



Northern Ireland
Assembly

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Assembly Members

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Armstrong, Ms Kellie (Strangford)
Attwood, Alex (West Belfast)
Bailey, Ms Clare (South Belfast)
Barton, Mrs Rosemary (Fermanagh and South Tyrone)
Beattie, Doug (Upper Bann)
Beggs, Roy (East Antrim)
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Boylan, Cathal (Newry and Armagh)
Boyle, Ms Michaela (West Tyrone)
Bradley, Maurice (East Londonderry)
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Bunting, Ms Joanne (East Belfast)
Butler, Robbie (Lagan Valley)
Cameron, Mrs Pam (South Antrim)
Carroll, Gerry (West Belfast)
Chambers, Alan (North Down)
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Dillon, Ms Linda (Mid Ulster)
Dobson, Mrs Jo-Anne (Upper Bann)
Douglas, Sammy (East Belfast)
Dunne, Gordon (North Down)
Durkan, Mark (Foyle)
Easton, Alex (North Down)
Eastwood, Colum (Foyle)
Farry, Stephen (North Down)
Fearon, Ms Megan (Newry and Armagh)
Ford, David (South Antrim)
Foster, Mrs Arlene (Fermanagh and South Tyrone)
Frew, Paul (North Antrim)
Gildernew, Ms Michelle (Fermanagh and South Tyrone)
Girvan, Paul (South Antrim)
Givan, Paul (Lagan Valley)
Hale, Mrs Brenda (Lagan Valley)
Hamilton, Simon (Strangford)
Hanna, Ms Claire (South Belfast)
Hazzard, Chris (South Down)
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Irwin, William (Newry and Armagh)
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Kelly, Gerry (North Belfast)
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Little Pengelly, Mrs Emma (South Belfast)
Lockhart, Ms Carla (Upper Bann)
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McKee, Harold (South Down)
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McPhillips, Richie (Fermanagh and South Tyrone)
McQuillan, Adrian (East Londonderry)
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Nesbitt, Mike (Strangford)
Newton, Robin (Speaker)
Ní Chuilín, Ms Carál (North Belfast)
Ó Muilleoir, Máirtín (South Belfast)
O'Dowd, John (Upper Bann)
O'Neill, Mrs Michelle (Mid Ulster)
Overend, Mrs Sandra (Mid Ulster)
Palmer, Mrs Jenny (Lagan Valley)
Poots, Edwin (Lagan Valley)
Robinson, George (East Londonderry)
Ross, Alastair (East Antrim)
Ruane, Ms Caitriona (South Down)
Seeley, Ms Catherine (Upper Bann)
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Smith, Philip (Strangford)
Stalford, Christopher (South Belfast)
Storey, Mervyn (North Antrim)
Sugden, Ms Claire (East Londonderry)
Swann, Robin (North Antrim)
Weir, Peter (North Down)
Wells, Jim (South Down)

Northern Ireland Assembly

Monday 12 September 2016

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Members, before we proceed with today's business, I welcome each and every one of you back after recess.

Executive Committee Business

Assembly Members (Reduction of Numbers) Bill: Royal Assent

Budget (No. 2) Bill: Royal Assent

Mr Speaker: Two Bills have received Royal Assent since the last sitting. The Assembly Members (Reduction of Numbers) Act (Northern Ireland) 2016 became law on 22 July 2016. The Budget (No. 2) Act (Northern Ireland) 2016 became law on 29 July 2016.

Assembly Business

Resignation of Member: Mr Daithí McKay

Mr Speaker: I received a letter from Mr Daithí McKay, giving me notice of his intention to resign as a Member for the North Antrim constituency with effect from 18 August 2016. I have notified the Chief Electoral Officer, in accordance with section 35 of the Northern Ireland Act 1998.

New Assembly Member: Mr Philip McGuigan

Mr Speaker: I have been informed by the Chief Electoral Officer that Mr Philip McGuigan has been returned as a Member of the Assembly for the North Antrim constituency to fill the vacancy resulting from Mr McKay's resignation. Mr McGuigan signed the undertaking and Roll of Membership and entered his designation in the

presence of the Speaker and the Clerk/Chief Executive on 30 August 2016. The Member has now taken his seat. I welcome him to the House and wish him success.

Committee Procedures

Mr Speaker: Members will be aware that I wrote to all Members on 22 August. In that letter, I informed all Members that I had asked officials to review Committee procedures to assess whether any changes were required in light of the developments over the summer surrounding the former Chairperson of the Committee for Finance and Personnel in the last mandate. I wrote to all Member again this morning with an initial update on that work.

There do not appear to be any significant differences between our Committee procedures and those in other legislatures. However, it is still prudent, given the circumstances, to consider whether any of our existing arrangements need to be clarified, made more specific or strengthened. Therefore, my officials and I will engage with Committee Chairpersons in the coming weeks to consider some issues further. I do not intend to dwell on the detail of that letter here and now, but I want to underline one general principle at the start of the session. I know that Members are keen to pursue issues because they feel passionately about them, because of media reporting or because there is a party political agenda involved. In that context, Members sometimes find our procedures slow and frustrating. However, our procedures are designed to ensure that our business is conducted on a fair, sound and legal basis. The interests of reaching solid conclusions and defending the reputation of our proceedings are not served if questions can be legitimately raised about the processes followed or if the substance of the issue has not been the key driving factor.

As Speaker, I understand that I have a role and responsibility to give greater consideration than other Members to procedural issues. However, I hope that we can all agree at the start of this new Assembly session that it is for every single

one of us to defend and uphold the value and importance that our Committees bring to this situation. Let us move on.

Committee Membership

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

Resolved:

That Mr Ian Milne be appointed as a member of the Committee for Health; that Mr Philip McGuigan replace Mr Ian Milne as a member of the Committee for the Executive Office; and that Mr Philip McGuigan be appointed as a member of the Assembly and Executive Review Committee. — [Ms Ní Chuilín.]

Assembly Business

Mr Allister: On a point of order, Mr Speaker. Am I to understand that, despite the most astounding revelations last week on BBC 'Spotlight', the Assembly will today bury its head in the sand and proceed as if none of those revelations were made? Is that really so? Are we not even to have the opportunity by question, Matter of the Day or anything else to debate those shocking issues?

Mr Speaker: The Member knows that there are considerations that I take into account when Matters of the Day are raised. He also knows that there are procedural matters and a mechanism by which issues can be raised. I say to all Members that I have taken my decision clearly in line with Speaker's rulings and conventions on the type of issue that is accepted as a Matter of the Day.

Ministerial Statement

North/South Ministerial Council: Special EU Programmes

Mr Ó Muilleoir: Deas a bheith ar ais. It is nice to be back at school, Mr Speaker, and I look forward to your Christmas report card. Before I start my formal statement, I put on record our thanks to Frank Duffy, who heads our European unit at the Department, and Gina McIntyre, who heads up the Special European Union Programmes Body (SEUPB). They have been doing Trojan work to try to speed up the process of dealing with all the European bids.

Faoi réir alt 52 de Acht Thuaisceart Éireann 1998, is mian liom an ráiteas seo a leanas a thabhairt ar an naoú cruinniú déag de chuid na Comhairle Aireachta Thuaidh/Theas i bhformáid eárnála an Aontais Eorpaigh, a reachtáladh i mBaile Átha Cliath in oifigí na Roinne Gnóthaí Eachtracha agus Trádála dé hAoine 7 Iúil 2016.

Mar Aire Airgeadais, is mise a rinne ionadaíocht don Choiste Feidhmiúcháin, agus bhí an tAire sóisearach Ross in éineacht liom. Ba é Paschal Donohoe TD, an tAire Caitechais Phoiblí agus Athchóirithe, a rinne ionadaíocht do Rialtas na hÉireann.

In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the nineteenth meeting of the North/South Ministerial Council (NSMC) in special EU programmes sectoral format, which was held in Dublin in the offices of the Department of Foreign Affairs and Trade on Friday 7 July 2016. As Minister of Finance, I represented the Executive and was accompanied by junior Minister Ross. The Irish Government were represented by Paschal Donohoe TD, Minister for Public Expenditure and Reform.

We had a broad discussion on the implications of the EU referendum and reiterated the joint commitment of the Executive and Irish Government to work together to ensure that our interests are protected and advanced and that the benefits of North/South cooperation are fully recognised in any new arrangements that emerge as regards the future relationship with the European Union. We also reiterated the recent NSMC plenary commitment to the successful implementation of the Peace and INTERREG programmes and agreed to consider the issue of securing the European regional development fund (ERDF) funding for Peace and INTERREG, including through engagement with the European Commission.

The Council noted that the two sponsor Departments are currently considering proposals relating to the governance structures and reporting arrangements in place for the Special EU Programmes Body and will report back at a future meeting. An excellent presentation was provided by the INTERREG IVa higher attainment through cross-border hubs (HATCH) project. This initiative received €1 million in funding and was designed to support SMEs in the construction and engineering sectors, to maximise the economic contribution of the migrant workforce and to encourage female entrepreneurs.

As this was the first meeting in SEUPB sectoral format for all Ministers attending, the chief executive of the Special EU Programmes Body, Gina McIntyre, provided a high-level overview of its work and its forward plans. She updated the Council on progress since the previous special EU programmes sectoral meeting, in December of last year. Following the result of the EU referendum, the SEUPB noted that it would work closely with my Department and with the Department of Public Expenditure and Reform to address the issues arising, particularly its impact on EU programme implementation and spend.

The chief executive reported that all INTERREG Va programme themes for 2014-2020 have opened for calls: research and innovation, environment, sustainable transport and health. Eight stage-1 steering committee meetings had been held, progressing 38 projects to stage 2. Four elements of the 2014-2020 Peace IV programme — shared education, building positive relations through regional projects, local authority action plans and the victims and survivors element of shared spaces and services — had opened for project applications. Two stage-1 meetings had been held, advancing five projects to stage 2.

The PEACE III programme, for 2007-2013, had provided funding to 215 projects with a commitment level of 99%. The INTERREG IVa programme for the same period funded 88 projects, committing 101.5% of its allocation. Closure is now being undertaken for both the Peace III and INTERREG IVa programmes by the SEUPB.

The Council was advised that the North was also successful in securing an additional £8.9m through 53 projects from INTERREG IVa transnational and interregional competitive funding programmes in the 2007-2013 funding period. For the 2014-2020 programmes, 18 projects have been approved to date, with a value of €4m. Remaining project calls and assessment will continue for the programmes during 2016 and 2017. The Council noted that both the draft 2017 SEUPB business plan and the 2017-19 corporate plan are currently being prepared by the SEUPB with a view to obtaining sponsor Department and NSMC approval by the end of this year. The annual accounts for 2015 received an unqualified audit opinion from the Comptrollers and Auditors General and will be laid before the Assembly and both Houses of the Oireachtas in due course. In closing, the Council approved the appointment of Barra Ó Muirí — fear uasal — to the board of Foras na Gaeilge, the North/South language body, with effect from 7

July 2016 until 12 December 2016. The Council agreed to hold its next special EU programmes meeting in autumn 2016.

12.15 pm

Mr Smith: I am a bit surprised to see the Minister still in situ but as he has decided to continue in post I thank him for his statement. The Minister, in his statement, has failed to recognise that the Executive look set to lose possibly millions of pounds of European funding. Today's statement basically reads as business as usual. Will the Minister give a commitment that each of the 11 councils here will be in a position to avail of and draw down the €80 million funding allocated to the local authority actions plans?

Mr Ó Muilleoir: I thank the Member, and I know he will get used to seeing me in this position for a long time. I hope he keeps his position as well. Despite the noise offstage, the Executive have been tremendously focused, as have our partners in Scotland and Wales, on ensuring that every cent, every penny that our people are due from Europe under the many programmes come to us. Of course my responsibility is for Peace and INTERREG, but I know that I speak for my fellow Ministers in Agriculture, Economy, and Infrastructure. The money is essential, not only for underpinning peace but for building a prosperous and inclusive future.

I will also say, in praise of the INTERREG steering panels, that they have done tremendous work and shown great leadership. They got a head start on the Peace programme but just last week, on 7 and 8 September, they met and were able to allocate €124 million of funding to vital cross-border projects including transnational programmes and some absolutely key projects in our universities.

To the councils and other bodies that are applying for Peace funding in particular, it is time to double down and match the enthusiasm and energy that I have seen in my Department and among top civil servants in trying to maximise, protect and safeguard EU funding. It is time to double down and for everyone else to step up to the plate. I will be meeting the councils shortly. I say to them that the applications to date have not been fully satisfactory. I want to see the councils as full partners and that they realise all of the funding that we would like them to receive under these programmes.

Mrs Little Pengelly (The Chairperson of the Committee for Finance): I thank the Minister for his statement this morning and I welcome, in particular, the clarification and commitment given by Her Majesty's Treasury to underwrite and guarantee signed-off EU expenditure by the autumn statement. I also welcome the Minister's comments around the commitment to maximise expenditure. It is worth remembering that this is indeed money that is paid into the European Union by the UK and we want to maximise that expenditure. Will the Minister give a commitment that he will continue to maximise that expenditure by ensuring as much sign-off as possible by the autumn statement and that, in that context, he will continue to liaise with Her Majesty's Treasury to see what further flexibility there may be in and around the underwriting and guarantees?

Mr Ó Muilleoir: I am not going to rise to the political debate on this occasion; there will be another time for that. The point that the Member makes is important. Many groups who apply for Peace or INTERREG funding — Peace funding in particular — paused, hesitated, held back and thought that, perhaps, they should not apply, that perhaps their applications would fall, or, for example, that money would be guaranteed only up until end of 2019. Departments and I have been urging people to make sure that not only are applications put in but they are put in today and more speedily than was the case before.

In relation to Mr Hammond's commitment, I think he did not go far enough. I met Mr David Davis, the self-styled or so-called Minister for Brexit, and there is still a huge uncertainty coming out of Westminster on how they will deal with EU funding. I welcome the fact that any letters of offer issued before 23 November will be honoured, but Mr Hammond did not go far enough because that still leaves £300 million at risk in Peace and INTERREG. Regarding ERDF funding, he has not guaranteed that moneys not allocated by the autumn statement will be delivered. That puts around €300 million in this case at risk as well.

The universities did very well. My message to Mr Hammond — we will be meeting soon on this issue — which is echoed by our colleagues in Cardiff and Edinburgh, is that we should get the same deal as he gave universities on research. He said that a letter of offer issued at any point up until Brexit, if it happens, will be honoured. If he gives us that guarantee for all the funding that we seek, it will make a real difference in giving people certainty.

Mr O'Dowd: I thank the Minister for his statement and his continuing lobbying on behalf of the community groups and community infrastructure that rely so heavily on European Peace funding. Will he outline the current position on the Peace IV children and young people theme?

Mr Ó Muilleoir: Go raibh maith agat, a Chomhalta, as an ráiteas sin. I want to put on record that some areas of Peace funding are of particular concern, one of which is the allocation for children and young people. It is absolutely essential that we get this right, because €50 million was allocated in this area.

In September 2014, the Executive gave approval to submit a draft Peace IV programme to the European Commission, on the condition that €50 million was available within the children and young people sub-theme. During the negotiations, issues were raised by the Irish Government about the capacity to absorb that funding. As a result, the final Peace IV programme, agreed by the Executive, the Irish Government and the European Commission, incorporates a phased approach to the delivery of a cross-border youth initiative aligned with the good relations elements of United Youth. In phase 1, that would deliver a €17 million programme for 3,400 young people. Subject to a positive evaluation of phase 1 in early 2018 — I think that Members will understand how it starts getting difficult — a second phase of €20 million would be supported.

The European Commission dictated that the original concept of United Youth as an integrated employability, good relations, personal development and citizen programme, funded from Peace IV and the European social fund, could not be delivered. So, the children and young people programme has been delayed, pending resolution of two outstanding issues: ensuring that young people can retain benefits entitlement while participating in the programme; and ensuring that legislative powers are in place for an appropriate Department to be accountable for the funding.

I wanted to read that into the record as I know that many Members are concerned about this particular issue. I assure them that we meet each week as a special team on EU funding and this is the top priority on the agenda.

Ms Hanna: I thank the Minister for his statement and answers so far. There was concern about the lack of contingency planning ahead of Brexit, and that was revealed in numerous questions to Ministers, and, indeed, when SEUPB representatives presented to the

Finance Committee, they confirmed that they had had no contact with the Northern Ireland Executive prior to Brexit, even though the Dublin Government had been back and forth with them. Can you outline what meetings the Northern Ireland Executive have conducted, since Brexit, to devise that strategy, and what strategy is in place to, in the worst-case scenario, recoup this funding after the 2019 cliff?

Mr Ó Muilleoir: Go raibh maith agat, a Chomhalta. I thank the Member for her question. Philip Smith was concerned that I am here. I do not want to elevate myself and speak on behalf of the whole Executive, but I will certainly speak on behalf of my Department and tell you what we have been doing. We have worked since day one; indeed, we were doing so before that. For some reason, your questions have not managed to reveal that we did have contingency planning in the Department of Finance and worked through the options before the vote. Of course, I was only in this post on 25 May, but we did that work, and an important piece of modelling was done by the Department for the Economy, as well.

We have been working, since the hours immediately after the vote, to ensure that we do not lose out, and the record will show that. Despite the fact that the two big parties in the Executive are divided by "Remain" and "Leave", we have a common purpose in trying to ensure that we access all the funding that we had hoped was coming in our direction. To that end, I have met with the Minister of Finance in Scotland, Mr Mackay, and the Minister of Finance in Cardiff, Mr Drakeford, to try to have a common approach on this issue, because when we speak for 10 million people, it has much more impact with the Treasury. I have also been in touch with Mr Hammond and Mr Gauke, the Chief Secretary to the Treasury, to make a strong case for a better deal than that offered by Mr Hammond to date.

Mr Smith mentioned the loss of tens of millions of euro, but hundreds of millions of euro are at risk because, by the autumn statement on 23 November, there is no way under heaven and earth that all letters of offer could be received, agreed to and contracts issued. Despite that fact, I am hopeful that, if we speak with one voice and with Arlene Foster and Martin McGuinness at negotiations and the Irish Government on the other side of the table, hopefully representing our interests as well, we can obtain many hundreds of millions more. The money is certainly at risk, but, with a joint, coordinated effort and a strong strategy, we can receive that.

For the information of the Member, all Departments feed into a research and information group, which is collating information about the effects of the EU referendum fallout. In my Department, we have a special group that meets on the issue. The related issues are the European Investment Bank, and the Member will know that I visited Luxembourg to meet Jonathan Taylor, the vice president, to ask that it not only stand over the loan offers that have been made — for example, to housing associations and universities — but continue lending to some of the strong projects that are coming forward here. I am pleased to say that he has made that commitment, and, in fact, at a time when we needed good news, the European Investment Bank has committed to making available a framework facility loan for the 11 councils of up to £200 million.

Dr Farry: I also thank the Minister for his statement. He referred to the slightly better position for universities in the Philip Hammond letter from the summer. Will he join me in also recognising that there is a much wider and deeper problem with support for research funding, in that Horizon 2020 is a competitive process, with consortia being put together across many countries, and, in the absence of certainty on the right of EU nationals to remain, the mobility of researchers across Europe and funding beyond 2020, our universities are in a very precarious situation with research funding, and guarantees from the Treasury do not go anywhere near far enough?

Mr Ó Muilleoir: I agree with the Member. He has waged a strong campaign for our universities for many years and continues to do so. I have met Mr Johnston of Queen's University and Mr Nixon of Ulster University, I have been on the Ulster University campus in Derry, and I was at St Mary's University College recently. The message from the universities is that this uncertainty is about much more than money, and you may have noted that one of the most eminent lecturers in Queen's University spoke about this last week. Researchers and scientists, by their very nature, thrive on collaboration, need international networks and look outwards. I agree with the Member that, for many people, what is being proposed in a Brexit is looking inwards and cutting off those links. There is a great danger that international talent will not want to be associated with research projects from our universities. It is up to us to work twice as hard and to put in place not only the guarantees from the Westminster Government but an additional commitment by the Executive to our universities in this uncertain time, which the Member has lobbied for.

Mr Wells: Does the Minister agree that there is a danger that, in all the rush, projects that are not properly thought out and planned for may be accepted in a vain attempt to try to get the remaining funds before the shutters come down? What steps is his Department taking to ensure that the quality standards remain as high as before?

Mr Ó Muilleoir: I thank the Member for his question, which is a fair question. However, he might accept that, in the past, perhaps we were not as fast as we could have been. We did not move with the alacrity that applicants for European funds may have wished to see. Over the last 24 months, we have been trying to shorten the times, so that has been in our favour.

