treatment available on the NHS; and calls on the Minister of Health to implement fully, as a matter of urgency, the NICE guidance on fertility, including making three cycles of IVF available as committed to in New Decade, New Approach.

Which amendments were:

No 1: Insert after "urgency":

"and with immediate effect for women aged 35 years and up to threshold age of 40," — [Mr Durkan.]

No 2: At end insert:

", and to implement a fertility education and information programme similar to the Scottish Government's Your Future Fertility programme." — [Mrs Cameron.]

Ms Armstrong: IVF is very personal to me. I have not hidden the fact that I have been through the process myself. I can only pay tribute to the patience, kindness and professionalism of the Regional Fertility Centre, which looked after me for nine years.

IVF is painful, it is emotional and it is devastating. I, unfortunately, was not able to have a child as a result of IVF. All I can say is that it is not something I regret doing. I thank Fairness in Fertility. Jemma Dolan mentioned the event that they held in the Long Gallery, and that brought back a lot of memories for me. I also thank the Fertility Network, which has worked extremely hard to get this brought forward for people in Northern Ireland.

To anyone who is wondering, "Why three rounds of IVF?", I say that, often, people will find, when they go through IVF, that it takes time to get the right drug mix in place in order for IVF to work. When you go through IVF, there may well be a case that there is a failure to obtain any embryos. There are fresh and frozen embryos. I did not have any fresh transfers done, because I had developed, as many do, ovarian hyperstimulation. That means that you end up full of fluid and, normally, in hospital for a week or more. It is not an easy process to go through.

The three rounds are important because the medication may take time to settle down, and the first time is not always the first one that works — anybody it does work for, congratulations to them. When you say to somebody, "No, we will take away the opportunity for you to ever have your own child", it is better for them to hear that from a doctor than from a bank manager. The three rounds are important. Not everybody will take the three rounds, because, once you get pregnant, that will be it, and, hopefully, you have a healthy pregnancy and your baby or babies at the end of it. However, there are others who would like to continue their family.

For some of us who have fertility issues, the three rounds are important.

We have to be realistic, and I appreciate that the Minister will have competing priorities. Some of the investment may have to come from Education, and amendment No 2 mentions "fertility education". We need to be honest with our young people and say that fertility and that aspect of life does not always go smoothly. There are many people who find out that they have secondary infertility following a miscarriage, when the process after miscarriage has left them infertile. It is something that we should consider taking forward with our Minister of Education to ensure that people are told exactly what can and cannot happen when it comes to fertility. I am grateful that that amendment is there, because, if somebody had told me in my teenage years what the future would hold, I probably would not have believed them, but, at least, I would have been prepared and known where to go to seek support.

As you can imagine, having gone through the process and having been a bereavement counsellor for a number of years, I have spoken to quite a number of women. Many people who are going through the process have said to me, "Am I out? Is this not going to happen for me? I didn't get any embryos", or, when they did the frozen transfer, that was it — it was all over and done with. Many people are asking, "Can we find out as soon as possible, Minister, when this will take place?". Amendment No 1 alludes to that and the time pressure from the age of 35.

I say this to the Minister: the technical, medical solution is available for those of us who have fertility problems. It is something that we will all go for, but, before somebody remortgages their house, they want to find out how quickly it might come forward. I appreciate that there are a lot of priorities. Some people will say, "What's this fertility thing? Cancer is more important" or, "Heart problems are more important" or, "Looking after people is more important". It should not be like that. When part of your body does not work and is letting you down and when society expects you to have a family and we have a system that can help us through that, we should offer it to people in Northern Ireland, especially given the fact that their sisters or friends in Scotland can have the same thing. All I ask of the Minister is this: I know that you have a lot of pressures, especially with your budget, but, when you are considering this coming in, let people know, so that those who are stuck in that situation — those who are 35 or 36, who maybe have done one round and are thinking about going through for their second or have

not yet had their first round — know whether to remortgage their house or wait.

Miss Woods: I will not take too much of your time this evening. As we know, commitments were given years ago to work towards implementing the optimum number of cycles recommended by NICE guidelines. However, we are still waiting, as we are for a lot of things here. We have waited for long enough, especially since we are frequently told that the situation is under review. The Government need to live up to the commitments in the 'New Decade, New Approach' document and the calls for the three cycles to be accessed here in Northern Ireland on the NHS.

We know how expensive it is for people in the system and the costs that people go through — personally and financially. We know that multiple rounds of IVF increase the chances of having a baby, and we know from research that multiple cycles increase the chances. In a study in Australia, it was reported that two thirds of women under 35 would be pregnant after three cycles. Whilst we need to be mindful of those statistics, when looking at increasing the numbers of IVF cycles available in Northern Ireland, it is important that same-sex couples are included in the guidance and provision. There must be adequate funding, and the regional fertility clinic must be properly resourced and have adequate capacity to reflect the demand, especially for other programmes.