The INTERREG programme had a year's start. I think that there is €280 million. As I stand here today, about €130 million has been issued, so I do not think that it is an issue for INTERREG. I think that it is an issue for Peace funding, and the Special EU Programmes Body is alive to that. It wants to make sure that the applications and bids that are clear are top quality and sustainable. I have to say that, yes, they are under pressure. They are under the cosh, because they have to approve these programs at a much quicker pace than they did previously. Despite that, I started off today's statement by deliberately naming and praising Frank Duffy at my Department and Gina McIntyre at SEUPB. I have confidence that they are alive to the risks Mr Wells points to and that they will ensure that we do issue contracts and have letters of offer only to projects that are sustainable and will do well.

12.30 pm

Mr Girvan: I thank the Minister for his statement to the House today. Was the red tape and bureaucracy associated with the SEUPB and every other delivery body that seems to be associated with European funding ever discussed at such a meeting?

Mr Ó Muilleoir: I thank the Member for his question. I want to be as diplomatic as possible — I know there is no one listening. Yes, that is something that I have brought up at various meetings. This is two Governments and the European Commission and local bodies and, sometimes, intermediary bodies. It is complex and it is complicated, but, in my view, a little bit of simplicity would go a long way to getting money out the door quickly to the areas where it is needed and where it can make a difference and create jobs and opportunities for our young

people. I have brought that issue up, and I think we are getting the balance right.

For your information, we did try to shorten application times to 36 weeks — it may sound like a long period, but, of course, it could go to different Departments — and I think we are succeeding in that. One of the points that I think will please you is that I raised the derogation limits for Departments to €5 million, so that they could sign off on more projects without coming for that second sign-off from the Department of Finance. That involves a little bit of trust, but I think it has been rewarded, and it means that we have shaved a little bit of time off the waiting process for applicants.

Mr Kennedy: I thank the Minister for his statement. I warmly commend to the Minister the vision document launched this very day by the Ulster Unionist Party on our vision for Northern Ireland outside of the EU, and I hope he will give it careful assessment. Mindful of the concerns of many groups in my constituency of Newry and Armagh who have in the past availed themselves of EU grants and assistance, and of the very tight deadlines surrounding the Chancellor's autumn statement, will the Minister undertake to meet me and representatives of the east border region to provide guidance and reassurance around funding allocations and opportunities?

Mr Ó Muilleoir: Absolutely. There is not enough fun in my life, so if the Ulster Unionists want to bring the actual programme and meet on that as well, we can discuss the document that you launched today, which I have not had the opportunity to study yet. I am convinced that there are no advantages to the border region you represent from a Brexit — from a Leave. That said, we are in there fighting to ensure that those border regions, in particular, get maximum funding from all the EU programmes.

In recent weeks I have visited Fermanagh on several occasions — Newry, Warrenpoint; I have even been to Crossmaglen. The message I have brought with me is that we want to ensure that there is no falling back, because we are making progress as a society, and that we do not let this setback — I have no doubt that it is a setback over the EU referendum — deter us from moving forward. I look forward to your invitation, and I look forward to taking it up.

Mr Bell: I draw people's attention to the fact that the EU referendum was discussed. Given that our Prime Minister has said there will be a

Brexit — there will be an exit from the European Union — what is happening in terms of preparation for when that occurs? Can the Minister assure the House that he has the capacity to plan now for when that occurs so that we can take advantage and make sure our interests are both protected and advanced, particularly given that the United Kingdom will have now more money than it had previously?

Mr Ó Muilleoir: I thank the Member for his question. Of course, the detail of conversations will remain confidential, as he might expect, but I am going to break a confidence. At the meeting with David Davis, he said, "Brexit means Brexit", and I asked him, "But what does Brexit mean?" Unfortunately, he does not know, Theresa May does not know and Mr Hammond does not know. But it will become clear what the negotiating position of the British Government is, and I think when we have the fog cleared out of Westminster, that will be very helpful to us.

Let us not hang around waiting for the Holy Trinity of Liam Fox, Boris Johnson and Mr Davis to get their act together. I think the Member would agree that we should be focusing on the work in hand on not only maximising funding but putting in place the type of growth strategy that he argued for for the economy and that we want to see.

None of us can see into the future, and, of course, tomorrow is promised to no one. I am not too sure where this is leading. I am not sure what the timescale will be. I think that the Prime Minister, Theresa May, indicated that next year she would trigger article 50; Mr Davis seemed to be more about the spring on that; and some people have said that it could be in not only two years but many years. Let us just see how it develops while defending our interests.

However, there is one thing I will say, and I agree with the Member about putting our best foot forward. The Irish Government have a real role to play here, I think directly with the British Government, in arguing for a special case. In my view, the special case should be to remain, but certainly the Irish Government, I think, have a lead role, and I welcome the Taoiseach addressing some of those issues at the weekend. But for us, we should, I think, remain committed to and focused on the work in hand while those other, perhaps greater powers — the Commission, the European Governments and the Irish and British Governments — get about their work. While they do so, I think you will agree with me that we have much to do on the ground in the here and now.

Mr Mullan: I, too, thank the Minister for his statement, his update and the discussions on the devastating impact that Brexit will inevitably have on the North and how it will impact on business and trade. Taking into account the previous speaker's question, I too ask this: on health spend, has the Minister had any correspondence with the Secretary of State for Health at Westminster concerning the supposed £350 million extra spend following Brexit? Does he agree with me that that was a blatant lie on the part of the "Leave" camp, which some in the Chamber supported?

Mr Ó Muilleoir: I might wait until Santa comes in December to see whether that £350 million a week is in that particular goody bag from him. I will say this, and it is maybe something that the Member will understand: yes, the dangers of a Brexit are grave, but, at the same time, I think that around the Executive table people are united in trying to minimise the dangers of that outcome, if it should happen, and some of us, of course, are resolved to prevent it happening.

I think it is very true that not only rural constituencies but the border regions especially have benefited most, I think, from Peace funding. Perhaps the inner-city areas have done, but that also applies to the border regions. I will repeat this: we are a net beneficiary of European funding. Those who really think that the British Government are going to stand in and be generous with funding must not be aware that, between now and 2020, the British Government are cutting our resource budget by 4.5% in real terms.

In the here and now, they are attacking our budgets, and they are making it difficult for us to pay for our health service and education service. To anyone who really believes that in the future they will have a change of heart, adopt a much more benign attitude and follow through with additional funding once they have, I say that I do not think that will really happen for Newtownards, Bangor, Ballymena, Ballymurphy or Derry in the time ahead, but I know some Members travel in hope.

Mr Speaker: I remind Members who are yet to speak that any questions to the Minister should be on the Minister's statement, rather than being a departure from it.

Mr McNulty: I thank the Minister for his statement. Can he give the House an update on the progress of the INTERREG IVA applications that went to the steering committee last week, some of which are for projects in my constituency? Will he assure the House that

letters of offer for successful projects are issued in advance of the Chancellor's autumn statement?

Mr Ó Muilleoir: I thank the Member for his question; he is absolutely right to focus on the projects in his constituency. I know that many Peace applications from his constituents are either bubbling under or are about to go in, and I hope that we see those completed so that we can process them. INTERREG is making more progress than any of the other European programmes. In July, we signed off €4 million for a cross-border project — the Shared Waters Enhancement and Loughs Legacy (SWELL) project — between Louth and County Down, which also includes Carlingford and Foyle. Last week, on 7 and 8 September, we signed off, I think, 16 projects and €124 million. I am not in a position to name the projects; some were put back for additional information, and some were rejected. I do not want to compromise the process, but I am pleased that 16 projects were cleared and that €124 million is ready to go through the system. I am confident that letters of offer will be issued long before the autumn statement on 23 November.

Mr McGrath: May I just ask again, because we do not feel that we got a full answer earlier, whether the whole Executive have met to discuss the implications of Brexit from the result, given the massive impact that it will have across the North?

Mr Speaker: I remind the Member of my previous words that the Minister's statement is what we are questioning the Minister on. It is really for the Minister whether he wishes to reply again to that question.

Mr Ó Muilleoir: Thank you, a Cheann Comhairle. I want to be as helpful to the Member as possible. The Executive have met since the referendum and are focused on a united and common purpose around maximising the funding available to us from Europe and to mitigating the damages of this period of uncertainty and of the EU referendum.

Mr Agnew: The Minister mentioned discussions at the meeting about Northern Ireland being a "special case". In those discussions, was the border discussed, particularly the proposal that somehow we would have a soft Irish border but a hard border with GB? Has there been any detail of how that would work in practice?

Mr Ó Muilleoir: I thank Mr Agnew for his question. No, there has not been any detail,

and I am sure that you would be first to know if there were any detail. It is my opinion that a hard border would be a disaster for the island. Of course, I am also of the opinion that the EU referendum, the vote to leave, and leaving would be devastating for our economy and for our society. I do not want to go into the details of our discussion, but it was not only at that meeting that I referred to a "special case". It would be unfair to say that we discussed it; the meeting was focused on SEUPB and INTERREG funding. Generally, I have seen it picked up from many sources, this belief that there should be a special case for the North of Ireland, and that is certainly a line of argument and approach that I think is commendable. I hope that the Irish Government make that a focus of their discussions with the British Government.

Mr E McCann: Does the Minister agree that we ought to return very soon to the broad question of the effect — economic, constitutional etc — of withdrawal from the EU? When that happens, I will have an awful lot to say on the subject, drawing attention to the phoney arguments still being used on both sides this time after the referendum. My direct question, very briefly, to the Minister is this: does he not agree that the factors over the next few years that will most affect and most impact on the well-being, economic security and hopes for the future of the mass of our people have to do with downward pressure on wages, loss of jobs in the private and public sectors, cuts to benefits and the imminent catastrophe — I mean "imminent" and I mean "catastrophe" — in home-care services? Are those not the issues —

Mr Speaker: Mr McCann —

Mr E McCann: — rather than the subject of this debate —

Mr Speaker: Mr McCann —

Mr E McCann: — that will most affect our people —

Mr Speaker: Mr McCann —

Mr E McCann: — and that can only be remedied by us rising up and fighting? In or out, the fight goes on.

12.45 pm

Mr Speaker: I made a ruling just a few minutes ago that questions to the Minister should be on

the statement that he prepared and delivered to the House this afternoon. It is for the Minister, if he so wishes, to talk more widely, but you have really gone beyond my reasonable earlier ruling.

Mr E McCann: I apologise, Mr Speaker.

Mr Ó Muilleoir: It is very early in the new term to be apologising, Mr McCann. I take the point that you make. Those issues — building an inclusive and prosperous society, opportunity for all and equality for all — are absolutely at the top of my agenda, but I think that you minimise the damage and dangers of Brexit.

You campaigned for Brexit, and I think that that was a mistake. Every representative of ethnic minorities whom I have met in the city of Belfast and further afield who are fearful of the impact of the EU referendum vote are also of the opinion that it was a mistake for anyone to campaign to leave, especially those who work for ethnic minorities. Do not minimise the damage that would be caused by Brexit, if it ever happens — I am hopeful that it never will happen — because the modelling that we did pre-referendum on the impact revealed that the downturn/recession would be harder and longer in the North of Ireland than in Britain. While the data gives us a varied picture — it is not a clear picture — it does show that we are being hit harder than Britain by the economic impact of the EU referendum decision.

Feeding that in, we absolutely need to be vigilant about this funding, and not just because it amounts to hundreds of millions of euros going to great projects such as the Free Derry museum, the Skainos Centre in east Belfast, WAVE, Relatives for Justice and other bodies. The impact of Brexit, which I will work hard to prevent, would be felt harder in the Creggan than in Bangor, with all my best wishes to Bangor. It would be felt harder in Sandy Row than in parts of my constituency along the Malone Road. When we appear sanguine about the possible Brexit, we do a disservice not only to our ethnic minorities or those trying to build businesses but to those who are building the peace — the peacemakers and bridge-builders in our working-class communities.

Mr Allister: Instead of being a serial "re-moaner", will the Minister not have to come to terms with the fact that this nation is leaving the EU? When that happens, instead of British taxpayers' money being diverted through Brussels, it will become a matter for direct negotiation with the Treasury. Is the Minister

even preparing for that, and does he welcome the fact that when that happens, we can cull one more quango, namely the SEUPB?

Mr Ó Muilleoir: I thank the Member for his question. I have missed him over the summer. *[Laughter.]* It is good to be back. I had accused him of being "can't do", and he has started the new session by failing to have a special motion considered here today.

Maybe he has powers of seeing the future that the rest of us do not have. He thinks that he is superhuman, so perhaps he has that power as well. However, not even the British Government know where this is going: Liam Fox, when he is not abusing business people, does not know where this is going; and David Davis, the Minister for Brexit, could not tell me what Brexit meant. Unless you can see the future in your crystal ball and know what will happen — who knows? — your bet is on the wrong horse in this race. Instead, you should try to change the "can't do" mentality and think about this. What if, first of all, we remain, which is our position of course? But if that is too much of a stretch, what if there was a special case? What if the Irish Government and the British Government were to fight for a special case that will not, in fact, mean that because Wales and England voted to leave, we should be dragged out of the heart of Europe?

If you liberate your mind in that way in the time ahead, who knows what possibilities you, perhaps, could dream up for your next question?

Mr Speaker: That concludes the questions on the Minister's statement.

Private Members' Business

Stalking

Mr Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding up speech. One amendment has been selected and is published on the Marshalled List. The proposer will have 10 minutes in which to propose the amendment and five minutes in which to make a winding up speech. All other Members who speak will have five minutes.

Mrs Hale: I beg to move

That this Assembly notes with concern that for too long stalking has remained a hidden crime, which is not only insidious and terrifying, but can result in psychological harm and, in the most serious of cases, murder; and calls on the Minister of Justice to examine whether the introduction of new legislation to protect and safeguard victims of stalking is needed in Northern Ireland.

First, I must declare some interests as a member of the Northern Ireland Policing Board and the all-party group on domestic violence, and I recently took part in a BBC 'Spotlight' programme highlighting the hidden issue of stalking in Northern Ireland, and its lack of legal definition and framework in which agencies can act to protect and support victims.

The motion asks us to note with concern that stalking is a hidden crime. It is terrifying and can result in psychological harm and, in more serious cases, physical harm. I, along with my colleagues, am calling on the Minister of Justice to look into the seriousness of stalking and to conclude that legislation should be introduced to safeguard the victims of stalking in Northern Ireland. This is something I have had the anxiety of dealing with myself, and I have a number of constituents who are currently trying to protect themselves from stalkers.

I want to thank the Justice Minister for meeting me, Peter Weir and a female victim of stalking before recess and for taking the time to return my calls over the summer. The Minister will be well aware that I have been active in gaining as much information as possible about this issue, and I am glad she is in the Chamber today as I know she is committed to exploring the issue of stalking and its non-status in any form of legal definition. I look forward to hearing what she has to say.

What is stalking? Who knows? As I said, there is no legal definition, and Northern Ireland is the only UK jurisdiction not to have one.

"However, it is generally accepted that it includes repeated attempts to impose unwanted communications and/or contacts ... that ... cause distress and/or fear in any reasonable person."

That is what the PSNI website has to say.

The Stalking NI website describes stalking as:

"an obsessive fixation which is powered and renewed with continuous, unwanted contact attempts to their target, using texts, emails,

letters, social media, door calling, 'drive-bys', following, suddenly appearing in shops, or visiting places of work".

I have permission from one of my constituents, who describes it much better than I can, and I ask the Speaker for his indulgence as I read an emotive and harrowing excerpt, as I feel it is important to hear a first-hand experience of stalking.

"Following my exit from a five-month relationship, this man, unknown to me, had been gathering all my personal information, routines, and had kept intimate images, which I thought were deleted. He verbally threatened to have me shot and has a known history of assault. I have been followed around my town, dual carriageways, socially to friends' houses and places of work. He has stalked my friends, my ex-partner, my family and was outside my daughter's school.

He has disguised himself in passing my house and posed as potential clients to my work email addresses as recently as November 2015. He has sent letters, cards, emails, texts, and has tried to destroy my livelihood. He has painted a black portrait of me and slandered my work ethic on social media.

The PSNI have been unable to act, and I was told, unless he assaulted me, they couldn't; and in 2012 the PPS didn't prosecute.

They told me to evidence everything, but this was difficult to do as my instant reaction is to run. Every day, I woke up with a feeling of dread knowing that, no matter what was ahead of me, he would follow me. It was like a very heavy black cloud following me everywhere I went; only I could see it. I have to keep all doors locked at all times, and I do not answer the door unless I know who it is. I watch over my shoulder and scan everywhere I go. I park my car under CCTV cameras and keep it in well-lit areas. I have my children aware of the last four digits of every vehicle he drives, as I do. I get leg shakes and palpitations when I see his car, knowing he wants me dead. I have felt degraded, humiliated, intimidated and ashamed, not knowing what is coming next or who he has shown the images to. I have nowhere left to go, and he will not stop."

In 2011, there was a parliamentary inquiry for England and Wales into stalking by the Justice Unions Parliamentary Group, chaired by the Rt

Hon Elfyn Llwyd MP. It found that the Protection from Harassment Act 1997 was not fit for purpose for stalking offences. Two new offences of stalking were included in the Protection of Freedoms Act 2012 and they sit alongside the existing offences of harassment in the Protection from Harassment Act 1997. This makes stalking a more serious crime, with the potential for five years in prison. We still use the 1997 Protection from Harassment Act in Northern Ireland. I must concur with others that the chief shortcoming of the 1997 Act was its failure to name stalking in law. Indeed, the review concluded that the Protection from Harassment Act (PHA) was not an effective tool against stalking, that too many perpetrators were falling through the justice net and that there was need for a comprehensive reform.

Mrs Dobson: I thank the Member for giving way and note her very personal comments on her constituent. We all have constituents who have been victims of online stalking, whether stand-alone or coupled with physical stalking. I note that the motion described stalking as a hidden crime, but cyberstalking can be even more veiled. Does the Member agree that keyboard warriors who prey on the innocent and vulnerable should equally be subject to the full rigours of the law and included in any future legislation?

Mrs Hale: I thank the Member for her intervention. I will get to this later in my speech but, yes, I agree wholeheartedly.

The Departments of Justice and Health jointly introduced a 'Stopping Domestic and Sexual Violence and Abuse in Northern Ireland Strategy' in March. It includes new Government definitions of domestic and sexual violence and abuse. Included in those definitions of violence and abuse are physical and digital stalking. I am pleased that the strategy recognises the link between the two. However, the document defines stalking only in an intimate relationship. Stalking also happens outside intimate relationships and, therefore, work to address it in those circumstances needs to be included in this strategy. We must do more.

In December 2015, the Home Office started a consultation for England and Wales on the possible introduction of a stalking protection order. The consultation ended in February 2016 and we await its imminent results. The Westminster Government have recognised the need for a review of the legislation around stalking. I ask only that the Northern Ireland Assembly does the same and asks for legislation to be put in place here. My SDLP colleagues also ask for that. I support their

amendment and I am pleased to have their support on this issue here today and hopefully in the future.

The law currently allows for a number of offences, namely harassment, causing another to fear violence, breach of an injunction prohibiting harassment and breach of a restraining order, but the number of convictions for offences under the Act is not reflective of the problem. In 2014, no one was convicted of causing fear to another. Four were convicted for breach of an injunction prohibiting harassment, and two were convicted for the breach of a restraining order. That alone screams that it is not affording enough protection for victims or giving the police and the courts enough legislation to prosecute. I recently asked the Minister of Justice in a question for written answer to detail the number of prosecutions for stalking under the PHA 1997 in each of the last five years. The Department's answer was:

"Stalking is a colloquial term and there is no specific offence of stalking in Northern Ireland."

"Colloquial" — if I were not so angry, I would have laughed. The women who I have been trying to support through this deserve more. They deserve the freedom to walk down the street, sleep without fear and feel safe in their home, and not to be made to feel as though they are wasting police time and making a nuisance of themselves. Stalkers are manipulative and cunning and, in some cases, use a protection from harassment order to harass and legally stalk their victims. I know of that happening right now.

We in this Chamber must —

1.00 pm

Mr Allister: Will the Member give way?

Mrs Hale: Of course.

Mr Allister: Thanks. Does the Member agree that one of the problems with obtaining a just outcome in cases of harassment and stalking is that, for example, in our local harassment legislation, there is a defence effectively of good faith in that, if you did not know that what you were doing was harassment, you have a bona fide defence? Likewise, in the stalking provisions in England, there is the good faith defence. Does the Member agree that, to have effective legislation, that line of defence needs to be removed from the legislation?

Mrs Hale: I thank the Member for his intervention. Yes, you are right. These people are delusional. They have no idea what they are doing, or else they do know what they are doing and are doing it deliberately. They know the law so well now and are using it to attack their victims.

We in this Chamber must put in place a framework that enables the justice system and the PSNI to protect victims and prosecute perpetrators, thus empowering victims and their support networks. So, I not only call on the Minister but plead, on behalf of the targets of stalking, that she directs her Department to develop a legal framework. A legal definition will enable us not only to protect victims but to monitor reports of stalking, arrests and consequent prosecutions.

I thank all those who have taken the time to join me in the Chamber today, and I look forward to hearing what they have to say and to working with them in the coming months on this harrowing issue.

Ms Hanna: I beg to move the following amendment:

Leave out all after "Justice" and insert

"to develop and table new legislation to enable crimes of stalking to be prosecuted based on the stalker's behaviour and the effects on the victims."

I commend the Member for bringing forward this important issue, and I assure her that our amendment is purely for the purposes of strengthening the motion and allowing the Assembly to be more directive on the legislation that will be needed. As the Member said, there is no formal legal definition of stalking. Most experts agree that it is a long-term pattern of unwanted, persistent and intrusive behaviour directed by one person to another that engenders fear and distress in the victim. We feel that the impact on the victim, which may vary, should be at the centre of the legislation. There are behaviours that, at third hand, might not fall into any other legal category but that, taken over time and compounded, can be a huge intrusion and can have a terrifying impact on the victim. Indeed, while some of the behaviours that constitute harassment will be similar to those manifesting in stalking, a key difference is the obsessive fixation usually on one person, although we are aware of career stalkers who move on from one woman to another. Mrs Hale has painted a very vivid and

terrifying picture of how that can feel for the victims, who are usually women.

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

Stalking can be done by strangers or in the context of an ongoing domestic violence relationship. I understand that, in around half of cases, it is taking place where there is only a very casual acquaintance between the perpetrator and their victim. Almost by definition, stalkers are delusional and obsessive and, in many cases, go to very extreme lengths to contact, follow and monitor their victims. In very many cases, the motivation is what they see as revenge for a woman who they believe has rejected their advances. There is an underlying societal problem in that some men have a sense of entitlement to the attention of women, and that fundamentally needs to be addressed as it is feeding that kind of control. Some terrifying stories have been reported around the world on the fatal consequences of this sense of entitlement by hopefully a very small minority of men.

We obviously do not have statistics for here, but the crime survey for England and Wales suggests that one in five women and one in 10 men will experience the manifestations of stalking at some point in their lifetime. While, as Members have said, it is a specific criminal offence in England, Scotland and Wales, there is no legislation here. In an answer to a written question earlier this year, the then Justice Minister, David Ford, suggested that his Department was planning to undertake a review of aspects of the criminal law and that legislation might be brought forward in the next mandate. Through this amendment, we are calling for that work to be completed and for specific legislation to be developed that goes beyond harassment, which simply does not encompass the full and terrifying nature of stalking.

The Protection from Harassment Order 1997 refers to harassment or stalking as being a course of conduct that causes distress, alarm or fear of violence. The stopping domestic violence and sexual violence strategy of March 2016 specifically refers to stalking, but there is no legislative outworking.

That is only in the context of intimate relationships and, therefore, would not address half of the cases that do not appear to be covered.

Mrs Dobson also touched on cyberstalking. With all the benefits of new media and social media, it is, unfortunately, a tool of control for those who have unprecedented access to the daily lives of women whom they choose to stalk. While it is mentioned in the stopping domestic and sexual violence and abuse strategy, again, there is no legislative outworking and none at all outside of intimate relationships.

A useful legislative format is available. The Criminal Justice and Licensing (Scotland) Act 2010 provides a specific criminal offence of stalking. Section 39 lists a set of behaviours and, crucially, has a catch-all:

"acting in any other way that a reasonable person would expect would cause [the victim] to suffer fear or alarm",

which covers lot of what would appear to be very minor and mundane actions that can have a terrifying effect. In England and Wales, stalking was made a criminal act in November 2012, when two new offences were introduced. The police have statistics for 93,000 harassment offences and 3,100 stalking offences, of which 1,000-plus are being prosecuted. There, you can face up to five years in jail, whereas, here, the maximum is two years for harassment.

We support the motion, but we want a specific outcome and a commitment to bring forward legislation.

Mr Kearney: Tréaslaím le moltóirí an rúin seo agus tacaím leis an leasú chomh maith. My party welcomes the debate. I will speak in support of the amendment as it builds on the trajectory of the intent of the motion, which I fully commend.

There are recognised links between domestic and sexual violence and abuse and stalking. As mentioned by the previous contributors, definitions of domestic and sexual violence and abuse were previously set out in March in the joint departmental seven-year strategy. While that acknowledged that stalking in its physical and digital forms is a type of domestic and sexual violence and abuse, and as was mentioned by previous contributors, we still do not have a legal definition of stalking or any effective legislation here in the Six Counties. That fact has been discussed by the Assembly since 2012, yet there has been no measurable progress. That is not good enough.

Stalking is a deeply insidious and invasive psychological form of criminal abuse, with

shocking side effects and consequences for victims. If the targeted victim does not give attention to the stalker, it is likely to escalate into something much more sinister. As the previous contributor mentioned, one in five women and one in 10 men are likely to be victims of stalking at some stage in their lives. Worryingly, on average, 21 people who are connected with a victim will also be impacted as secondary victims of that crime.

Stalking is a breach of human rights and, therefore, undermines article 8, which is in the Human Rights Act, yet here in the North, it is not a specific criminal offence. Stalking complaints are currently addressed within the framework of the Protection from Harassment Order. However, in England and Wales, because the Protection from Harassment Act did not effectively deal with stalking, it was amended, and two stalking offences were introduced in 2012. More significantly, since 2010, Scottish law has made stalking a specific criminal offence. Scottish law has made stalking a priority crime, and we should follow its lead. We require effective legislation, but prosecution and conviction rates will also depend on training to change attitudes towards stalking, improving investigations and securing robust prosecutions. In parallel, there needs to be a concentrated focus on digital stalking, cybercrime and online abuse.

The crime of stalking has existed for far too long beyond the effective reach of law in Ireland, North and South. In that context, a LeasCheann Comhairle, this gap in our law should be closed by the Department of Justice. I commend the Minister for taking the importance of this debate on board. She should consider how the matter can be prioritised as an item of all-island cooperation.

Mr Beattie: A lot of people will think that this is quite a soft debate, given what happened over the summer, when a £1 billion property deal was linked to one political party and another party tried to —

Madam Principal Deputy Speaker: I ask the Member to address the debate, please.

Mr Beattie: OK. Because a lot has happened over the summer, some people will see this as a soft debate. It is not. This is a good, strong debate, and I thank the Member for Lagan Valley for bringing it to the Floor. I do not want just to repeat everything that has been said; word for word, I agree with all of it. It is important that we show that we are a united Assembly.

We have heard that there is no legal definition of stalking, but it is clearly linked to intimidation and harassment. It is unwanted communication, done in a distressing manner. It can be in the form of telephone calls, letters, emails, texts, sending or leaving unsolicited material, graffiti or messages on social media, which, if looked at in isolation, probably do not look that bad, but, when brought together or done repeatedly, take on a far more sinister aspect.

Stalking may also take the form of unwanted intrusions, including following, waiting for, spying on, approaching or accosting a person or going to their home. In addition to communication and intrusion, the stalker may engage in a number of associated behaviours, including ordering or cancelling goods and services, making unwanted complaints or threats, property damage and violence. These all have a major effect on the victim, and we must remember that this is about the victim. The stalker frequently threatens their victims either directly or indirectly. Examples of indirect threats include sending wreaths or violent images to the victim. Stalkers will often make written or verbal threats. They have been known to threaten violence months or even years into the future and have, indeed, followed through on these threats. This crime robs people of their dignity and peace of mind and, often, leaves them in fear of their life.

As mentioned earlier, in December 2015 a Home Office consultation paper, 'Introducing a Stalking Protection Order', described how, although stalking can take place within the context of an ongoing pattern of domestic violence and abuse, in around half of cases it seems that stalking takes place where only a very casual acquaintanceship exists between the perpetrator and victim. How big is the problem? Without reiterating what has been said, it is really quite hard because we do not have a definition. PSNI statistics reveal that between 2014 and 2015 there were 3,050 recorded incidents of harassment and 540 of intimidation. I have already —

Mr Frew: I thank the Member for giving way and for highlighting those figures. Does he agree with me that, whilst harassment covers all sorts of ills, sins and issues, stalking is something completely different?

Madam Principal Deputy Speaker: The Member will have an extra minute.

Mr Beattie: Absolutely. I totally agree with the Member; that is the whole point of the debate.

We take on harassment and intimidation, but what we really need is a specific act of stalking.

We have already heard what it is like in England and Wales, and we have had the figures for harassment in those areas. The average victim is stalked about 100 times before going to the police. Only 1% of such complaints result in criminal charges. What is the current legislation? As we heard, there is none. We have talked in this House previously about harassment, causing another to fear violence, breach of an injunction prohibiting harassment and breach of a restraining order, all of which may be prosecuted under the Protection from Harassment (Northern Ireland) Order 1997.

1.15 pm

We have been told that we will keep an eye on the legislation in GB to see how it progresses, but we have not taken the next step forward. In 2012, the UK Government introduced two offences: stalking; and stalking involving a fear of violence. In Scotland, stalking was made an offence in 2010. There is absolutely no reason why stalking should not become a specific offence here in Northern Ireland.

What can be done to help the situation? People in Northern Ireland are entitled to the same protection as that of their fellow citizens in the rest of the UK. If stalking is a separate offence in Great Britain, it should be a separate offence here in Northern Ireland. Having a specific offence of stalking would send a very clear message to those who perpetrate stalking, as well as to the victims, saying that it will not be accepted. Remember as well the families of those who are being stalked; the children also suffer from this. The Ulster Unionist Party absolutely agrees with the sentiment of the motion —

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

Mr Beattie: — and completely supports the SDLP's amendment.

Mr Lunn: We will obviously support the motion. We will support the amendment also, although I must say I have far more sympathy with the motion, but it is entirely up to the Minister what way she moves on this once the debate is complete.

I pay tribute to Mrs Hale straight off, because it is not easy to come here and talk in such a personal way about something like that that has

happened. I have had the experience, so I will just say, "Well done, Brenda, and thank you for bringing the motion to the House".

The motion uses words like "hidden crime", "insidious", "terrifying", "psychological harm" and "in the most serious of cases, murder". That is not an exaggeration. Those things happen. The mystery perhaps is that the PSNI — I was on the Policing Board for five years with Mrs Hale — does not appear to have specific statistics to highlight the actual extent of stalking in isolation from the overall term "harassment". It seems odd that, in the 1997 Act, which everybody has referred to, there is an attempt to define stalking. I remember in the last mandate when we tried to define the term "bullying in schools", and such difficulties we had, particularly in the case of cyberbullying. I believe that a large proportion of what now constitutes stalking in this country is to do with cyberstalking, which is so difficult to tie down and prosecute. The 1997 Act makes an attempt at it, almost by giving examples of what it means. It states:

"stalking is where an individual is fixated and/or obsessed with another."

It talks about:

"repeated contact with, or attempts to contact, a particular victim."

It talks about the person pursuing a course of conduct in breach of section such-and-such that amounts to harassment. It even gives the specific examples of:

"following a person; contacting, or attempting to contact, a person ... publishing any statement ... relating or purporting to relate to a person ... monitoring the use by a person of the internet, email or any other form of electronic communication"

— there to my mind is a half-hearted attempt to bring in cyberstalking —

"loitering in any place ... watching or spying on a person."

There is a fair bit there, but I agree with the thrust of the motion and the amendment that what is required, if we can come up with it here, is a specific definition of what stalking means.

I was struck by what Claire Hanna said, which was that the Scottish Parliament has, not for the first time, come up with something. I know our legislators have a horror of anything vague, so I

wish them luck with this one, but it talks about acting in a way that would cause harm or distress — or all the other words you could use — to a reasonable person of reasonable intelligence. That sort of definition exists in some of our laws already as a catch-all, as Claire said. It is worth pursuing.

I look forward to hearing what the Minister has to say about this in due course. I hope that she is minded to pursue it, and I hope that we can come to a satisfactory outcome to try to put a stop to the sort of experience that the proposer has so graphically explained to us today.

Madam Principal Deputy Speaker: I call Paul Frew.

Mr Frew: Thank you, Mr — Madam Principal Deputy Speaker. It is the new term; my apologies.

I commend my colleague Brenda Hale for bringing the motion before the House. She is a tremendous MLA doing sterling work for her constituents. As she said, it is something that has personally affected her and her family. I also commend DUP Councillor Peter Martin, not of this House but of Ards and North Down Borough Council, who has done tremendous work with some victims of stalking.

There is absolutely no doubt about it: this is something that needs to be uncovered. No doubt the Minister will be getting advisers coming to her and saying, "Minister, it's OK; we have this covered. This is covered under harassment legislation. That is the case at the minute". It is time that that activity was uncovered; it is time that it was put on the statute book in its own right. If we clump stalking in with harassment, which we have done, it means that we do not understand the nature and essence of stalking, we cannot measure the scale of stalking, and we cannot fathom its effects on victims and their families. If someone is charged with some offence because they have stalked somebody, it is not because they have stalked somebody; it is for some other offence. That defeats the purpose; it means that those people find it acceptable to continue to carry out their activity.

At the minute, stalking — it grieves me to say this — is the butt of many a joke. It should not be. I know that the Minister's advisers will say, "It's not enforceable, Minister; we can't do this". The seatbelt law is not enforceable, but it changed people's mindsets and it saved lives. My point is that every law is enforceable if guidance is issued. However, if we cover it up

and pretend that it is not there, we will never be able to enforce anything.

For victims of stalking, their workplace, neighbourhood, street and home become a prison. The very body that contains their soul becomes a prison. Their mind becomes their prison. Their computer and phone are windows of despair and anxiety. They feel that no one is listening to them. There is no law to protect them. The police do not have guidance to support them; that is clear when you read the stats and the evidence about how long some people are being victims. In some cases, it is 18 months, and 42% are stalked for more than 24 months. That could simply be because nobody is helping those victims. People are getting away with that crime.

It is not harassment. Harassment is many things; it is two neighbours falling out over a hedge and one person then harassing the other.

This is completely different. The people who commit this crime are delusional. They need help, and sometimes they need to be removed from society and treated. How are we to treat the perpetrators if we do not even acknowledge that they have committed a crime? We should go much further than just having crimes of stalking. If we had crimes of stalking —

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

Mr Frew: — we could have registers, disclosure schemes, guidance for the police and the prosecutors, and guidance and support for the victims. That is what we need to do in this place.

Ms Boyle: I support the motion and the amendment. I thank the proposer of the motion for bringing it to the House.

Much has been said about the current legislation on stalking and the new legislation in England and Wales, where stalking was made an offence in 2012 and new offences introduced. However, if we are to introduce new legislation, we have to look at the lessons learned from the legislation in England and Wales. Even with the new laws in England and Wales, there is much evidence that the Crown Prosecution Service and the police service should be doing more to protect victims, as evidence presented in court cases shows that victims are still at risk of violence from their stalker. As the police charge the stalker with

lesser offences, the stalker gets away with a lesser penalty and remains free to offend again.

The courts and the police system, as was widely publicised in England and Wales, are failing victims of stalking and harassment. Much more needs to be done, as victims of stalking believe that the police and courts are underusing new laws because they are not trained in exactly what stalking is or the danger and harm that it causes to its victims.

If there is to be effective legislation here — I hope that there will be — the courts, the police and all those responsible for protecting victims need to be given the right training in how to deal with stalkers and repeat offenders. We need to protect people and ensure that those who commit these offences are given the appropriate sentences and receive the proper treatment so that they do not reoffend.

Like the proposer of the motion, I want to share with the House the words of a victim — I know her personally — of a stalker:

"Almost every day, he was there. He would turn up when I was out shopping for the weekly groceries. He would turn up at the school gate where I was picking up my child. He followed me into the health centre, where I had my doctor's appointment. Sitting in church with family, he would sit in the row behind me. I never knew this man until he started following me. At first, I thought I was imagining it all, but then it became apparent that this person deliberately targeted me for reasons unknown to me. He followed me daily, stood outside my house staring in the window and walking up and down the street outside my home. One day, he got quite close to me and spoke. He said that I looked nice and that he liked what I was wearing. I went home and locked the doors in a terrified state. From that day on, that was the start of my living nightmare. I lived under the fear of this man for almost 14 months before I told anyone, frightened of what he would do to me or my family if he ever was confronted. Eventually he was, when police finally believed me and agreed to covertly watch him stalk me. But it was no easy task at first to convince the police. I was depressed, frightened and was a shell of my former self, and, to this very day, I am always looking over my shoulder, unable to trust or accept an act of kindness from a stranger."

A lot of people think that stalking happens just to someone who has celebrity status, but it can

happen to anyone. I am thankful that we have the Minister here. There needs to be a robust media awareness campaign on stalking and harassment. Will she consider that?

Stalking and harassment includes behaviour that happens two or more times and is directed at or towards you by another person and which causes you to feel alarmed or distressed or in fear of violence that may be used against you. Some advice that I have picked up through research in the Assembly is that one of the things that can make it difficult for police and others to deal with harassment and continuous stalking is the repetitive nature of what may seem like small incidents. Helping the police and courts to see the bigger picture can make it much easier for them to deal with the offender's behaviour. That can include keeping a diary of events and the times, dates and locations the stalker strikes. It is a good idea to include all of that information, including keeping copies of letters, text messages and cyber —

1.30 pm

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

Mrs Overend: I am pleased to contribute to the debate, and I support the motion and the amendment. Everyone has the right to be protected from stalking, no matter what form it occurs in, and to have to the right to support if and, unfortunately for many, when it occurs. The reality is that, for many, stalking remains a hidden issue. This is mainly for two reasons. First, reporting figures do not reflect the full scale of stalking because much of it goes unseen and unreported. Secondly, as many Members have already referred to, without a sound definition and understanding, stalking can be downplayed as banter or as something that is just in the victim's imagination.

Nowhere are these two issues around the hidden nature of stalking more true than in the online world, which many have referred to. Therefore, it is important to talk about stalking not only in the physical sense but, importantly, in the digital sense. Members, especially those from the previous Assembly mandate, will know that, for some time, I have campaigned and advocated for greater internet safety, especially for our children and young people, in the form of a comprehensive, cross-departmental internet strategy. Young people in particular, who are most clued-in to technology, are not always aware of the risks of engaging in online activity. From my experience as a mother, it seems that parents are always having to play

catch-up when it comes to understanding the new programmes and applications that our children have access to daily. This means that any debate on stalking must give considerable focus to stalking that takes place online.

We know from a survey conducted by Bedford University five years ago that online stalking is now more common than physical stalking. In addition, the report found that in many cases the stalker was a complete stranger or a casual acquaintance to the victim. This shows how the nature of stalking online can be different from face-to-face stalking, where, more often than not, the stalker is known to the victim. With social networking sites and forums on the internet playing a bigger part in our social lives, there is now more opportunity than ever before to meet and interact digitally. With people increasingly uploading personal information online, there is a greater chance of that being misused for contacting an individual with the intention of stalking, intimidating and abusing that person. Where the stalker is unknown to the victim, which is often the case online also, this has been referred to as stranger stalking, and this activity sits outside the stopping domestic and sexual violence strategy set out in March this year.

Added to this, stalking, particularly online stalking, is not a specific offence under the Protection from Harassment Act 1997. Given the advances in social media and technology over the last two decades since the Act was introduced, we need to seriously consider, as my colleague Doug Beattie said, whether the current legislation, which is different from that in GB, is fit for purpose to protect and safeguard victims in Northern Ireland.

Furthermore, as my party's education spokesperson, I feel that more action is needed on educating and informing children and young people on how they can keep themselves safe online and, on this specific issue, how to notice stalking and how they should report it. Stalking is not an isolated matter, and we know that there are links between it and sexual abuse and violence. As such, there is need for a joined-up approach, so, for example, the strategy on stopping domestic and sexual violence and abuse in Northern Ireland covers schools having to teach on sensitive subjects such as child abuse and domestic and sexual abuse. I feel that an important extension of this strategy would be to provide teachers with the necessary skills to educate children and young people about online stalking, reporting procedures and inappropriate internet behaviour.

As this is a pressing issue and one that will only grow in the future, we simply cannot sit idly by with legislation that is well past its use-by date. I commend the motion and the SDLP's amendment and look forward to the continuing debate.

Mr Sheehan: I welcome the opportunity to speak in the debate and thank those who tabled the motion for bringing it to the Floor of the Assembly. I support the motion and the amendment.

As has been said by almost every Member today, there is no legal definition of stalking and there is no crime of stalking in the North. England, Wales and Scotland have legislation, as we know. Stalking takes many forms. It may be someone that the victim knows well — in many cases, an ex-spouse or ex-partner. It may be a casual acquaintance or a complete stranger. The methods that stalkers use are wide and varied and can range from sending flowers to the victim and following the victim to constant phone calls, emails, texts and so on. In many cases there are secondary victims. It is not unknown that a woman being stalked will find some day that the stalker has been speaking to her children, without the children knowing exactly what is happening.