I will end with a short shout-out to a couple of my friends. A few weeks ago, following IVF, they welcomed a baby to the world. They would be very grateful if more rounds were available on the NHS to people, and they have commended the NHS on the aftercare that they received. Welcome to the world, baby Jenna. You are much loved, and I cannot wait to see you soon.

Mr Principal Deputy Speaker: In years to come, she will be able to look herself up in Hansard. Well done to the Member.

Mr Carroll: I am glad to have the opportunity to support greater access to fertility treatment. We know that the issue has caused great distress to a great many people and couples, and we heard that today. I am sure that those who are struggling to conceive will feel a bit of relief that their journey to conception may become a lot more hopeful from today onwards.

I pay tribute to the campaigners who have been fighting for the change for years. Many have

shared their heartbreaking experiences, and many have given up their time to gather signatures, to protest and to meet politicians. They were told that we did not have the money to offer more cycles, but they kept up the fight. They were told by previous Health Ministers that they might get just one more cycle but only if budgets allowed, yet they kept up the fight. If we see three free cycles of IVF on the NHS, it will be because of the hard work, sustained pressure and passion of those campaigners, many of whom will never be able to avail themselves of the changes because time has passed. We owe them a debt.

I am concerned, of course, that the Minister of Health said recently that the Regional Fertility Centre did not currently have the capacity to meet the need if the Department grants three cycles of IVF on the NHS. We need urgent action to address that issue to ensure that there is absolutely no hold-up in offering more cycles of IVF via the NHS. Similarly, we must ensure that any changes to IVF access do not see more barriers erected for people who are struggling to become parents — for example, having to prove that one has been trying to get pregnant for up to two years could present obvious and unnecessary barriers for lesbian and trans couples.

We in People Before Profit support access for couples and those who are single, regardless of their sexuality and as late as is considered possible by health experts. We also believe that we should roll out a fertility education and information programme but that it must be inclusive and up to date.

Mr Swann (The Minister of Health): I thank the Members who tabled the motion, which provides us with the opportunity to consider the commitment made in the 'New Decade, New Approach' document to provide three funded cycles of IVF, as well as those who tabled the amendments and those who have spoken here today. I am pleased to see that commitment; in fact, as has been stated during the debate, it was my party that requested and secured the statement in the 'New Decade, New Approach' document.

When a debate in this place is broken by Question Time, it is often difficult to keep the thread, the interest and the momentum going, so I thank Members for retaining the interest in this subject, because it is very emotive and sensitive, as the Chair of the Health Committee said in his opening comments. It has touched many of us, but the personal contribution that we have just heard from Ms Armstrong brings it home to those listening to the debate and to

those of us still in the Chamber that, when we speak in here, we speak from a personal approach and a lived experience that bring realism to the topics that we debate. I pay tribute to Rachel's friends and family who have been successful.

For too long, women and hopeful couples in Northern Ireland have had to experience the imbalance in IVF provision far below that which is often available in other parts of the United Kingdom. If there is any Minister in the Executive who is committed to delivering this policy, it is me. However, significant additional funding will be required to make it happen. As with other 'New Decade, New Approach' commitments, this will be an issue for the Executive to take forward collectively. However, it is not just money that is needed. As has been stated, the regional fertility clinic, which is the only Health and Social Care provider of IVF treatment in Northern Ireland, has advised me that it has neither the physical capacity nor the staffing resources to offer the additional cycles at this minute in time. Although those are significant constraints, I am keen to find a way to give effect to the commitment that has been made to those struggling with fertility issues in Northern Ireland. I am, therefore, establishing, as a matter of urgency, an operational working group to consider and cost all pathways and methods for providing those cycles and to report back to me with options.

That will include the scoping of delivery options; the eligibility of women who have already undergone publicly funded treatment or who are already on the waiting list; the funding requirements; and an implementation plan for timescale.

5.15 pm

I have been asked whether the independent sector, either locally or abroad, could be used to help deliver the extra cycles. I cannot give a definitive answer at this stage, but the working group will consider that option. However, assisted reproduction is a heavily regulated service, so if any women were sent abroad for treatment, it would have to be to somewhere that operates to the same standards as those set out by the Human Fertilisation and Embryology Authority in the United Kingdom.