While we have no crime of stalking here, there is, as has been mentioned, the Protection from Harassment Order 1997. Victims can take out a court injunction against those who harass them and claim damages for anxiety and any financial loss that they may have incurred. However, the point is that harassment and stalking are two completely different animals. As has already been said today, the conviction rate under the harassment Order does not reflect the level of stalking that takes place in society here. The absence of violence does not mean that the victim is unaffected. Most victims of stalking undergo severe psychological distress, depression, anxiety, sleep disturbance, paranoia and in some cases post-traumatic stress disorder. Stalking itself may be difficult to define, but any legislation could include a list of example behaviours. If it waddles like a duck and quacks like a duck — everybody knows the rest of that.

Legislation is one weapon against stalking, but it is also important that victims know what they can do to try to prevent it. The first thing they should do is keep a log including the date, time and location of when the stalking has taken place. They should keep all correspondence whether it is cards, letters or electronic correspondence such as emails, texts or messages on social media. They can

screenshot any electronic correspondence. They should try to gather evidence, if they can, without endangering themselves or aggravating the stalker. If they can get photos with their phone, for example, or if someone is with them who can be a witness to what has happened, that would be useful.

It is also important, in conjunction with any new legislation, that the police are given the proper training. One of the difficulties with stalking is that when incidents are reported they are treated in isolation and not as part of a pattern of behaviour, so training for police is important. I rest my case there, as most of the other points have been made.

Madam Principal Deputy Speaker: I call Roy Beggs, and I must let the Member know that, if he takes an intervention, given time constraints, there will not be an extra minute.

Mr Beggs: Thank you, Principal Deputy Speaker.

Stalking is very debilitating for the individual who is at the end of it. It is unsettling; it can be very frightening; it can be a form of terrorism; and it can take over their life. They cannot have a normal life; they never feel at ease. It ought to be taken very seriously, and I am glad that there is unanimity across the Chamber today.

Why has Northern Ireland legislation fallen so far behind? It is three years since stalking legislation was introduced in England and Wales and, indeed, in Scotland. For that matter, England is already consulting on further amendments with their 2015 consultation on stalking protection orders. We clearly need to get up to date and address the issue.

Typically, stalking may involve an ex-partner who feels spurned in some way, but that is not the only format. We need to make sure that it is much wider than just domestic violence situations; it can take many, many complicated formats. Others have talked about the "stranger stalker" — someone who gets fixated. I agree with my colleague Sandra Overend that the online issue makes this problem very intrusive and difficult to manage. One of my constituents contacted me over the weekend, feeling that their life was being threatened again. In this case, it was a spurned ex-partner, so it is the old girlfriend stalking the new girlfriend and hurling lots of abuse at her. It is complicated. Someone may adopt multiple identities online, and it becomes difficult to trace.

It strikes me that this needs to be taken much more seriously by the police, whose advice to date has been "Change your Facebook settings", and that is about it. I am gathering information and intend to make sure that a much better response is required. This has highlighted to me the fact that we need much more specific legislation, so that there is recognition of the turmoil that this can cause to an individual's life. Even though no violence has occurred and even though it is not the ex-partner, it is simply someone whose life is being destroyed by someone who is trying to intimidate them online.

It is clear that our legislation is not enough. We need greater expertise, and, if we have specific legislation, I have no doubt that the PSNI will pay more attention to this area. They will have more specialism in this area and will be able to give better advice. They will also be able to approach people when necessary — it may be all that is needed at an early stage — to make them aware that it is a specific criminal offence. There will be a shot across the bow and, hopefully, that will be the end of it. Where people are persistent and ignore that, clearly, they need to be held to account and brought before the courts to address what they have done. We need all our citizens to be able to live in peace in their own home and to enjoy their activities online without threat of stalking or abuse.

Madam Principal Deputy Speaker: I call Minister Claire Sugden. The Minister will have 15 minutes.

Ms Sugden (The Minister of Justice): Thank you, Madam Principal Deputy Speaker. First, I welcome Members back to the Assembly. I look forward to working with you in this new term and, hopefully, trying to get some work done in this mandate.

I thank those who tabled the motion, which raises serious and concerning issues around the behaviour known as "stalking". The motion recognises that incidents of this nature are often hidden and are devastating for the victims of such acts. I also note the amendment tabled by the SDLP. Whilst I would be informed to fully commit to the legislation at this stage, I am minded to consider legislation in the area if necessary, subject to the full legislative process, including consultation. I welcome the opportunity to debate the issue —

Mr E McCann: Will the Minister give way?

Ms Sugden: Yes, sure.

Mr E McCann: Will the Minister agree that, in order to be effective, the legislation that she refers to would have to include the introduction of a stalkers register in the manner of the sex offenders register; that stalking cases should be kept open; and that, given recent experience, it ought to be easier for the women victims of stalking — this is largely a gender-specific crime — to obtain legal aid?

1.45 pm

Ms Sugden: I thank the Member for his intervention. If he would give me time to get into the depth of my speech, he would hear that I am minded to thinking in a similar way.

I welcome the opportunity to debate the issue in the Chamber and look forward to a useful and valuable discussion. I pay tribute to those who tabled the motion for highlighting this behaviour because it ruins so many lives. I also welcome the opportunity to outline some of the work that is under way in my Department on stalking and related matters, which, I hope, Members will find reassuring.

Stalking and harassment are particularly insidious crimes, as outlined in the motion. Whilst they are most often committed against women, they can be directed at anyone in our community. I pay thanks to Brenda Hale. It is really brave to stand up and show leadership by sharing your experience. It has made an impact on me today on how I will take this forward. You should be commended for doing that. Such behaviour is, rightly, abhorrent, and I am clear that any incidents should be subject to the full rigour of the law. If that means strengthening the law, we should consider that here today.

The nature of stalking can be obsessive, with offenders going to extreme lengths to contact and monitor their victims using a range of means. Stalking conduct can be prolonged, persistent and intrusive. The actions of a stalker can appear innocuous to outside observers but are intensely disturbing to the person being stalked and harassed. I have heard at first-hand the experiences of victims of this behaviour, as well as Mrs Hale, and, before the summer recess, I appreciate that I had the opportunity to meet other victims of stalking. Having heard their accounts at first hand, I realised that we need to take the issue more seriously.

Stalking can take a number of forms, whether it is stranger stalking or stalking by former or current partners. To me, that almost amounts to some form of domestic abuse. In some cases,

stalking behaviour arises from relationships that appear to start from genuine affection but then turn to obsession. We know that stalking can take place in the context of domestic and sexual violence and abuse. We have reflected this fact under new government definitions in the stopping domestic and sexual violence and abuse strategy.

In my short time as Minister, I have met, as I said, a number of individuals. I stand with those individuals and organisations and make a commitment today that, in my tenure as Justice Minister for the next five years, tackling domestic and sexual violence and abuse is a key priority. In five years' time, if I have not progressed in some way in tackling domestic and sexual abuse in Northern Ireland, it will be my failure, and those five years will have been in vain.

As part of the strategy and in my Department's continuing work to tackle domestic and sexual violence and abuse, we are exploring the introduction of a range of measures to protect victims. They include a potential domestic violence disclosure scheme to alert people to previous violent offending; and domestic violence protection notices and orders that allow for immediate protections to be put in place for victims. We are considering a new domestic abuse offence to capture patterns of coercive and controlling behaviour. We are also working on enhancing the special court listing arrangements in Derry/Londonderry for domestic violence cases, building on the pilot scheme that is happening here. This enhancement will not only improve support services for victims but seek to change the abusive behaviour of perpetrators. I want to say more about those initiatives.

As Members may be aware, a domestic violence protection notice enables police to provide immediate protection to victims for 48 hours and a domestic violence protection order for up to 28 days. These prohibit the perpetrator from entering the home, thereby giving victims protected space to explore the options available to them and make informed decisions regarding their safety.

Officials are working with key stakeholders to progress work on the development of appropriate guidance, which will outline the procedures and processes required to manage a phased implementation of the new controls in early 2017.

My Department sought views through a public consultation on the creation of a specific domestic abuse offence to capture patterns of

coercive and controlling behaviour in intimate relationships. We have also sought views on whether a domestic violence disclosure scheme should be introduced in Northern Ireland. Such a scheme would provide a specific framework for disclosing information about an individual's violent and abusive history to a new partner where there are concerns about their safety. Although further work on the shape of both initiatives will be required, I am happy to announce that I intend to introduce them in Northern Ireland. I look forward to sharing my proposals with the Justice Committee and my Executive colleagues in due course. Analysis of the very informed consultation responses is in train, and, naturally, I will want to consider the detail and outcome of this prior to engagement with the Justice Committee in the coming months.

Work with partners continues with regard to implementation of domestic homicide reviews in Northern Ireland. Sadly, we have seen very recently the devastating consequences that can arise from domestic violence and abuse, and our thoughts go out to all the families affected by those tragic incidents, which are sadly still happening to this very day. We need to ensure we learn from each of those incidents and make certain that agencies are responding appropriately to the victims of domestic violence and abuse when it occurs. We must offer appropriate support, resources and interventions in a timely and coordinated manner with an aim of preventing further abuse.

To ensure that the justice system is successful in tackling domestic and sexual violence and abuse, I have instructed officials to seek out best practice and international developments in this area, and also to seek a wide range of views from stakeholders, including the community and voluntary sector.

Ms Bailey: Will the Minister give way?

Ms Sugden: Sure.

Ms Bailey: It is great to hear, Minister, that you are touching base with all the agencies. Are you doing any work with housing providers on this issue? As far as I am aware, there is absolutely no onus on housing providers to move victims who are being terrorised in their own homes, although we have provision for harassment and intimidation. Our cultural understanding really limits that to issues of orange and green or political intimidation, but for domestic violence and stalking there is really no onus on housing providers. Are they included in the agencies?

Ms Sugden: I thank the Member for her intervention. As I said, domestic violence and sexual abuse will be my overarching priorities in the next five years. My approach is to consult a number of stakeholders, including housing providers, as you have outlined. It is important that we have a full social picture of how domestic violence has an impact on the lives of people in Northern Ireland. I appreciate that intervention, but this is something that I am minded to do anyway. Thank you.

I am committed to making sure that the PSNI and other justice partners have the best possible tools to tackle domestic and sexual violence and abuse, and that the law provides the best possible protection to victims. I want to ensure that all victims can enjoy a life without fear, including the victims of stalking. A number of Members have outlined the existing law, and I think it is important that we reiterate it, because stalking is more than harassment, as some people have suggested.

On 30 June, the Justice Committee received a briefing from Professor Evan Stark on coercive control and domestic violence. During the discussion, it was noted that, unlike the rest of the United Kingdom, Northern Ireland does not have a specific offence of stalking. The Committee subsequently requested details of the legal protection from stalking-type behaviour that currently exists in Northern Ireland, and my Department responded on 22 August.

Before outlining my views on the need for additional legislation, it is helpful to remind ourselves of the existing laws that provide protection against harassing and stalking behaviours. Other Members have referred to the Protection from Harassment (Northern Ireland) Order 1997, the Malicious Communications Act 1998 and the Communications Act 2003. These provide a range of powers that offer protection against a number of actions that may constitute stalking behaviour. Harassment, putting people in fear of violence, sending offensive messages, threats or obscene material and causing anxiety by the sending of messages are all offences covered by those criminal laws.

Although the 1997 Order does not specifically refer to stalking, it was designed to criminalise many forms of harassment, including conduct that amounts to stalking. The Order provides that, if a course of conduct is embarked upon by an individual that causes fear or distress to the victim concerned, that individual is guilty of an offence if they ought to have known that such conduct amounted to harassment. A

course of conduct is defined as actions taking place "on at least two occasions". A person guilty of this offence is liable to up to two years' imprisonment on conviction on indictment, and/or an unlimited fine. On summary conviction, the maximum penalty is six months' imprisonment.

The 1997 Order also created the offence of causing another person to fear violence, again requiring this to have happened on at least two occasions. A person guilty of that offence is liable to up to seven years' imprisonment on conviction on indictment, and/or an unlimited fine. On summary conviction, the maximum penalty is six months' imprisonment. The Order further enables a victim to seek an injunction or a restraining order to prevent the defendant from causing further harassment. Breach of an injunction or a restraining order carries a penalty, if convicted on indictment, of up to five years' imprisonment and/or an unlimited fine, or, on summary conviction, of six months' imprisonment.

There are a number of other offences in relation to the above Acts, but I am not going to go through the various punishments for them because I want to come back to the whole point of defining stalking in law. The Justice Act 2015 makes provision for making a violent offences prevention order (VOPO). When commenced, hopefully later this autumn, the VOPO will be available to help mitigate the risk of violent reoffending from certain individuals and could be used in those extreme cases where a victim of stalking is at risk of serious harm, physical or psychological, from the offender.

The police would apply for an order through the courts, and it would be for the court to decide whether making an order is necessary.

As previous speakers noted, specific stand-alone offences of stalking have been created in Scotland and in England and Wales. Those offences have been in operation in Scotland since 2010 and in England and Wales since 2012. Although neither piece of legislation defines stalking in the strict legal sense, both set out examples of behaviours that may constitute the offence. Maximum penalties for the offences are five years' imprisonment on conviction on indictment.

As Justice Minister, I am keen to ensure that the criminal law in Northern Ireland is fit for purpose and that we learn from the experiences of other jurisdictions, where they can make a difference for the better. I have already asked my officials to review the existing laws on

stalking here and elsewhere and to report to me on the need for the introduction of additional legislation to safeguard victims of stalking in this jurisdiction. Although that work is at an early stage, they have begun to engage with officials in England and Wales and in Scotland to identify the impact of the new offences in terms of prosecutions and convictions.

I note, however, that the Home Office has concluded a consultation on the introduction of a stalking protection order to supplement its offence and that responses are being considered. Proposals to augment a relatively new law might suggest that gaps have been identified in how the stalking offence operates in England and Wales and reinforce the need to ensure that any changes to the law in this area are carefully considered and properly developed. In the meantime, I am keen that we recognise and acknowledge that there is no white card for all those who carry out this appalling behaviour. Stalking is beyond doubt a criminal activity under existing law, and we should take care not to send the message that Northern Ireland is a safe place for stalkers. It is not.

I will turn briefly to the amendment, which calls for specific new legislation to enable stalking to be prosecuted:

"based on the stalker's behaviour and the effects on the victims".

As I said at the outset, I am reluctant to fully commit to the amendment as specifically worded at this stage. It is quite prescriptive, and I feel that, until I am fully informed, I cannot make a decision on the matter. But I will commit to saying that, if gaps are identified in the work we are doing to see whether we can find a space for new legislation in Northern Ireland, I would be minded to do so.

However, I assure the whole House that I listened intently to what was said in the Chamber and that my officials will be mindful of the arguments that have been made as they continue with their review. I will keep the Justice Committee and the House informed as the work progresses. I am therefore happy to support the motion. I hope Members are reassured that, as well as a number of initiatives I outlined on domestic and sexual violence and coercive control, my Department has already begun to examine the need for new legislation to protect and safeguard victims of stalking in Northern Ireland.

Madam Principal Deputy Speaker: As Question Time begins at 2.00 pm, I suggest

that the House takes its ease until then. The debate will continue after Question Time, when the next Member to speak will be Sinéad Bradley, who will be winding on the amendment.

The debate stood suspended.

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

2.00 pm

Oral Answers to Questions

Economy

Broadband Connectivity

1. **Mr McNulty** asked the Minister for the Economy how his Department is improving broadband connectivity. (AQO 177/16-21)

Broadband: Rural Areas

4. **Mr McQuillan** asked the Minister for the Economy how his Department is encouraging broadband providers to invest in rural areas. (AQO 180/16-21)

Mr Hamilton (The Minister for the Economy):

With your permission, Mr Deputy Speaker, I will answer questions 1 and 4 together.

Since 2008, my Department has channelled almost £64 million to encourage private-sector upgrades to our telecoms networks, primarily in rural areas. Currently, 83% of households in Northern Ireland can access the Internet, compared to 86% across the United Kingdom as a whole. Ninety-four per cent of premises in Northern Ireland can now access broadband services of two megabits per second or better. Across the UK, the figure is 98%.

Broadband download speeds in Northern Ireland continue to increase. The average download speed now stands at 28.3 megabits per second, just below the UK average of 29 megabits per second. While there is no doubt that this investment has brought significant improvements for many rural dwellers, I recognise that more needs to be done.

My Department's Northern Ireland broadband improvement project has already improved broadband access for over 43,000 premises. That includes around 7,000 in Newry and Armagh and around 3,600 in East Londonderry. The contract, which was awarded to BT, has a

mechanism that requires BT to return funding for reinvestment when take-up of service exceeds a certain threshold. That will allow more premises to see improvements. My Department is also managing the superfast roll-out programme, which, by 31 December 2017, will provide access to superfast broadband with speeds of at least 24 megabits per second to a further 39,000 premises across Northern Ireland, again primarily in rural areas.

It is important to recognise that where fixed-line broadband is not available, other technology alternatives are, and details can be found on my Department's website. We also intend to publish further information to promote better awareness of broadband solutions. For those premises that continue to have access to services of less than two megabits per second, my Department offers assistance with the cost of installing a basic broadband service using satellite or wireless technology. It ensures that no household or business that meets the eligibility criteria need pay more than £400 to access a basic broadband scheme over a 12-month period.

Mr McNulty: I thank the Minister for his response. I am sure that he is aware that many residents and businesses in my constituency cannot access fibre-optic broadband, especially in places like Derrynoose, Armaghbreague and in the heart of south Armagh. Will he explain his Department's future ambitions and planning for the delivery of broadband infrastructure beyond the Continuing to Connect strategy, which takes us up to 2017 only?

Mr Hamilton: I thank the Member for his question. He mentioned particular areas. I would say, not just to the Member but to any Members, that where there are more than one or two problems in an area that they are detecting through their constituency work, they should bring them to me. I will take a note of the areas that the Member has mentioned, but if he wants to give us a little more detail we can take that forward and try to raise those issues with providers.

He mentioned fibre specifically, and I acknowledge that it is not easy to provide fibre — certainly not superfast fibre broadband — to all premises in Northern Ireland. There is a particular challenge in rural areas, and that is why I am incredibly keen to make sure that Members who receive a considerable number of complaints, as the Member has identified, are aware of the full range of services available.

There is a bit of a view that if you cannot get fibre, that is it, you cannot get broadband or

acceptable broadband speeds. There is support, through a range of different providers and technologies, primarily around using satellite and wireless as well. OK; those do not provide the speeds that you get through fibre in some towns and cities, but they will provide a decent broadband speed for people across Northern Ireland. A range of alternative technologies is available, and I am keen to make sure that Members, councillors and other elected representatives and, more importantly, customers, are aware of those so that when they experience problems, they know about the full range of options available to them.

Mr Aiken: I thank the Minister for his comments and for placing such importance on rolling out superfast broadband as much as we can. Further to the original question, what sort of discussions is the Department having with Ofcom, given that we seem to be moving towards a universal service obligation (USO), particularly for superfast broadband? Looking forward, what can we do specifically to make sure that the infrastructure is provided for this?

Mr Hamilton: I thank the Member for his question. The universal service obligation was first mooted by the previous Prime Minister in November 2015. I know that the Member appreciates that the primary policy responsibility still resides with the Department for Culture, Media and Sport (DCMS). My Department, and the Executive as a whole, have the ability to act as a catalyst because we have some investments in broadband through a range of technologies, but the primary responsibility still resides with DCMS.

The Government's plan was to give everyone across the UK the legal right to request at least a 10 megabits per second broadband connection by 2020. I support the principle of a universal service obligation. It is important to note that, at 28.3 megabits per second, the average speed in Northern Ireland is quite close to the UK average, as I mentioned, but there are obviously a lot of people getting well short of that.

In some respects, Her Majesty's Government's ambitions are, perhaps, too low, reflecting, I am sure, the challenges that they understand there to be with rolling out broadband, particularly to rural parts of the United Kingdom. However, the Member will be aware that the draft Programme for Government target for Internet connectivity is that we should increase the number of people getting above 30 megabits per second. I, and the Executive as a whole, are a lot more ambitious about increasing and

enhancing Internet connectivity and getting those speeds higher.

The Member mentioned Ofcom. I am due to engage directly with Ofcom on a range of matters in the not too distant future, and I am sure that the USO will be one of the subjects that we touch upon.

Mr McQuillan: I thank the Minister for his answers so far. Minister, how do you rate the performance of BT in delivering broadband to rural areas such as Moneyleck, Aghadowey, Ringsend and Glenarm, which are all in my constituency?

Mr Hamilton: I am not sure whether Mr McQuillan intended to raise some mirth in the Chamber when he asked that question, but I see some smiles. As I said to Mr McNulty, I will take note of the areas that the Member raised and I am happy to discuss with him how we might be able to improve the service that customers in those parts of his constituency, which are rural, I know, have received from BT.

It is important that we acknowledge the work that BT has done and the considerable investment that it has made, especially in urban parts of Northern Ireland. The improvement that I was able to outline in my first answer is a result of not only pump-priming by government here in Northern Ireland and, indeed, by DCMS but of the investment that BT has made. However, it would be unfair if I did not say that I had concerns. It is not acceptable that, even after the £60-odd million worth of investment that we have made over the last number of years, some 44,000 households still have speeds of less than two megabits per second, particularly in rural areas. A lot of them are in the west of the Province, but not exclusively. I could take the Member, you, Mr Deputy Speaker, and others to parts of my constituency — an area that might be perceived as having better speeds — that do not have good Internet access.

I have written to the Advertising Standards Authority regarding the accuracy — or what I believe to be the inaccuracy — of some BT broadband adverts, particularly those advertising an "up to" speed. They should be advertising, particularly in the areas of his constituency that he mentioned, an average rather than an "up to" speed.

It was part of the First Minister's plan for Northern Ireland that we invest in making sure that there is no digital divide. I do not want two classes of Internet connectivity in Northern Ireland: one in urban areas; another in rural areas. It is worth noting, as I said, that

alternatives are available to customers in those parts of his constituency. I am happy to work with the Member in trying to ensure their awareness of alternative technologies that they might be able to avail themselves of.

Mr Deputy Speaker (Mr McGlone): Before I call the next Member, may I refresh the Minister's memory of the two-minute rule?

Mr Boylan: I appreciate the Minister's answers, but he has to recognise that, despite all the work that has been done and all the cabinets that have been upgraded, large swathes of rural Armagh and south Armagh have not been facilitated. Will the Minister not now consider not only upgrading the cabinets and putting in new cabinets, which we know will happen in 2017 after this programme, but putting fibre-optic into premises, which is the only answer in some cases? I appreciate that there are areas that will require satellite broadband, but will the Minister consider putting fibre-optic into premises, especially businesses?

Mr Hamilton: I stand here charged with seeking to try to improve Internet connectivity and broadband speeds. I do so with a range of limited powers at my disposal. The Member is talking about putting fibre-optic broadband into largely rural parts of his constituency of Newry and Armagh. The same would ring true, I am sure, for all parts of Northern Ireland. However, that comes at a considerable cost. The Member will acknowledge that, over the last number of years, we have made significant improvements as a result of the £64 million that has been invested since 2008. I do not want to rehearse all the improvements that we have made, but we have made some. I accept, though, that there are some parts of his constituency and others that have not felt those improvements. I mentioned the 44,000 households across all parts of Northern Ireland that do not have speeds in excess of 2 Mb per second. I want to improve that, and the Executive have an ambitious target in their Programme for Government. The Member will appreciate that to do what he is asking will require considerable investment. I want to discuss with Ofcom and providers like BT what is possible and, more importantly, affordable as we look at budgets moving forward.

Mr Kennedy: I join others in pressing the Minister on the issue of improved broadband provision, particularly in all areas of the Newry and Armagh constituency. The Minister will be aware that I had some correspondence with him on this issue recently. Can we have an undertaking from the Minister that every

possible effort will be made to investigate means by which constituents in Cladymilltown and areas of Bessbrook and Newtownhamilton can have greater access to broadband? It is having an impact on not only communities but local businesses.

Mr Hamilton: I thank the Member for his question. He is right, and I accept the points that he is making. This has developed in recent years. The Member has been in the House for some time. If I recall rightly, when he first came into the House, we did not have broadband speeds even in this Building at the level that we now experience in many parts of Northern Ireland, such is the progress that has been made. Somebody behind me is saying that they are still not great. *[Laughter.]* We have made huge strides. I accept that speeds in some parts of Northern Ireland are still not as good as they should be. We should acknowledge the investment that has been made, particularly through the broadband improvement project, which has helped 7,000 additional premises in his constituency to get support.

As I have mentioned to other Members, I am very keen to ensure that everybody is aware of the range of technologies that are available. To go back to Mr Boylan's question, the thinking is not only of fibre-optic broadband. There are alternatives that they may be able to access to get a decent broadband speed. I accept that there has perhaps been a failing on our part in not promoting those alternative technologies properly. With the saturation of advertising from particular companies, some people perhaps think that fibre-optic is all that is available and that, if you do not have that, you do not have decent broadband. I am looking at this actively. We have been working with local councils, but I am also looking at how we can better promote those alternative technologies and use the network of Assembly Members and other elected representatives and their advice centres around Northern Ireland to help communicate the alternative technologies that do exist and can provide decent broadband speeds and reliability to people in many rural parts of Northern Ireland.

Mr Deputy Speaker (Mr McGlone): I call Harold McKee.

Mr McKee: I just have to agree with what everybody has said — *[Interruption.]* I had my hand up for an intervention. Is that OK?

Mr Deputy Speaker (Mr McGlone): It is your Question to the Minister.

Fishing

2. **Mr McKee** asked the Minister for the Economy for his assessment of the importance of the fishing industry for the local economy. (AQO 178/16-21)

2.15 pm

Mr Hamilton: The fish sector in Northern Ireland provides excellent, high-protein products and is well placed to take advantage of the increasing global demand for food. The sector includes the catching and processing of fish and makes an important and valuable contribution to the local economy, particularly to rural, coastal communities, creating direct employment and supporting growth in its wider supply chain.

In 2014, the total volume of fish caught and landed by Northern Ireland-registered vessels home and abroad was 57,300 tons, worth £55.7 million. During 2015, the total volume of fish landed in Northern Ireland ports was 22,500 tons, worth £28.2 million. The fishing fleet comprises 364 vessels and, in 2015, employed 708 full-time and 151 part-time fishermen.

It is estimated that gross turnover in the fish processing sector in 2015 was £76.1 million, representing 1.7% of the total turnover generated by Northern Ireland's food and drink processing sector. Export sales made by the fish and aquaculture processing sector were £41.2 million, representing 4.2% of the total food export sales. In 2015, in Northern Ireland, there were 25 registered processing facilities employing 484 full-time and 232 part-time staff and paying an average wage of £17,875.

Invest Northern Ireland actively engages with the fish processing sector and offers a wide range of support, acknowledging the quality of the produce that is caught and processed in Northern Ireland. There is no doubt about the positive contribution that the sector makes to the local economy, and the quality of the products caught should be recognised. During 2016, two fish processors achieved success in the Great Taste awards in recognition of the quality of their products. Rooney Fish, which is based in Kilkeel, achieved a top 50 listing and was awarded three stars for its Pacific oysters, and Ewing's from Belfast won two stars for its organic smoked Irish salmon.

Over the past five years, Invest Northern Ireland has offered £1.1 million support to the fish and aquaculture processing sector, which

has levered in investment of £5.7 million and promoted 70 new jobs.

Mr McKee: Thanks for that so far, Minister. What can the Minister say and do to assure the Northern Ireland fishing industry that it has a bright future? Do he and the Minister of Agriculture, Environment and Rural Affairs have a plan to make sure that the needs of local fishermen are heard at the highest levels in the negotiations around Brexit?

Mr Hamilton: I thank the Member for his question. He obviously represents a constituency that has two — sorry, three: there is Annalong as well, of course — of Northern Ireland's four big fishing ports. As I outlined, it is an incredibly important sector in our economy. It is a shared responsibility, in many respects, for me and the Minister of Agriculture, Environment and Rural Affairs. We will continue to work closely together on a range of agrifood issues because we think that there are huge opportunities for Northern Ireland as we move forward.

Invest NI works closely with other Departments in providing support to the sector and recently gained approval to offer support to the fish processing industry through a new fish and aquaculture processing and marketing scheme. I understand that the initiative is now live and will complement DAERA's maritime and fisheries fund with support for capital and export marketing projects.

In the negotiations regarding Brexit, there are huge opportunities for the fishing sector in Northern Ireland. As the Member knows, I represent Portavogie and from listening to fishermen down there before and after the referendum I know that they see huge opportunities for their industry as we move forward. To ensure that the interests of the whole agrifood sector in Northern Ireland, particularly fishing, are looked after, the Minister of Agriculture, Environment and Rural Affairs and I have set up a liaison group, which met for the first time a few days after the referendum result and will meet again tomorrow morning. The group includes representatives of the fishing industry and the fish processing industry in Northern Ireland. As I said, it is incredibly important that their voice is heard as we develop our thoughts and the way forward in dealing with the negotiations as they crop up.

Mr McGrath: Does the Minister agree that European Union funding has been of great benefit to the fishing ports, certainly in my constituency [*Interruption.*] that the

infrastructure is there and that there will be peril in the future when that funding is in jeopardy?

Mr Hamilton: I have to acknowledge that there has been investment in our fishing ports from Europe, much of which had to involve match funding from our budgets to access it. As the Members behind me have indicated to the Member — they are absolutely right in what they are saying — he should talk to fishermen in his constituency; he should go to the ports of Ardglass, Kilkeel and Portavogie. The one story that I have heard in all my days representing the people of the area of Portavogie is their hatred — that is not putting it too strongly — of the common fisheries policy and the damage, the absolute damage, that it has done.

The Member shakes his head. I am very fortunate to have family from Ardglass, and I remember sitting in my grandmother and grandfather's house many years ago when I was a young man — not that many years ago — looking down at the port and seeing a thriving fishing industry. I remember tens and tens of boats coming in and landing their catch and it being processed and benefiting the economy of the south Down area. The same was true in Kilkeel and Portavogie. What do you see today? Nowhere near the same industry. What is the primary reason given to you by the fishermen? It is Europe and the common fisheries policy. Many fishermen, me, others in the House and other representatives will be glad to be free from the common fisheries policy and to develop a more sustainable future for fishing in Northern Ireland.

Mr Wells: Is the Minister aware of the exciting proposals for the improvement of the port and harbour in Kilkeel? What can his Department do to assist with that very interesting suggestion, which would completely revolutionise fishing and the fish processing industry in that part of South Down?

Mr Hamilton: I thank Mr Wells for his question. Unlike others, who want to perhaps shackle the fishing industry in Northern Ireland to the road to nowhere, I want to help. Alongside the AERA Minister and the whole of the Executive, I want to try to restore our fishing industry to its former glory.

I am aware of the plans that Mr Wells has referenced, and I am excited about them. They show a very positive vision for Kilkeel, the fishing industry in South Down and the whole of Northern Ireland. I am aware that the plans would facilitate large, modern herring and

mackerel boats to land in Kilkeel. It would be only the second port on the whole of the island of Ireland where that could be done, with the only other port being, I think, Killybegs. It would, of course, bring employment and income to the area, particularly through repairs and maintenance and in processing. As well as the processing side, there are other business units that would be part of that and would help to revive the local economy.

I plan to visit the area to see the latest on the plan for Kilkeel harbour. I understand that two studies are required: a feasibility study and an environmental study. I am happy to inform the House that Invest Northern Ireland has commenced that feasibility study in concert with the Strategic Investment Board.

As Mr Wells said, the plan is all about regenerating Kilkeel with the aim of putting fishing back at the heart of the local community and building a better future for Kilkeel and the fishing industry. I am very excited about the plans, and they have my full support. I look forward to working with the fishing industry in Kilkeel to take them forward and bring them to fruition.

Mr McMullan: You have told us that you and the AERA Minister have had discussions on the fishing industry. Did part of those discussions involve any plans that you have for talking to the other regions — England, Scotland and Wales — about the fishing industries there and with your counterparts in the South of Ireland?

Mr Hamilton: My discussions have not covered that specifically. That is probably a question that would be better put to the Minister of Agriculture, Environment and Rural Affairs, who I am sure will be very keen, in developing a way forward for the industry, particularly in the post-referendum context, to discuss the issues closely with the UK Government. I am sure that she took the opportunity to raise issues about the whole area of agrifoods. In fact, I know that she took that opportunity in the meeting that she had with David Davis, the Secretary of State for Exiting the European Union, to make sure that he was aware of the particular circumstances that our agrifood sector faces. I cannot speak for the AERA Minister, but I am sure that she will want to keep in close contact with counterparts in Wales, Scotland and other jurisdictions as she moves forward.

Caterpillar

3. **Mr Hilditch** asked the Minister for the Economy to outline any discussions he has had

with Caterpillar following its restructuring announcement on 1 September. (AQO 179/16-21)

Mr Hamilton: Caterpillar has been a significant employer and an important investor in Northern Ireland for 50 years, for many of those years as F G Wilson and, since 1999, as part of the global US company. Given its strategic importance, Invest NI has always maintained a close relationship with local and US management. Invest NI staff work with the company on a regular basis at an operational level and at a higher, strategic level, where potential new investment opportunities are sought.

Invest NI's chief executive met representatives of the company's local and US teams in Belfast in May this year and again met US senior management at the company's US headquarters in August.

The decision by Caterpillar to seek 200 to 250 redundancies as well as the potential closure of its plant at Monkstown is very disappointing. I am mindful of the very direct and personal impact that this devastating news will have on the workers affected and their families at this time.

I spoke to Caterpillar's managing director for the Northern Ireland operations last week to confirm that my Department stands ready to provide all appropriate support to the workers affected at this difficult time. The employment service is already working with the company to be in a position to deliver specific support measures to the workers impacted. All relevant Departments and agencies will help those affected to find alternative employment or equip them through retraining to compete in the labour market.

Caterpillar is one of our leading manufacturing businesses and will continue to make a valuable contribution to manufacturing in Northern Ireland, not least through the employment of more than 1,500 people in Belfast and Larne. Invest NI will work closely with the company to help to strengthen this important presence in Northern Ireland.

Mr Hilditch: I thank the Minister for his response. There is much concern in my constituency and beyond regarding the situation. Will the Minister give his assessment of Caterpillar's stability and, indeed, the position of Northern Ireland manufacturing in general?

Mr Hamilton: I had a very useful conversation with Robert Kennedy, the managing director of Caterpillar's operations in Northern Ireland. It was very clear that the decision is not a vote of no confidence in Northern Ireland as a place for the company to invest in, although some may wish to portray it in that way. It is quite the opposite: the company recognises the efforts of the workforce here and the competitive opportunities that investing in Northern Ireland presents to the firm.

Let us be clear: the disappointing job reductions and the closure of the Monkstown plant come as a result of huge global restructuring by Caterpillar, through which 10,000 jobs are being lost across the company over the next number of years. That results from a significant, sustained downturn in Caterpillar's business, which has seen its revenues decrease by around 21% over the last five years. That is a huge chunk of revenue, and any business would have to respond accordingly. In particular, there have been slowdowns in its business in China and South America, which are both key markets, and the collapse in oil prices has had a knock-on impact on many of the products that Caterpillar makes.

There have been huge numbers of plant closures right across the company, including in Germany, Japan and Indonesia. The day after the Northern Ireland announcement, a plant employing 2,000 people in Belgium was closed, and, even in the US in its home town of Peoria in Illinois, there were job losses. This is not something that is affecting Northern Ireland specifically; it is affecting a company that is having particular difficulties at this time.

After you listen to that and appreciate the impact on 200 to 250 families in the community and on people in the Monkstown area, it is difficult for me then to say that we have a very successful manufacturing sector as a whole in Northern Ireland, but the truth is that we do. Some want to do the sector down, but I as Minister will not do that, particularly when it is doing well.

Mr Beggs: The job losses will be devastating for individual families. The losses come on top of previous significant job losses from Caterpillar in 2012, as well as from JTI and Michelin in the neighbouring region. Will the Minister respond to the calls from unions and business organisations and grant the Opposition's request for a specific manufacturing strategy to ensure that the needs of industry are not overlooked and are addressed so that it remains competitive and cost-effective?

Mr Hamilton: It is pretty sad to hear the Member, the Ulster Unionist Party and others talk down the Northern Ireland economy, or parts of it, in the House and elsewhere. After bad news such as this from Caterpillar, it is difficult to appreciate that the manufacturing sector as a whole in Northern Ireland has been doing well in recent times. Jobs are up to 80,000 for the first time since 2008. Sales have increased by 1.7% on 2014. Exports are at £6.3 billion, which is up £350 million on the previous year. In particular, on output, which is up 2.4%, our manufacturing sector is outperforming the rest of the UK, having increased hugely since 2009. I am very proud of those figures. I am very proud of particular successes that manufacturing companies in Northern Ireland continue to register: that one in three London buses is made in Ballymena; that 40% of the world's mobile crushing and screening equipment is manufactured in Northern Ireland; and that 30% of the world's airline seats are made down in Kilkeel. I am very proud of those successes and will continue to celebrate them.

2.30 pm

Let me be clear about having a manufacturing sector strategy for Northern Ireland. If I believed that it would make a difference to combating, as I said, downturns and slowdowns in markets in South America or China, or that it could deal with falls in commodity prices such as that of oil, I would have started work on a strategy weeks ago. I am pretty sure, however, that the Member cannot tell me, never mind the House or the people working in the manufacturing sector, how a specific strategy for manufacturing could do anything to deal with those particular problems. What we will continue to do is to work very closely with the sector. Invest NI has provided £270 million of support since 2011, and that has unlocked £1.9 billion of investment in the manufacturing sector and created 13,000 jobs. I will therefore continue to work with the sector. It is an incredibly important sector to our economy, and one that I want to see continue to grow.

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

Brexit: Impact on Border Areas

T1. **Mr McCrossan** asked the Minister for the Economy what works his Department has carried out to evaluate the impact that the potential Brexit will have on border areas such

as the West Tyrone constituency. (AQT 136/16-21)

Mr Hamilton: Clearly, we are dealing with a range of issues as a result of the referendum in the UK and the democratic will expressed by the people of the UK to leave the European Union.

This is another example of nothing but negativity. People must have had a very bad holiday across the way: there is nothing but negativity and talking down Northern Ireland and the opportunities for our economy. I believe that a huge number of opportunities for our economy flow from Brexit. What I am focused on, and what the whole of the Executive is now focused on, is getting the best deal for Northern Ireland. We are seeking to influence, and are influencing, Her Majesty's Government's position. I had the good fortune over the summer to meet not one but three Cabinet Ministers, not including the Secretary of State for Northern Ireland. I had good engagement with the Secretary of State for International Trade, Dr Liam Fox; the new Business Secretary, Greg Clark; and, as I mentioned before, David Davis. We are working with them directly, and with their officials at official-to-official level, to ensure that they are well aware of and very familiar with the particular circumstances of Northern Ireland and the issues that we want them to have to the forefront of their minds as they enter into negotiations in the weeks, months and years ahead.

I personally, and the officials in my Department, continue to consult with business, particularly through a liaison group that Invest NI has set up. We have been meeting sectors and individual companies. We have commissioned analysis and, as I mentioned before, are working directly with Her Majesty's Government to ensure that we can get and will get the best possible deal for Northern Ireland.

Mr McCrossan: Maybe the Minister will visit West Tyrone to see whether I am reflecting simple negativity or the reality on the ground.

Minister, I assume that you will not agree with what I am about to ask, but are we seeing an increase in cross-border trade as a result of the devaluation of the pound, or do you believe that it is quite simply because we have pulled out of Europe? What is your view, and what are you going to do to instil confidence in the people of my constituency of West Tyrone?

Mr Hamilton: I will be very pleased to visit West Tyrone in the next couple of days as the result of an invitation from Tom Buchanan. Tom, quick out of the traps, has invited me down to the constituency. I know that the Member is new to the House, but that is perhaps a lesson for him to learn from the veteran Mr Buchanan, who has got me down for a very busy day's work. He is working me doubly hard on the day that I will be down in the constituency. I was very pleased to accept that invitation to go down to see the many successes that there are in the West Tyrone constituency.

I am terribly sorry for the Member that all his predictions of doom and gloom, which he was not alone in making, are not coming to pass. We see the Ulster Bank's latest purchasing managers' index (PMI) today. People were trying to jump all over the last PMI to say that it backed up everything that they had predicted. That was not the case. Our economy has bounced back.

We saw an increase in and a growth of the private sector in Northern Ireland in August. Yes, there are a range of factors, such as the weakening of sterling, a boost in exports and cross-border shopping, but the Member seems to be talking down the benefits that are accruing for our economy. However they have accrued and whatever the reason for them, let us take advantage of them. It is one of the very many opportunities that we have as a result of leaving the European Union. I and Executive colleagues are absolutely determined that we get the best possible deal for Northern Ireland and that we have Northern Ireland perfectly placed to seize the opportunities that leaving the European Union present.

Mr Deputy Speaker (Mr McGlone): As Fra McCann is not in his place, I call Carla Lockhart.

NI Manufacturers: Export Success

T3. **Ms Lockhart** asked the Minister for the Economy, while injecting a little bit of positivity into proceedings by talking up the businesses in the Upper Bann constituency, whether he would join with her in praising local firms, such as Almac in her constituency, which have contributed to Northern Ireland's recent export success. (AQT 138/16-21)

Mr Hamilton: Absolutely; I am more than happy to join with the Member in doing that. I think we should be incredibly proud of what our manufacturing businesses have been able to do

in exports in very challenging circumstances over the last number of years. It was really good to see last week the latest figures published by Her Majesty's Revenue and Customs — it deals with only manufacturing exports; it does not deal with services exports — but it was still incredibly good news for Northern Ireland. We were the only region of the UK in the 12-month period that it was looking at to post an increase in exports. It was not just a small increase; it was a significant increase of 9.5%. I think we should be incredibly proud of all the businesses that have done that.