I understand that fertility is a time-limited biological function and that achieving a successful pregnancy becomes more difficult as a woman grows older, so I appreciate the urgency of the issue, particularly for women who are nearing the upper age limit for publicly

funded treatment but who still wish to start or grow their family. On that note, I have been asked about the possibility of expediting treatment for those women in such a situation who are on the waiting list. I can advise that the policy for some years has been, in the interests of fairness, that women have been treated in chronological order from the date they were added to the waiting list. To give preference to older women might be seen to disadvantage younger women who would have to wait longer and would themselves be older when they receive their treatment, which could reduce their chances of success. But nothing is ruled out at this stage, and the working group will also look at whether the three cycles can be immediately introduced for older women in the 35 to 40-year age group. So, if there is a fair way, we will expedite treatment for older women on the waiting list.

It is also critical that we support women to prepare for a healthy pregnancy. Indeed, key recommendations by the Regulation and Quality Improvement Authority (RQIA) in its 2017 review of the maternity strategy focused on strengthening preconceptual care. Those recommendations included putting in place a pathway for preconceptual care, including for women with specific medical conditions, and reviewing the role of primary care in the provision of pre-pregnancy counselling to high- and low-risk women. I intend to commence a review of maternity and neonatal services shortly and will ensure that my officials carefully consider progress on those important issues as part of that review.

Like other Members, I have received a lot of correspondence surrounding this commitment both from Members, at a cross-party level, and from the public. I recognise there is a lot of interest in and support for this commitment. To that end, I welcome the support of all the parties when the Executive need to make decisions to allocate the funding to enable the provision of extra IVF cycles for eligible women.

To conclude, I assure Members that I am committed to the implementation of the New Decade, New Approach pledge subject to the necessary funding being made available by the Executive, and, as has been indicated in the House, all Members and all parties seem to be supportive of that desire.

Mr Principal Deputy Speaker: I thank the Minister. Just to let him know, Kellie Armstrong, as the Alliance Chief Whip, had to go to the Business Committee, otherwise I am sure she would have been in for the remainder of the

debate. I call Paula Bradley to make a winding-up speech on amendment No 2.

Ms P Bradley: I do not intend to stay on my feet for too long because I think there is a consensus from everyone in the Chamber on the motion and the two amendments.

I thank the Members facing me for bringing the motion to the Assembly, the Members responsible for amendment No 1, and my colleague Pam Cameron for amendment No 2. I wish the new Chair of the Health Committee all the very best in his role. You should do a much better job than the last one, so good luck with that, and good luck to Pam also as your vice chair.

There is not much more for me to say because I could not possibly follow Kellie Armstrong's very heartfelt speech in the Chamber. It is always very positive for us, as MLAs, to share the experiences we have in life. I know the Minister himself has shared his own experiences in the House, as have others, and I think it shows we have empathy with our voters and the people who elect us. As the Chair of the Health Committee said when he opened, this is a very emotive and sensitive matter. I very much hope that all parties get behind you, as Minister, in bringing this forward.

I just want to make a couple of comments. I was one of the originals in 2012 — it seems like such a very long time ago — when this Committee motion, as it was then, was brought forward. Pam and I both spoke on it because it was something, back then, when we first became MLAs in 2011, that we wanted to see pushed forward. We were knocking on Edwin Poots's door on a daily basis on this because we both sat on the all-party group on fertility at that time. It is rather sad that we have not seen much progress between since then until now. I welcome that progress and the issue's being included in the 'New Decade, New Approach' document.

I also welcome the support for amendment No 2. The sexual health strategy and informing people better was mentioned earlier. We have not had a sexual health strategy here in so many years. An addendum to the original one was put down in 2012 or 2013, but we need to take that more seriously for so many reasons, and this is just one of them. There are many other reasons why we need to have that strategy and awareness in place. We can break down taboos when we talk about infertility and our sexual health.

I very much welcome being part of the debate and I thank everybody for their humility. I want to say a special thank you to Kellie Armstrong for her contribution today.

Mr McGrath: I will begin by welcoming the Minister's announcements in his remarks on an operational working group to investigate the matters that we have discussed today. If it brings the answers that we have been seeking, we will be able to demonstrate to people out there that devolution works, and that is a very positive message to be able to send out across the North. I also welcome the Minister's remarks about trying to support women in the upper age category. I know that that will provide some succour to people out there, and, hopefully, that will help them in what will be a very traumatic situation for them, too.

I welcome the opportunity to have this debate. Members across the House have said almost in unison today that there is an identifiable problem that needs to be addressed. We are aware of the issues, and most contributors referred to them. We know that there are mental health problems associated with infertility. We know that there is a disparity between us and other devolved regions, and we want to seek equality. We understand, and have mentioned, the unfair financial burden that couples and families are put under as a result of the situation. It is a taboo subject. The mere fact that we are having the debate and that there will be video clips of it will, hopefully, send a message that we are taking the issue seriously, that we are prepared to have conversations about it and, therefore, that people and their friends and families and communities should be able to have those conversations too. We understand and appreciate that there will be an additional financial requirement and that there are workforce concerns, but I hope that those issues are not insurmountable and that we will be able to work round them.

We are all people, we all have friends and we all have some personal experiences. That has given the debate a particularly personal touch, as have the remarks from Kellie Armstrong and other Members. We all know people in our friendship groups who have gone through a traumatic experience. The fact that we are trying to do what we can to help is a positive move. We can help by providing hope. If this motion and these amendments are passed, we will provide hope for people in desperate situations who are looking for that hope. My appeal is that we do the right thing and support hope for those who are facing the perils of infertility.

Mr Principal Deputy Speaker: I call Karen Mullan. As she is winding up, she will have 10 minutes.

Ms Mullan: I thank everyone who took part in the debate, and I thank the Minister for being present for its entirety.

I am pleased to wind on the motion on this extremely sensitive issue. Many will be listening and hoping for a positive outcome and full implementation of NICE guidance on fertility as a matter of urgency. As acknowledged by Members, infertility is a medical and social condition that can cause considerable social, emotional and psychological distress. The psychological and emotional repercussions of infertility cannot be overstated. In some instances, infertile women can experience severe or clinically significant distress. That can manifest in depression, anxiety, sexual anxiety and difficulty, relationship problems with partner, family and friends, and an increased sense of self-blame and guilt.

As was outlined, couples and individuals experiencing fertility problems do not need the extra financial burden and stress. For those experiencing infertility, the commitment given to prioritise three funded cycles of IVF in the 'New Decade, New Approach' document was very much welcomed.

In October 2018, local group Fairness (IN) Fertility handed over a petition with over 10,000 signatures to the Department of Health calling for equal access to fertility. Fairness (IN) Fertility was established by Derry woman Deborah Cross along with her husband, Stephen. Deborah wanted to break the silence, highlight the inequality in provision across these isles and the unjust financial burden, and provide support to women and couples going through IVF.

The group's activities include lobbying, raising awareness, advocacy, emotional well-being, support and information. I have attended many events organised by the group and heard about the personal and financial stress and the emotional and mental impact that it has on women and men. I have heard of the pain of their family never being complete and of the pain of missing out: missing out on the joy of that baby announcement, many family celebrations and many first days.

Like others, I commend the work of Fairness (IN) Fertility and other support groups that have continued to ensure that this long-standing inequality is kept on the agenda. In particular, I thank Deborah Cross and the members of

Fairness (IN) Fertility who shared their personal and painful stories to improve service provision.

Kellie outlined the importance of the three cycles. I join Members in thanking Kellie for sharing her personal experience, which she has done on many occasions. Pam Cameron and Paula Bradley mentioned the importance of education. I thank them for tabling their amendment. Jemma Dolan highlighted the limited fertility counselling support available. That is an issue that also needs to be addressed.

Over the past number of weeks, I and a number of MLAs have queried details on the Department's plans, timeline and capacity to commence and deliver. That shows the overwhelming level of support that exists in the Assembly and across our constituencies.

The Regional Fertility Centre at the Royal Victoria Hospital in Belfast is the only centre in the North to provide publicly funded IVF cycles. As was raised, there are issues with funding and capacity to deliver on the commitments in New Decade, New Approach.

Again, I thank the Minister for being present for the debate, and for his understanding of those going through infertility. I welcome the setting up of the operational group and how quickly you have turned that around, Minister. That will give much comfort to people watching the debate, because, as Members said, there is a lot of interest. As part of that, Minister, I ask that you consider the amendment from Mark Durkan and Sinead Bradley to look at a short-term measure related to age profile.

I call on Members to support the motion and both amendments. I appeal to the Minister to work as quickly as possible to full implementation of NICE guidance, which will change the lives of so many affected by infertility.

Question, That amendment No 1 be made, put and agreed to.

Question, That amendment No 2 be made, put and agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly recognises the serious emotional distress felt by those experiencing fertility problems in our society; notes that the Department of Health has endorsed the 2013

National Institute for Health and Care Excellence (NICE) clinical guideline on fertility (CG156); commends the efforts of those campaigning for the full implementation of NICE guidance on in vitro fertilisation (IVF); welcomes the commitment within New Decade, New Approach to make three cycles of IVF treatment available on the NHS; and calls on the Minister of Health to implement fully, as a matter of urgency and with immediate effect for women aged 35 years and up to a threshold age of 40, the NICE guidance on fertility, including making three cycles of IVF available as committed to in New Decade, New Approach, and to implement a fertility education and information programme similar to the Scottish Government's Your Future Fertility programme.

Adjourned at 5.30 pm.

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