The Member represents Upper Bann and cited Almac, which is a fantastic Northern Ireland-based firm. When you look at the analysis below HMRC's figures, you see that one of the sectors that has driven the increase in exports is health and life sciences, of which Almac is a key part in Northern Ireland. There was a 56% increase in the value of exports by health and life sciences companies like Almac, Randox, Norbrook and others. I think we should be celebrating that success and working with local businesses to try to encourage them to export, particularly for the first time, and to look beyond the possibilities of selling into just Northern Ireland and the home market.

Ms Lockhart: Thank you, Minister, for that response. We are certainly very proud of it in Upper Bann. I look forward to working with them alongside your good self. Will you explain to the House a little bit more about what you are doing to increase exports? I know we have seen a lot of positivity in the figures, but is there anything specific you are doing to try to increase exports?

Mr Hamilton: I thank the Member for her question. There is a temptation to sit back and rest on your laurels when you post a 9.5% increase in exports. I do not think we should do that; I think we should be looking at the opportunities. A small regional economy like ours will not grow or become globally competitive in the way I want it, and, I hope, the House wants it, to become if we do not look outside of Northern Ireland for opportunities to sell our goods, services and products. We should be incredibly proud, as I said, of the companies whose products, goods and services are competing on an international stage and beating their competitors elsewhere.

We have been working very closely with Invest Northern Ireland over the last number of weeks to bring forward what we have called a trade accelerator plan for businesses in Northern Ireland. That has the aim of building on the

success of that 9.5% increase and encouraging many firms to get into exporting for the first time. It has a range of enhanced supports, including support for more visits into markets — increasing that from just three to five — support for travel and accommodation for firms to go into Great Britain and support for travelling into the Republic of Ireland as well. That will particularly be attractive to first-time exporters. We are also looking at enhanced support for going to exhibitions and trade shows, a new GB market introduction programme that will focus on the construction sector at the outset and a new ROI food retail development programme. We will also be targeting UK buying groups like the NHS. We will do more meet-the-buyer events and market study events to complement the range of trade visits that we already do. We will also increase the level and amount of in-market trade support that businesses will get from 20 days to 30 days.

All told and accumulated, that adds up to a pretty comprehensive trade accelerator plan that will help to build on the success that we have already had with exporters and encourage more businesses to get into selling their products outside Northern Ireland.

Ulster Bank Purchasing Managers' Index Survey

T4. **Mrs Overend** asked the Minister for the Economy for his view on the latest Ulster Bank purchasing managers' index (PMI) survey. (AQT 139/16-21)

Mr Hamilton: I was very pleased to hear that our private sector, after a one-month blip following many months of positive news from the purchasing managers' index, is again moving in the right direction and that there was growth in the private sector in Northern Ireland. I was particularly pleased to see that there was an increase in business activity in the manufacturing sector. The fastest rate of growth of any of the sectors was in manufacturing in Northern Ireland. I was pleased to see an increase in activity in retail and in services. There was some concern, mind you, about a slight decrease, which has been consistent over the last number of months, in the construction sector, which had been bouncing back in recent times. I was very pleased to see that the PMI is reporting, for the nineteenth consecutive month, growth in employment in Northern Ireland. There was also good news in some sectors on orders and contracts that have been awarded over the last month.

Mrs Overend: I thank the Minister for that. He will note that the author of the report restates the underlying weaknesses in our economy, which need addressing. How does the Minister respond to the suggestion that the Chancellor's talk of a stimulus package in the UK should be replicated in Northern Ireland? Do the Executive plan to do that?

Mr Hamilton: I am very keen to see the details of any stimulus package that the Chancellor of the Exchequer wants to bring forward in his autumn statement, which is scheduled for the tail end of November. The Northern Ireland Executive, and Northern Ireland as a whole, would hope to benefit from any stimulus package, and it is important that we consider the detail of that. It is speculation at this stage, so let us see the detail and what benefits it might bring for Northern Ireland. However, you will not find me, or the Executive as a whole, wanting in pushing forward ideas on how we might utilise a stimulus package in taking up the opportunity that one might present.

Farm Safety: HSE Media Campaigns

T5. **Lord Morrow** asked the Minister for the Economy to join with him in expressing sincere and deep sympathy to a family in Dungannon as they grapple with the dreadful situation in which a young man lost his life yesterday evening following an accident on a farm; in praising the Health and Safety Executive for its high-profile media campaigns; and to give an assurance that those campaigns, which play a significant role in alerting people to the dangers that there are, will continue, albeit that, unfortunately, accidents will continue to occur. (AQT 140/16-21)

Mr Hamilton: I join Lord Morrow in expressing my sympathy to the family in his constituency who have been affected by this very tragic accident. Thankfully, there has been a decrease in the number of fatalities on farms over recent years, but that does not take away from the gravity of the impact on this family, and indeed on others who have suffered in the same way. These are tragic circumstances, and the family has my deepest condolences, and I am sure that Members from around the House will join in expressing their condolences to that family.

The Member will be aware of the work of the farm safety partnership, which has been established since 2012. Again, over the last number of months, I have been working with the AERA Minister in respect of that. We recently launched a farm safety affiliate

scheme, where we are working with 14 different organisations. There is a wide range of organisations involved, including many that you would expect, such as the Ulster Farmers' Union, but there are also companies like Lakeland, ABP, the Girl Guides, banks and supermarkets. Anybody who has reach into the rural community should be involved to try to increase the message about farm safety.

Over the last number of years, particularly this year, we have ensured that the Health and Safety Executive's farm safety budget has been protected so that it can do some of the very positive work that Lord Morrow talked about. The budget for campaign advertising this year is £230,000, which is going into a range of different measures, including a new television advertising campaign, which I hope that Members will see on TV screens in the not-too-distant future.

I am very keen to work with the farming sector to ensure that we get the very important message about farm safety out across the sector.

I think that that message is working, but we must continue to do more, working in parallel with the sector, to ensure that its needs are also met and that, most importantly, the very important message about farm safety is heard, understood, registers and has an impact.

2.45 pm

Mr Deputy Speaker (Mr McGlone): There is one minute left for a brief supplementary and a brief answer from the Minister.

Lord Morrow: I thank the Minister for his very comprehensive reply. He has touched on my next question. Can he tell us the number of fatalities on farms over the past five years? I accept that he may not have the figures at his fingertips, but it would be useful to have them.

Mr Hamilton: I have the statistics here. Every single fatality on a farm as the result of an accident is an absolute tragedy. In 2011, there were 12 fatalities on farms across Northern Ireland. That number had fallen by 2015 to six, and there have been four to date this year. Every single one is a tragedy, and every single one has a deep and profound impact on the family involved and the local community. We could look at those numbers and say that the message is getting out there, that we are doing a lot better and that there have been improvements. Simultaneously, however, there has been a worrying increase in the number of

non-fatal serious accidents that require medical attention, so we are doing better in one regard but slightly worse in another. While somebody might not lose their life as the result of a serious accident, their life and their ability to work on the farm might be limited by its effects. Even though the number of fatalities is going down, we still need to get the message about farm safety out and embedded in the rural community. One of the things that we hope to do to achieve that is to have a new farm safety action plan, which is in development and on which we will work very closely with the farming sector to make sure that we can be as impactful in a positive way as we possibly can.

Education

Mr Deputy Speaker (Mr McGlone): Question 7 has been withdrawn.

Strule Shared Education Campus

1. **Mr McAleer** asked the Minister of Education for an update on the Strule Shared Education Campus, Omagh. (AQO 191/16-21)

Mr Weir (The Minister of Education): The Department is making significant progress on the delivery of the campus, which remains on track for its planned opening in September 2020. The construction of the first school on site, Arvalee School and Resource Centre, was completed in the summer, with the school opening on 6 September. Site-wide demolition has also been completed. Designs for the other five schools and facilities will reach the detailed design stage this autumn. The procurement of an integrated supply team to further develop and construct the campus will begin later this year. In my first week as Minister, I had the opportunity to see the site in Omagh for myself, and I saw the progress and the design work that was going on. At that stage, I was able to view the still slightly incomplete Arvalee, but it was very close to completion. I will visit the site tomorrow.

The Department is working with Transport NI to progress the Strathroy link road project, which is a key element of the campus traffic management solution. The procurement process for the contractor is under way, with construction work scheduled to commence early next year. Further traffic management measures will be required at the Gortin Road side of the site, and public consultation has commenced. The Department submitted detailed information on a range of reserved matters to the local planning authority,

Fermanagh and Omagh District Council, in July. A memorandum of agreement, setting out arrangements for ownership, governance and management of the campus, has been agreed with managing authorities, and work has started to develop an education model and funding arrangements for the campus.

Mr McAleer: I very much welcome the progress on the site. Indeed, this is very much welcomed by everyone in the district and everyone in west Tyrone. The Minister pre-empted my question on the Strathroy link, so I will ask another one. Given that this is a very substantial project — in the region of £140 million — and that it was advertised in the Official Journal of the European Union, what steps can his Department take to ensure that local firms and tradespeople get employment opportunities?

Mr Weir: I think that it is the case. I welcome the fact that I pre-empted the Member. In future, I will try not to give as much information in my initial answer. I think the programme itself creates significant opportunities for the construction industry and the business and community sectors. For instance, the contract for phase 1, which was the construction of Arvalee School and Resource Centre, was awarded to Woodvale Construction Ltd, an Omagh-based contractor. As a friend of mine would say, "Every day is a school day." Until I went down there, I assumed that it was a firm from north-west Belfast but it is an Omagh-based contractor. The contract was completed in mid-August 2016 and has provided employment and subcontracting opportunities for businesses in the Omagh area as well as a range of social returns and bespoke local community events.

All future contracts associated with the development will be advertised and promoted through the normal channels and that will facilitate contractors and businesses to consider the opportunities afforded. Furthermore, further contracts will be adopting the bi-social principles which are supported by the commitment to include social clauses in public procurement. The construction supply chain and community engagement will be facilitated through a range of activities such as "meet the buyer" events. We are trying to encompass the whole community and provide opportunities for local people to be directly involved.

Mr McCrossan: Minister, I too welcome the development of the Strule campus and I thank you for your detailed progress report to the

House. Will you outline your Department's plans for the existing sites following the relocation and whether you have plans to utilise the sites for the benefit of the local community and the local economy?

Mr Weir: The existing local sites have different ownership arrangements. For instance, three of the sites belong to the Education Authority (EA) and the remaining three are owned by individual voluntary trust groupings. My Department has arrangements in place for the disposal of school sites that are owned by the EA in line with the guidance for disposal of public assets in Northern Ireland. Disposal of the other sites will be a matter for trustees. However, I am acutely aware and take on board what the Member has said. The future use of these sites is of strategic importance, particularly to the wider economic development of Omagh town and the surrounding areas. Therefore, I am in the process of establishing a working group to examine the issues ahead of 2020. The group will be made up of representatives including the owners of the sites and people from Fermanagh and Omagh District Council and the relevant government agencies. We are conscious that, while we have a very exciting project at Strule, we also want to make sure that the best possible use is made of the available land because that can also create economic regeneration for the wider community. That is something that all of us would embrace and move forward on in partnership.

Mr Lyttle: Why, despite a target in the Programme for Government 2011-15 to have all children in shared education programmes by 2015, have only 2.5% of pupils had the opportunity, and why are there no specific targets for shared or integrated education in the Programme for Government 2016-2021?

Mr Weir: I could go through the historical reasons for that but, from a practical point of view, you mentioned the Programme for Government. Obviously, the Member is aware that we are still at the draft stage of the Programme for Government; nothing is actually written in stone. We want to attach targets and delivery to that. It is fair to say that we have seen significant progress in shared education and integrated education through the capital availability of the Fresh Start money and through the amount of support that has been given to shared education by the shared education programmes that are being funded, for example not just by the Department of Education but by the Executive Office and through Atlantic Philanthropies. Construction

does take a reasonable length of time. Most importantly, we are starting to see boots on the ground and pure delivery. Indeed, I think that what we will see in Omagh will become a shining example of the efficient use of public resources and will be something that will embrace sharing. It is work in progress and I appreciate that we have not reached that point as fast as we should have done but it is something that will need to be encompassed as part of the wider and final Programme for Government whenever it eventually emerges.

Mr T Buchanan: Will the controlled sector support body be involved in the working group to dispose of the assets?

Mr Weir: From that point of view, we are looking at members who represent all the different sectors. I think it is important that we see buy-in, and the controlled sector has an important role to play in that.

Ownership does not lie with the controlled sector support body. In the same way, the ownership of sites outside of the EA lies not with CCMS, for instance, but with the trustees. To move things forward, we want to ensure that there is buy-in from as wide a section of the community as possible. That involves the various sectors. It also directly involves local representatives on Fermanagh and Omagh District Council on a cross-party basis and all of the relevant government agencies.

SEN Review

2. **Ms Boyle** asked the Minister of Education for an update on the capital development of Gaelscoil Uí Dhochartaigh, Strabane. (AQO 192/16-21)

Mr Weir: Gaelscoil Uí Dhochartaigh — that is, I think, the correct pronunciation; if I am getting nodding approval from Barry McElduff, I know that I have either done something very right or very wrong — was one of the 18 major capital investment programmes that were included in the Department's January 2013 announcement. Since that time, protracted work has been undertaken to identify and assess the technical feasibility of suitable sites for the school in the Strabane area.

A business case outlining estimated expenditure of £3.35 million on the project to provide a new seven-classroom school and nursery unit was approved earlier this year, and I am pleased to advise that a site has now also been secured at Strahans Road and the purchase has taken place. These significant

developments will enable the progression of the scheme to the next stage of procuring an integrated consultation team to take the project forward to design and beyond.

Ms Boyle: I thank the Minister for his welcome response. Minister, I welcome the news that you have given today, but, given that this sector has had concerns, particularly since you took up post, that you have already rejected a number of development proposals, can you confirm that the sector will be given the same priority as other sectors and will not be disadvantaged?

Mr Weir: I will treat everybody entirely on the merits of their proposals. Obviously, a capital build is in a different situation from a development proposal, but I will treat each development proposal on its own merits. Legally, that is how things have to happen anyway, so I will try to make decisions on that basis. I do not think any sector has anything to either look forward to or fear. I see that I have excited some level of interest in different sectors at times, but I will try and treat every development proposal on its own merits.

Mrs Dobson: Will the Minister undertake to review new build projects, especially for schools in the Dickson plan area?

Mr Weir: I will be looking at new build projects across the board. On capital announcements, I have already indicated that I see the Dickson plan continuing and being secure in that regard. I want first to ensure that, whatever we do, we get the best possible value for public money. In many cases, that will involve new build; in other cases, it may well be looking at what can best be delivered on the ground, sometimes through sharing. At the moment, while I anticipate that financing for the capital side of things may be a little easier over the next few years, compared with the resource side, no determination has yet been made about the ongoing budget, so I am not in a position to make any announcements today, for instance, on new capital build. However, we want to make as much investment as possible in the schools estate and to do so in the most efficient way possible, which means that every project will be carefully scrutinised.

Lord Morrow: In this age of equality, how will the Minister ensure that decision-making in his Department provides for all sectors in education?

Mr Weir: It is important, particularly as we are in straitened financial circumstances, that we have a clear sense of fairness and equality

across all sectors, particularly when it comes to capital build, to ensure that we get the best value. In some cases, that will mean that a new capital build may not be the most appropriate option and we may look at existing resources, particularly as we move towards sharing and getting the maximum return for that. There are statutory duties in place for Irish-medium and integrated education, and I will fulfil those while trying to be as fair as possible to all sectors. Where there is any form of perceived bias in the system and people see schools being treated differently, that can create concern. Sometimes that is justified, and sometimes it is not. I will try to make sure that all sectors are treated fairly.

3.00 pm

Mr Allister: In his previous role, the Minister rightly observed that, under the last mandate, there had been disproportionate funding on capital of Irish-medium schools. He pointed out that the Irish-medium sector had only 1.3% of the school population but over 12% of the capital projects. Now that he has control of the purse strings, will we see reversal of that bias?

Mr Weir: I would hope to see that there is no bias at all in any of the decisions that I will make. Whereas I cannot be specific over the amounts of capital build that will happen and the new calls, I will make sure that all capital calls are entirely on a fair and objective basis and all sectors are treated equally in that regard. The merits of the build will be the significant key factor and the contribution to getting the best value for the public sector. That will apply irrespective of the sector that it applies to.

Schools: DE Budget Funding

3. **Mr Dickson** asked the Minister of Education whether he plans to increase the proportion of the departmental budget fund allocated to schools beyond the current level of 59%. (AQO 193/16-21)

Mr Weir: The percentage of the 2016-17 education budget currently allocated to the aggregated schools budget is just over 60%. It has slightly moved up proportionately, I think, because of some of the other reductions. When one is quoting any government statistics, there is always a slight degree of caveat to be added to that. On top of the 60% that is in the aggregated schools budget, around an additional 12% of the overall 2016-17 budget is allocated to schools from centre budgets held by the Education Authority, with a further 13%

attributable to services to them. So, about 85% goes directly into some form of schools' budgets funding. For example, all special schools are paid for directly out of the block grant that comes to the Education Authority. Classroom assistants and home-to-school transport are not paid for through the aggregated schools budget, and those are fairly substantial funds.

While adding that caveat, it is my intention, as Education Minister, to give greater freedom and autonomy to schools over how they spend their budget. I want to do that in a considered way to see how we can get a level of advantage to have that greater level of autonomy, so, over the next few months, I will give that some consideration.

I believe that there are a lot of things that are very worthy in education, but I regard the front-line delivery in schools, if you like, as the key priority. I will give priority to schools funding in future budget allocations, and I will continue to argue in the Executive, within the constraints of the overall Northern Ireland Budget, for additional funding for schools where possible.

Mr Dickson: While I appreciate what the Minister has informed the House, why does he not appear to have the same confidence in school principals and boards of governors in Northern Ireland as his colleagues in England, Scotland and Wales, where, traditionally, they have given a much higher percentage of departmental budgets to schools for them to administer locally? After all, governors and school principals should know best how to deliver for their local schools.

Mr Weir: I have every confidence. The Member will realise that the distribution of funding cannot simply happen overnight; it needs to be carefully thought through. In Northern Ireland we have about 1.8 million people. We have to look at where there are direct economies of scale but give that opportunity to schools to spend a greater percentage of their budget. The direction of travel for the percentage of the overall education budget and what can be directly spent by schools will be upwards while I am Minister.

To be fair, we also have to realise that sometimes, when we compare Northern Ireland with England, for example, there is a very different school system in England that has evolved over many years. Also, to some extent — this is true of almost any form of statistics — you are not always absolutely comparing like with like. For example, we have a situation now where £85 million is spent on classroom

assistants. That is spent directly in classrooms, but it does not appear in the line for the aggregated schools budget. We have to make sure that, when we talk about levels of school spend and school autonomy, we are talking on a similar basis.

Mr Deputy Speaker (Mr McGlone): I remind Members that, if they wish to speak, they should stand. Those who have provision made should let us know.

Mr McGrath: Does the Minister agree that it is difficult for principals to effectively budget in area learning communities when some of the funding has to be claimed retrospectively? Will he undertake an investigation into this to ensure that risks are not taken by principals, and that all support that can be offered to them is offered to them?

Mr Weir: There is always the possibility of some bolt out of the sky in terms of funding. I want to make sure that whatever announcements are made, even if it means taking a little bit more time and be it either capital or resources, are then stood over. The one thing we want to avoid, as much as possible, is uncertainty. If there is a particular problem of area learning communities receiving their money late or having to claim it back retrospectively, I will be very happy to look into it and see how we can move that forward for 2017-18.

Mr Logan: Has the Minister any plans to review the common funding formula?

Mr Weir: The common funding formula, and associated formula funding arrangements, are kept under constant review. There was a previous independent review in 2013. I want to try to ensure particularly, as I mentioned earlier, that there may be a little more flexibility on the capital side, but there is no doubt that anybody in education, particularly in schools, will tell you that resource funding is very tight at the moment. What I want to do is to examine the common funding formula to make sure that it is fit for purpose — that, where money is actually happening, it is going the right way and getting the maximum advantage. I will be keeping it under review to try to ensure that the best possible support is given to schools across the board.

Mr McElduff: I ask the Minister if he has any message for school principals who are feeling the pressure of reduced school budgets and the possibility of the loss of teaching posts and bigger sized classrooms. Is there any good

news emanating from the Department and the Minister on that front?

Mr Weir: I always like to be the Minister for good news. Unfortunately, it does not always work out that way. I am working on the situation, and I hope to be in a position in the near future to be able to give some level of additional support to schools from within the budget. People have always got to remember that any money going to schools from within the budget is being cut elsewhere. We have to make sure we do not have our cake and eat it. The prioritisation of trying to retain as many jobs as possible will also be a key focus as we move ahead. I hope to be able to say something in the near future on that issue.

Mrs Palmer: I thank the Minister for his determination to make sure that the Department gives schools more control over their budgets. When you are looking at this review, have you a timetabled plan in mind to execute it?

Mr Weir: In terms of any short-term action I can take within 2016-17, I hope to be able to announce that reasonably soon. On other more strategic issues, I will want to take a little bit of time. In that regard, it is important to get things right. Moving forward, the other critical factor in terms of the level of support that we can give schools will be getting a clearer understanding of the 2017-18 budget, because that will show the level of room for manoeuvre.

I have no doubt that we have a lot of school principals who are trying to manage their budget under very difficult circumstances, and the vast bulk of them are doing that in a very responsible fashion. I want to see what additional help can be given to them. In the short term, I am not going to be able to promise miracles, but, hopefully, there will be some help that will be given in the near future directly to schools.

Preschool Admissions Criteria

4. **Mrs Cameron** asked the Minister of Education whether he plans to revise the criteria for preschool admissions. (AQO 194/16-21)

Mr Weir: Preschool education, while not compulsory, is an important phase of early education. If a preschool setting, either statutory or non-statutory, is oversubscribed, it will apply admissions criteria in order of priority. The preschool education providers set the admissions criteria. There is some evidence which shows that children from socially

disadvantaged circumstances tend to experience more difficulty at school than others, so there has been a priority given to this within preschool admissions as part of a wider effort to tackle educational underachievement. I want to look relatively closely at that to ensure that, where we are using definitions of children's socially disadvantaged circumstances, they are the right definitions, so there may well be an examination of that. Preschool provision has moved on from the original position, which was effectively a very much rationed situation. We have now moved much more closely to pretty much every child having the opportunity for some level of preschool education. I want to take that into account as well to see whether the original intentions are now being delivered in a fit-for-purpose way. If it arises that I am looking for any proposed changes, those will be subject to public consultation.

Mrs Cameron: I thank the Minister for his answer so far. Does he agree with me that the criteria that give automatic admission to those who are claiming benefits disadvantage those parents or guardians who are working?

Mr Weir: I want to look at that issue. We do not want particular families to be disadvantaged because they are working parents. When a lot of this was brought in, the focus was, rightly, on there being a scarcity of places. We are now at a point at which some 87% of people get their first choice of preschool place, roughly 92% of people are applying directly, and 99.9% of people now get some form of place. We have to make sure that the system is fit for purpose.

There is another allied issue. In recent years, to be fair, the Department has built in more flexibility with preschool places. Across the board, there is a good argument that, in Northern Ireland, we have roughly the right number of preschool places, given that 99.9% of people obtain a place. The issue is whether, in some places, there is a geographical disjoint so that you get "hotspots", which are oversubscribed, and, in other places, there is not quite the same pressure. It is also about aligning that side of things.

Mr Allen: Is the Minister aware of any shortage of preschool places in east Belfast? Has he any plans or proposals to address that?

Mr Weir: I do not have the figures for the individual circumstances of east Belfast directly to hand. Across the board, overall pressure has levelled off. As I said, I want to establish whether there are hotspots. Until relatively recently, numbers were entirely capped, and

you could not move beyond 26 places. Since Learning to Learn was introduced in 2013 — people are not 100% aware of this — schools or nursery units can ask for temporary variations and the flexibility to ask for up to four additional places. An approach is not filtered through the EA or the Department; it comes from preschool groups themselves. This year, across Northern Ireland, 142 additional places have been approved to date. I will get back to the Member with specific details for east Belfast.

Ms J McCann: In a previous answer, the Minister mentioned widening the criteria. I know that priority has to be given to families who are most disadvantaged and in need. In the last mandate, there was a call to look at working family tax credits being considered, as they are benefits for families who have a low income even though they are working. Has the Minister any plans to widen the criteria to include working family tax credits?

Mr Weir: I am relatively open-minded as to how we take things forward. I want to try to ensure that any prioritisation is fit for purpose. I want to look at that in the wider context, and it might involve working family tax credits. Do not forget that there is a process of welfare reform, so we will probably need an examination of the qualifiers for any of these things anyway. I want to take a wider look and ensure that anything I do is evidence-based, so that some parents do not feel that they are losing out while others are getting something. If there is prioritisation, it must be directly fit for purpose. I will not prejudge any examination of that. Whether it is a case of widening the criteria or changing the definition, I am open-minded about the route it takes.

Mr Agnew: The Minister mentioned that 99.9% of children get places, but he is aware of a particular problem for those with special educational needs. What is he doing to increase provision for them, particularly in the north Down and Strangford area?

3.15 pm

Mr Weir: I suspect you might have beaten the honourable Member for East Belfast to the punch on the nursery provision. The Education Authority is doing a strategic review of that. It is critical to note that there was an increase in numbers this year that had to then be catered for. The overall Education Authority review will try to put something in place for 2017-18 that is much more fit for purpose. That will involve, for instance, the input of not just the Department

and others but the parent/stakeholder group in particular and a group of professionals who will give advice on it. As for the timescale, I think we are looking at a report initially appearing and then, so that it can be fully implemented, the eventual report being with the Department in March 2017, with, hopefully, full implementation of something that is fit for purpose from September 2017 onwards. It is important that we get that sort of provision right and get it right in a more long-term manner. Inevitably, at times, we and the Education Authority, in its placements, will have to move in quickly in particular circumstances to try to provide additional support. I think it is important that we do that in a much more strategic way if possible so that, hopefully, some of the problems that have arisen do not arise again.

Mr Deputy Speaker (Mr McGlone): That ends the period for listed questions. We will now move to 15 minutes of topical questions. As topical question 1 has been withdrawn, I call Alex Easton.

St Columbanus College: Temporary Classrooms

T2. Mr Easton asked the Minister of Education, in light of the increased number of pupils at St Columbanus College in Bangor, whether he has any plans to provide an increased number of temporary classrooms. (AQT 147/16-21)

Mr Weir: I am aware of the very active interest in this issue, and I know that the Member has lobbied very strongly on it. There is obviously a longer-term issue for St Columbanus being in many ways the victim of its success, given the sheer volume of people who are looking in. As for temporary provision, I understand that the school has been provided with two additional mobile classrooms for 2016-17. Those are due for completion very soon. There are also, I think, due to be two additional modular classrooms in time for 2017-18.

Officials from the estates operations team have been working closely with the school to address accommodation needs and are, I think, due to meet the school principal tomorrow to discuss potential future minor works. We were able to announce a certain amount of investment in minor works over the summer period. Over the last five years — I appreciate that for a lot of schools this will be a poor substitute for, ultimately, a decision on a new build — the school has received an investment of around £1.3 million for various projects involving minor works that cover a range of things such as not just the temporary classrooms but window

replacement, lifts, toilet refurbishment, changing room refurbishment, partial rewiring, concrete repairs and road barrier installation.

Mr Easton: Does the Minister believe that the temporary classrooms will definitely be in place for next year, given that there will be an increase in numbers again? Is that a definite?

Mr Weir: Again, I want to be in the position where direct announcements are done with a degree of definiteness. To give the Member an idea of numbers, there was an approval a while ago to increase enrolment in a phased manner from about 525 to an eventual position of 750 in 2025. Following a scoping exercise by the Education Authority, a double modular unit to be used as general classrooms was originally due to be on-site for the start of September. The advice we have from the Education Authority is that it will be in place for mid-September, so it will be happening literally in the next few days. Similarly, for 2017-18, we will work closely with the school and the EA to ensure that the further double mobile is in place for September 2017. Although I appreciate that neither will provide a long-term solution, they will at least ease a certain level of the burden on the school. I met the Member and representatives from the school, and I think we had a very useful discussion on the issue to try to provide that level of alleviation.

Transfer Test: Preparation of Children

T3. **Ms Boyle** asked the Minister of Education whether he is concerned by the level of opposition being expressed by principals, teachers, parents, trade unions and some Churches to his decision to reverse departmental policy and thus allow teachers to mentor primary schoolchildren ahead of the transfer test. (AQT 148/16-21)

Mr Weir: In the preparation of the children? Obviously, it is up to individual parents to enter their children for the tests. From that point of view, there is no other education issue that I could pick out on which there is a greater division of opinion in society as a whole and in the House. The Member mentioned concern about the level of opposition. I am quite heartened by the number of people from all the different groups who have been in touch with me who have said that this is the right way forward. In particular, I am heartened by the number of parents who have been in contact and even people whom I have run into in the street who are very happy with the decision.

I appreciate that the nature of this decision meant that, irrespective of whether it was me or the previous Minister who made it, there would be people who would be opposed to it. We have to reflect the reality of the situation. There is a division on the issue of selection and the transfer test, but it is also the case that, irrespective of our own individual views on that, it is something that is legally allowable. It is clearly happening, and it is here to stay.

Earlier, Mr Dickson mentioned the issue of autonomy in schools. This is essentially a memo that is permissive in nature. To be perfectly honest, it is permissive to bring out into the open what has been happening in an awful lot of schools behind closed doors up until now. They have not necessarily been admitting it to the Department of Education, but the kind of preparation that is ongoing is something that is happening at present. This allows simply for the threat to be removed. If I can remove threats from schools, that is an important step forward and it is one that a lot of people in Northern Ireland will strongly welcome.

Ms Boyle: I thank the Minister for his response. What guarantees can you offer those pupils, and their parents, who are not undergoing the transfer test that they will not be sidelined or left behind if teachers decide to prepare those pupils who want to sit the transfer test in valuable class time?

Mr Weir: I have great faith in schools to provide sensible solutions. I am not compelling schools to do anything; it is up to the schools themselves to do it. I reiterate that this is something that is already happening. It may not have been officially sanctioned until now and it may be a situation that has not been officially admitted to, but every child will receive the full curriculum. There is no diminution of that, and I have faith that schools are putting in place the arrangements that they want in order to ensure that. Our schools have a great pastoral record, and I have faith in their ability to look after the education of all their children. I believe that schools will deal with that opportunity and the challenge that lies ahead for them.

School Transport

T4. **Mr McMullan** asked the Minister of Education whether all schoolchildren who are entitled to school transport are receiving school transport. (AQT 149/16-21)

Mr Weir: From that point of view, I know that there is fairly extensive entitlement to school

transport. Indeed, where someone has been denied school transport and feels that they should be receiving it, there is an appeals mechanism on that basis. At the moment, there is about £75 million in the budget for home-to-school transport, so it is pretty extensive. Can I guarantee that everybody who is entitled to it is getting it? To the best of my knowledge, that is the case, and, indeed, there are appeals mechanisms for that. Can I guarantee that everybody who is potentially entitled to claim it does so? I suspect that it is not necessarily the case that there is universal claiming in any situation. There will be different transport arrangements for some people in that regard. I would encourage anybody who is entitled to take it up to do so, but I cannot give a guarantee that there is 100% take-up.

Mr McMullan: I thank the Minister for his answer so far. Will he resist all or any attempts by the Education Authority to reduce rural school transport in future?

Mr Weir: I appreciate that there is a wider context in which we look at where budget lines are divided. School transport is under the authority of the Education Authority; ultimately, it will take the decisions. We want to protect the various services as best we can.

However, we are in a difficult financial position. If, for example, we are trying to protect the very front line of the money going into the aggregated schools budget, there will be certain pressures to make efficiencies within the Education Authority. The question is whether every decision made will be the best decision. Indeed, I am sure that some will argue that not every decision that comes out of the House is necessarily the best one possible.

There needs to be maximum protection, but I will not dictate to the Education Authority. I will not say, "You've a certain amount that you have to save, and here is precisely the way that you have to save it." There has to be a degree of judgement. Indeed, one of the advantages of the Education Authority is that, as well as having representatives of all sectors in society, its board now has a political dimension through having representatives of the four largest parties. The authority will have to make a judgement call. Can I give a guarantee that there will not be any change at all to school transport? No, I cannot give that guarantee, but I hope that anything that is done across any sector is proportionate and protects the most vulnerable.

School Budgets 2016-17

T5. **Ms Seeley** asked the Minister of Education to detail the number of schools that are operating with no sight of their 2016-17 final budget. (AQT 150/16-21)

Mr Weir: The budgets were sent out, as I understand it, just before Easter, so all schools should have sight of their final budget. The Education Authority has particular arrangements for special schools, and their budget is spent differently, but all schools should have their final budget.

The only issue is that if, for example, as part of the process, I am able to find additional money to give support to schools, that will impact on their 2016-17 budget. I appreciate that, on one hand, that creates a certain awkwardness for schools. On the other hand, I would prefer to be in a position that, if I can do anything additional to help, I will do it, but I do not want schools to keep feeling that their finances are being drip-fed to them.

To be fair, we are caught within the wider circumstances of where the Executive Budget will be. It is also important, as much as possible, for schools to get an early sight of what their funding will be for next year and that that information is sent out as quickly as possible. That will be dependent on what level of support the Department gets from the Executive.

I am sure that the Member realises that I may have a particular bias in saying that I want as much funding as possible go into education. However, in the Executive as a whole, there will be a wide range of pressures and of very good things that they will want to sponsor, so it is also a question of how the cake is divided.

Ms Seeley: I thank the Minister for his response. What engagement has he had with the Education Authority on special school budgets and the supposed time frame for those final drafts?

Mr Weir: I am engaging directly with the Education Authority on a range of issues. There has not been a direct conversation on the detail of special schools' budgets, but I will have fairly regular meetings with the Education Authority about those and whether there are any hold-ups.

As we look towards autonomy, we need to consider what greater autonomy we can give: for example, whether it is across the board or on a pilot basis. The Department will need to look at where the division is between direct

funding for special schools and what greater autonomy they can be given. We want something that is fit for purpose, and that will also be under consideration as we move ahead.

Irish-medium Sector

T6. **Mr Sheehan** asked the Minister of Education to reassure the Irish-medium sector that he does not have an agenda against the Irish language and that he will treat the sector fairly in the future. (AQT 151/16-21)

Mr Weir: I will treat all sectors fairly. I will not discriminate against or give favourable treatment to a sector. All proposals will be judged on their merits. I am happy to give that assurance to the Member.

Mr Sheehan: Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer, but can he tell us how many development proposals from the Irish-medium sector he has approved or rejected since he assumed office?

Mr Weir: I would be happy to give the details to the Member. I have treated each development proposal on its merits. We have to look, particularly as we move towards area planning, at having sustainability across all sectors. That means there will have to be a discussion on how best to deliver for all sectors. We will be happy to write to the Member with the detail of the number of development proposals that have been put forward and dealt with and the answer in each of those cases. I think that that is largely a matter of public record.

3.30 pm

Mr Deputy Speaker (Mr McGlone): Time for questions is up. Members should take their ease while we change at the top Table.

Mr F McCann: On a point of order, Mr Deputy Speaker. I would like to apologise that I was not present for a topical question during Economy questions. It completely slipped my mind.

Mr Weir: Put him in detention. *[Laughter.]*

Mr Deputy Speaker (Mr McGlone): I do not know whether I will take the Minister's recommendation. Go raibh maith agat as sin a dhéanamh. Thanks very much for doing that.

(Mr Speaker [Mr Newton] in the Chair)

Private Members' Business

Stalking

Debate resumed on amendment to motion:

That this Assembly notes with concern that for too long stalking has remained a hidden crime, which is not only insidious and terrifying, but can result in psychological harm and, in the most serious of cases, murder; and calls on the Minister of Justice to examine whether the introduction of new legislation to protect and safeguard victims of stalking is needed in Northern Ireland.

Which amendment was:

Leave out all after "Justice" and insert

"to develop and table new legislation to enable crimes of stalking to be prosecuted based on the stalker's behaviour and the effects on the victims."

Ms S Bradley: At the outset, I would like to place on record my unreserved support for the motion and the amendment. I further wish to thank Brenda Hale for bringing this, perhaps overdue, motion in front of the House. My party colleague Claire Hanna and others have rightly highlighted the need to ensure that efficient, clear and accessible legislation is put in place to target the increasingly common and serious crime of stalking. Many across the House highlighted the fact that there is no legal definition, but good attempts and suggestions have been presented today for consideration. Contributions across the House made for difficult listening at times, and there has been a very truthful sharing of information. Researching the topic also threw up uncomfortable reading material and some shocking statistics, which have been also shared across the House.

Many Members rightly referred to reports suggesting that the misuse of social media is perhaps now helping to fuel the increasing incidence of stalking. It is also true that many high-profile cases have given us an insight into the horrors experienced by those subjected to this heinous and often delusional crime. We are all now aware that a crime once perceived to be reserved for celebrities and high-profile personalities no longer conforms to such boundaries. The Office for National Statistics states that one in six women and one in 12 men

have experienced stalking offences, but some argue that even that shocking statistic is grossly underestimated. That is a notion that I subscribe to. Consider that, as has already been reported today, most people receive their 100th incident before they actually contact police and report the stalking. We cannot help but ask this question: how many cases go unreported? For now, we might just have to accept that we do not have an accurate reading of the true scale of the issue. While legislation is lacking and stalking has not been given due recognition as a serious crime, those affected by it are more likely to feel disempowered in reporting this crime. There is, however, sufficient evidence in the public domain for the House to recognise and realise the need for early and effective legislation.

It was reassuring to listen to the House speak in unison on the motion and the amendment. I welcome the fact that the Minister of Justice was present throughout the debate to hear the overwhelming support that exists for new legislation for this specific crime. The Minister expressed full support for the motion but, unfortunately, fell short of giving 100% support to the amendment.

I recognise that, but, as the topic is discussed further and the knowledge base deepens, I ask the Minister to reflect on her position. I also ask that she takes her steer from the people who are affected by the crime of stalking.

The Minister rightly linked the debate on stalking to domestic violence. The Metropolitan Police Service found that 40% of victims of domestic murder had also been stalked, but legislation on stalking as a specific crime is missing from our statute books. Members across the House rightly pointed out that any legislative framework must reach deep into the roots of the problem and help cultivate a culture that enables those targeted by stalkers to come forward with confidence. Suggestions for the requirements include up-to-date training for the Police Service and the introduction of additional services and support contact points. The framework will also require authorities to have the ability to take swift and immediate action to protect the well-being of those affected. There must be properly policed restraining orders and the notion of national and international stalker registers, particularly for those who are identified as persistent stalkers.

Ultimately, if an alleged stalker is found guilty, sentencing must reflect the harrowing and serious nature of their crime. Likewise, rehabilitation should form a large part of any sentencing. Perpetrators' perceptions of reality

need to be broken down, allowing them to see things from the perspective of the targeted person. Of course, the fear of danger does not end there for the person stalked. There will always be that dreaded release date. The stalked person will inevitably fear an aggrieved stalker presenting to seek revenge.

Mr Speaker: I ask the Member to conclude her remarks.

Ms S Bradley: Thank you. Good legislation and failed legislation on stalking has already been introduced in many countries. It is now time to study it and make a Northern Ireland model. Stalking is a cruel, manipulative and appalling crime —

Mr Speaker: I ask the Member to conclude her remarks.

Ms S Bradley: Thank you, Mr Speaker. Perpetrators should know that any law will reflect that.

Mrs Cameron: I rise to support the motion and to thank my colleague Brenda Hale for bringing this incredibly relevant issue to the House today. I declare an interest as the chair of the all-party group on domestic violence.

As we are the only part of the United Kingdom without specific legislation to deal with stalking, the people of Northern Ireland are being left in a vulnerable and exposed position. It is incredibly alarming that people in our part of the United Kingdom are not being afforded the same protection and are at greater risk from perpetrators and their actions than our neighbours in mainland UK. With the increased use of social media, the opportunities to make a person's life a misery are infinite and easily accessible. Societal changes have meant that the lines of what is acceptable behaviour are often blurred, particularly with the Internet and social media. Without legislation, victims are at risk of serious psychological and physical harm whilst perpetrators are allowed, without sufficient deterrence, to continue and, in most cases, escalate their behaviour. With so many victims of stalking falling between the cracks in legislation, we are failing to protect victims from serious mental distress, physical injury and, in the worst cases, rape and even murder.

Most of you will be aware of my work with Women's Aid. Sadly, it appears that instances of stalking go hand in hand with domestic violence. With one in eight crimes reported to the PSNI being of a domestic nature, it is clear that, with such a high volume of occurrences,

stalking will undoubtedly be involved in many of those cases. It is widely recognised that domestic violence has a huge impact on the economy through the cost to the health service and the justice system and in providing emergency housing. Women's Aid estimates the cost to be in the region of £180 million per year. That is a financial burden that Northern Ireland can ill afford. Given the financial implications alone, we should be looking to multi-agency and joined-up working to ensure that we do all that we can to remove this blight on our society.

The introduction of specific stalking legislation would be a small but enormously impactful step towards dealing with stalking, particularly in the context of domestic violence. With stalking being such a menacing and underhand offence, victims often do not realise that it is happening until it has spiralled to a distressing level. Victims can suffer anything from being watched, physically and virtually, to harassment and intimidation. While England and Wales have recognised that the Protection from Harassment Act 1997 was not specific enough to deal with stalking, Northern Ireland has not given the PSNI and the courts the powers to deal effectively with the offence. Under current legislation, stalking is not recognised as specific behaviour, and it falls short in recognising that serious alarm or distress causes the victim harm. That, therefore, means that perpetrators are only prosecuted under a section 2 summary offence as no violence has occurred, are dealt with at Magistrates' Court level and can be free to resume their threatening, intimidating and sinister behaviour within months of release from prison. Given the scope for the problem to grow exponentially with the explosion of social media, we urgently need legislation to protect people from unwanted or unsolicited contact.

The changes to the law in England and Wales occurred following a parliamentary inquiry into the efficacy of the Protection from Harassment Act 1997 in dealing with the perpetrators of stalking. The inquiry found that the law was not fit for purpose, and changes were made that reflected changes already made to Scottish law in 2010. I call on the Minister of Justice to recognise that, if a law has been recognised as not fit to protect victims of stalking in England, Wales and Scotland, it should not be accepted for the people of Northern Ireland.

I want to add some comments from the other Members who contributed to the debate. I am pleased that so many took part in a very full debate and, indeed, that there was support across the Chamber for the motion and the amendment. I very much welcome that.

The proposer of the motion, Brenda Hale, spoke about her experience of helping constituents in dealing with what really is a crime of stalking. She talked about the fact that there is no legal definition of stalking. She very powerfully quoted a victim of stalking and the horrors of that experience. She talked about the PHA and said that that was not an effective tool against stalking, and she spoke of the Department's strategy and the need to include stalking in that strategy. She welcomed the amendment and the support from the SDLP for the DUP motion and called on the Minister to deal with the lack of provision to deal effectively with stalking in legislation.

Claire Hanna proposed the amendment to support and strengthen the motion. That was very much welcomed. She said that some men felt a sense of entitlement towards some women. She also talked about the fact that there was no legislation on stalking in Northern Ireland. She mentioned the stopping domestic and sexual violence and abuse strategy and how it does not deal effectively with stalking. She wanted a commitment from the Minister to address stalking legislation.

Declan Kearney said that there had been no measurable progress on the subject, despite it having been discussed around the Chamber since 2012. He also mentioned that men and women were impacted by stalking.

Doug Beattie said that the debate on the motion might be looked on as a "soft debate", but he clarified that by saying that it was not. He said that stalking is a crime that robs people of their dignity — how true is that? He said that there was a need for a specific offence of stalking. I think that he was the first to mention that there may be 100 incidents of stalking before a report is made to the police. We know that that is even worse than the domestic violence statistics, where, I think, there are over 35 incidents before a report is made to the police.

Trevor Lunn supported the motion and the amendment. He paid tribute to Mrs Hale for bringing the motion to the Chamber. He talked about the Policing Board not having the statistics to record stalking and compared the difficulty of defining bullying and cyberbullying with stalking.

Paul Frew spoke next. He said that stalking could be and sometimes was the butt of many a joke. He referred to the seat belt law and what is enforceable and talked about how that law had saved lives. He also said that workplaces, neighbourhoods, streets and homes were becoming prisons for victims of stalking and,

again, that there was no law to protect them. He said that harassment was a completely different subject and that stalkers were often delusional.

Michaela Boyle spoke next. She said that we needed to look at the lessons learned in the rest of the UK in bringing forward stalking legislation. She also said that the courts needed the right training and that appropriate sentencing was required. She asked the Minister for a robust media campaign on the subject.

Sandra Overend said that the right to be protected and supported for those who are being stalked was needed.

She said that there was more opportunity than ever to stalk through social media and talked at length about the online situation. That requires, she suggested, in what was a very good point, more action to educate children on the subject of appropriate Internet behaviour.

3.45 pm

Pat Sheehan encouraged victims to keep a log and evidence of stalking behaviour. He also mentioned that our police officers required proper training to deal with the subject.

Roy Beggs talked about the different forms of stalking that take place.

That is a summary of a lot of what was mentioned here today. The mood of the House was very much in favour of making stalking a specific offence under the Protection from Harassment (Northern Ireland) Order. That would, of course, bring us into line with the rest of the United Kingdom, which I would welcome.

As the chair of the all-party group on domestic violence and from my work with Women's Aid, I have had a unique insight into the aftermath and devastation that domestic violence has for victims and families. We must enforce the message that violence against a partner is simply not acceptable. I appreciate that not all instances of stalking take place in the context of domestic violence, but I believe that the introduction of legislation to isolate it as a specific offence will identify some much-needed boundaries and act as a deterrent to aggressive and unacceptable behaviour. It is important too, when the 2016 consultation results are published, that we look at the recommendations to see whether any can be included in a possible stalking protection order for Northern Ireland.

Finally, I welcome the Minister's comments so far and her public commitment to dealing with domestic violence and stalking. It is brave of her at the outset to make these bold statements, and I look forward to working with her on the Justice Committee and seeing this type of legislation come to fruition.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly notes with concern that for too long stalking has remained a hidden crime, which is not only insidious and terrifying, but can result in psychological harm and, in the most serious of cases, murder; and calls on the Minister of Justice to develop and table new legislation to enable crimes of stalking to be prosecuted based on the stalker's behaviour and the effects on the victims.

Housing Selection Scheme

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

Mr F McCann: I beg to move

That this Assembly calls on the Minister for Communities to bring forward a replacement to the housing selection scheme that ensures a fairer and more transparent system of assessing housing need.

The motion highlights the serious difficulties with the housing selection scheme. I have raised the issue in many different forums and meetings over the years, most recently with the Minister for Communities several months ago. The Minister accepted that there were concerns about the present system used by the Housing Executive to allocate points to those on social housing waiting lists. There is a need to move forward. I accept that the Minister is not long in post and will need time to reflect on how to deal with the problem, but I also believe that it is timely for the Assembly to debate the workings of the scheme.

We need to focus on making changes to the selection scheme that take into consideration its limitations when it comes to what are known as

areas of high demand and also the allocation of points to a number of categories of people whose serious circumstances are not recognised under the present system. The motion calls on the Minister for Communities to bring forward a replacement to the housing selection scheme that is fair and transparent. It is widely recognised that the present scheme has serious flaws and condemns people living in areas of high demand, such as west Belfast, north Belfast and Derry, to lengthy stays on waiting lists before being moved to a home, although there are other parts of the North where problems exist. Failure to grasp the nettle now will condemn applicants to lengthy stays in hostels, in overcrowded conditions.

The scheme has other deficiencies. For many, declaring as homeless is a very traumatic experience. For many, it begins in a Housing Executive office, which, in my experience, is intimidating and lacks privacy, especially the Belfast office. It needs to be observed to appreciate the seriousness of the first stages of declaring as homeless. I have heard it described by those who have gone through the process as being a cattle market with little privacy. I have also heard from those who work in the executive that little training is available for those who work on the front desk on how they should speak to or inform people who are looking to be placed on the waiting list and pointed.

That is a life-changing step for many. The journey from first contact through the selection scheme to gaining the right level of points and on to being allocated a home impacts on parents and children alike. I understand that, in past years, there have been a number of reviews of the housing selection scheme, yet little in the way of firm proposals. The more recent review has been the pre-consultation review, which made suggestions around a system of banding, or choice-based lettings or a different way of allocating points. Many of the suggestions do not take in the reality of housing in the North and the difficulties that exist for housing providers and those looking for housing.

I believe that the Minister wants to move the issue forward. I say by way of advice that, when looking at a way forward, there is a wide range of experts out there, from the voluntary housing sector, the Housing Executive, housing associations and the Department, who, if pulled together, could look at the present system and its flaws to see whether it could be made to work. Doing nothing is not an option.

It is heartbreaking for a family to begin the journey of declaring as homeless. When you declare as homeless and have dependent children, the Housing Executive has a responsibility to find you temporary accommodation in either a homeless hostel or a single let. You are then assessed and allocated a level of points that it says reflects your circumstances; for example, 70 points for being homeless and an assortment of other points. Many of those who accept a place in a hostel at the declaration stage might go into it with 120 or 130 points and, at the end of six months, get an additional 20 points, reflecting the length of time spent there. That could bring them up to 150 points, but if they had indicated that their area of choice was an area of high demand, where they might need family support, they would need 180 to 200 points to be housed. As a result, they could then sit for years in a hostel, with little chance of being housed. The housing selection scheme does not take that into consideration. I have dealt with cases in which people went into hostels when their first child was born, and, when the child had started primary school, they still had little chance of being housed.

There are the most serious of situations. People may be in a very abusive relationship and, when declaring as homeless, report that they are in constant danger of attack, only to find that the selection scheme lets them down and will award them possibly only an additional 20 points. The same goes for people who may be under threat in communities from antisocial elements or violent neighbours. Their life may be in danger, but what they are offered is to take part in mediation with the very people who are intimidating them. Many leave their homes and head into the private rented sector after being awarded only 20 points, which does not reflect the seriousness of their circumstances.

You have the situation, however, of people claiming that they are under threat from a group or have been sent a bullet through the post. After going to the police, they can be awarded 200 points or more, which puts them at the top of the waiting list. That cannot be fair. Many believe that those claims of intimidation are bogus. When the housing provider contacts the police, they confirm that they are investigating a threat to the life of the applicant and that they believe the person's life to be in danger. I have spoken to the PSNI, which has told me that there is little in the way of investigation into those cases, and that is obviously very frustrating for housing providers and those who know that they are being cheated out of a home. Indeed, they may have been sitting at the top of the waiting list at that particular time. They know that many of these claims are bogus

and are being used as a method of jumping the housing waiting lists.

I recently asked the Minister to suspend the intimidation system until a proper way of verification can be established, rather than having the flimsy procedure that exists at present. When you consider a woman who feels under threat and individuals and families who are really living in fear, then those who use intimidation as a method of jumping waiting lists, you see that it is not surprising that most people feel they are dealing with a broken system.

There are more than 40,000 people on waiting lists, with close to 20,000 declaring themselves homeless every year. Whilst that is a terrible statistic, there is also a hidden statistic: those who apply for homeless status and are refused. Thousands of young people are turned away because they are young and are perceived to be healthy. They are told that the Housing Executive has no responsibility for their housing situation and will not point them. They are advised to go into the private rented sector, which has many pitfalls for young vulnerable people. It is unregulated, and there is no system of tracking those young people, so many end up lying on friends' floors or sofa surfing.

I represent a constituency that has 4,077 people on the waiting list. Of those, 2,939 are in housing stress; 1,203 are single; 1,129 are classed as small families; 302 are older people; and 185 are large families, 88 of which are classified as large adults. Over the last year, there were 772 allocations, which in itself tells a story: the story of a lack of housing supply. The bottom line is the need to build more houses, and when they are built, to have a system in place to ensure a transparent selection scheme that is about fairness.

I ask you to support the motion. I ask the Minister to take the lead in the discussion and make the changes required to ensure that it be put in place.

Mr Bell: I think the whole House will endorse the import of the motion, which is that we take a fresh look at and look towards a replacement for the housing selection scheme. I welcome not only that the Minister is here today but that he and his Department have stated that they are open and are engaged in looking at what we can do to ensure that the housing selection scheme that we come forward with is fair and, as importantly, can be seen to be fair.

Assessing housing need is incredibly complex. We would all love to work on the basis that everybody who brings the information to us is honest and that the material we are dealing with can be equally weighed. Yet we have seen a trajectory from housing policy that started, it would seem, with the idea of, "Look, we will assess you from the time that you were first placed on the list, and that will be the criterion we then use for all subsequent future allocations", right through to what I believe was a better attempt to distil down within those lists where there was urgency and identified need and to come up with a process that was fair to everybody involved and defensible. There needs to be a fresh look at that to see what we can contribute through modernisation to ensure that fair transferable knowledge and policy can be made. I welcome that the Department is looking towards that.

We have all faced the problem in our constituency offices of intimidation. I share some of the issues that the honourable Member raised, particularly on confidentiality when people are discussing their housing situations. I have been — I am sure this is not unusual to any MLA in the House — in public bodies and with the Housing Executive, and, without wanting to, have been able to overhear people's conversations. Those involve people who are at their wits' end. In many cases, they are revealing very private details about their life. The particular case I am referring back to was about domestic violence. A very fair point was made right at the start of the debate, which was this: whatever we do, we should look in that assessment at a more person-centred approach that would allow people dignity, particularly when they come often. We heard in earlier debates about the hassle and abuse that people take before they finally make the move. When they finally make the move, they are often at their wits' end. There is a need for people to be treated with dignity and respect within that.

4.00 pm

We have to look at the issue of intimidation. We have to be honest that it occurs, but equally we have to be very sharp to the fact that intimidation should not be used inappropriately to move somebody ahead on a list to somewhere where they otherwise could not be without — this is the key part — valid reason. We do not want to see the system being abused, and we can reflect on the good practice that we have. We have had two good reports looking at Northern Ireland and good practice in GB, and we should distil from those the important points so that we end up with a

policy that reflects, not only what has occurred in the past but the knowledge that we have gained within that.

We also know the issues of homeless people who are making applications on the basis of unsuitable accommodation, and I would like the Department to look very seriously at the issue of unsuitable accommodation. I should have declared at the start, although it is on the register, that I am a landlord. I have visited homes in the private sector, made referrals and advised people about environmental health and different departments in councils. I have seen houses where wallpaper is coming off the walls and mould is growing round the windows. In such cases, people who are extremely vulnerable are forced to make a decision.

Mr Speaker: I ask the Member to conclude his remarks.

Mr Bell: A new policy, freshly looked at, is in the best interests of everyone in Northern Ireland.

Mr Allen: I thank the proposer of the motion for bringing this very important issue before us. Before I go into my comments, I declare an interest as a private landlord.

Like the last Member to speak, I have visited homes, and constituents have brought me in photographs of properties that are not fit for habitation. Those are not the type of properties that we want our constituents to be living in, so I urge that any review or reform of the housing selection scheme take into consideration the state of those homes and whether they are habitable.

There is no doubt that the current system is complex. Indeed, it is very difficult for many of our constituents who present to the Northern Ireland Housing Executive to understand the process before them. It can be a difficult and traumatic process. The issue of confidentiality was raised, and I refer to a case no less than eight months ago when an individual was charged in a Magistrates' Court for a serious breach of confidentiality. Indeed, I have had ex- and current service personnel approach me over fears and concerns about the confidentiality of their information. We need to address that, not only when dealing with constituents but when dealing with our service community.

I urge the Minister to consider in any reform or review the military covenant and take that into consideration so that our service personnel

veterans and their families are not disadvantaged by virtue of their service. I reiterate what my colleague Doug Beattie has said quite often: this is not about priority for service personnel veterans or their families; it is about making sure that disadvantage, where it exists, can be eradicated and understood by those who are implementing the policy.

I also urge the Minister to take into consideration post-separation. Since becoming an MLA in September 2015, 46% of the cases that my office has dealt with have been in relation to housing and housing repairs. Of those, a substantial number are in relation to post-separation, whereby no consideration is given to the other partner in the separation because they are not in receipt of child tax credits or child benefit, so they are not awarded any points for separation. We need to look at that, because those people do not receive the points that they should be entitled to and therefore do not progress up the points system and thus lie on it for a substantial time. Consequently, we have children who are being disadvantaged because they cannot spend time with their mothers or fathers outside the family home.

It is important to mention that there is no doubt that the most recent statistics that I could obtain before the debate are that in the region of 40,000 individuals are on the housing waiting list and that, of those, 22,000 are deemed to be in housing stress. That is a huge number, and we need to tackle that. The way to tackle that is to start to build the numbers of houses required to eradicate housing stress.

We also need to tackle hidden homelessness: the individuals who do not receive priority or full duty applicant points because they do not meet the current criteria. A lot of people sofa surf. It is not that they place a huge burden on family and friends but they are heavily reliant on them to put them up and help them in their time of difficulty. While alleviating housing need must and should remain central to social housing allocations, giving a wider range of people a chance of getting a social home might build healthier communities and support job creation, social mobility and shared futures.

Finally, when taking into consideration any review or reform of the social housing scheme, we need to take into consideration the social size criteria — the bedroom tax. How can we stand and penalise any of our constituents come 2021, post-mitigation, when we are not building adequate social housing to help people to downsize from three- and four-bedroom homes? If we are not able to help them to

transition from those houses to smaller properties, which we are not building enough of, we cannot penalise them with the bedroom tax.

Ms Mallon: I thank the Member for bringing the motion to the House. There is no point in dressing it up: the housing selection scheme, and this is the crucial point, exacerbated by the shortage of housing, is broken, and it is time to replace it. Some might think this glib, but I got into politics to help people, and, without question, the vast bulk of my constituency work involves housing. To be honest, when I meet constituents who need help and they tell me that it is a housing issue, my heart sinks because I know that, no matter how hard I work on their case, I will not be able to deliver a timely solution for them. Some have already been living in housing stress for several years before they even come to see me. Why is this the case? Put simply, it is because not enough social and affordable housing is being built, and the housing selection scheme is not fit for purpose. In fact, it is operating contrary to a number of, if not all, the system's founding principles: the principles of prioritisation based on greatest housing need, of fairness and equity, of openness, of consistency in application, of value for money and, certainly in my constituency, of a choice of where to live.

Those of us who deal with housing issues daily know that the system is being abused by some to the detriment of the many, many genuine people, not least, as Members pointed out, when it comes to intimidation, for example. Yes, there are genuine intimidation cases, and that must be recognised, and the people affected must be supported. However, we also know that there is a surge in the number of intimidation cases reported to the Housing Executive in the run-up to the release of a new social housing development. Why? Because under the current selection scheme, points mean prizes, and an intimidation case is awarded 200 points and guarantees escalation to the top end of the list. We also know of successful applications in terms of intimidation points from people with known track records when it comes to antisocial behaviour. The outworking of that system in the cases that I have referred to means that very problematic tenants are simply moved around and become concentrated in new developments, and a whole new cycle of problems begins.

The current assessment of intimidation cases that provides access to transfer for tenants with antisocial behaviour records requires urgent reform, as does the recognition of homelessness in temporary accommodation and the recognition given to unsuitable

accommodation, not least for people with disabilities, who, in my view, are the biggest victims of the housing crisis. As Members have said here, there have been a number of reviews of the selection scheme. What we need now is for the Minister to introduce a series of recommendations for its replacement and for that to go out to public consultation.

I will end by saying that behind every statistic is a human story. Their fate is determined by the system, a system often established by a group of bureaucrats far removed from the experiences and lives of those it will dictate to and define. I will share a few examples from my constituency with you.

First, a father, fighting for custody of his child in the care of social services almost lost her because he did not have enough points to secure a suitable property with the extra bedroom that social services said was an essential prerequisite for full custody.

Secondly, a young family — a father, mother and their two children — woke up this morning, for the 608th morning, in a hostel that they were told was only ever going to be a temporary crisis intervention because, despite their best efforts, those of the hostel staff and mine, we cannot get them to anywhere near the level of points required to get a house in north Belfast, which is where their children go to school.

Thirdly, there is a disabled grandmother who has full custody of her three grandchildren — two of whom have disabilities — because her daughter, the children's mother, lost her life in tragic circumstances. At the very last minute, the grandmother was overtaken by intimidation cases and lost out on a new-build property which was perfect for their physical, mental, emotional, social and educational needs.

This is the human impact of the current housing selection scheme and it is why the scheme can no longer continue to operate as it is. In reforming or replacing it, there must be proper transitional arrangements. Above all else, and I will end with this, unless thousands more houses are built — and unless bungalows are built and are no longer deemed to be not worth building because they are not profitable — any reform of the assessment scheme will be a meaningless paper exercise. If that is the case then all of us should be ashamed.

Mr Dickson: I rise to support the motion in the House this afternoon. Provision and allocation of housing has been, and remains, an extremely contested area in our society in Northern Ireland. The work of the Northern

Ireland Housing Executive and the common selection scheme ensures equality and fairness but we need to deliver better than this for our citizens in the future. We need to ensure that any scheme continues to deliver equity, fairness and transparency. None of these things should be underestimated in any allocation scheme. With 40,000 people waiting to gain access to housing, it is important to remember that many individuals and families have a variety of circumstances and reasons for needing to have appropriate housing. Others have given good examples of that in the Chamber this afternoon. People facing housing stress use the current common selection scheme because it is supposed to focus on securing housing for those in need. Yet, as referred to by colleagues, quite often it is those in need that the system fails; for example, people living in hostels, family circumstances and all of the other issues that come to the doorsteps of MLA constituency offices.

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

I accept that no system is perfect. However, we are all aware of incidents in which the current points-based system is, and can be, manipulated, often out of genuine desperation by those who see no prospect of being rehoused in a reasonable time frame. Sadly, all of us have to deal with victims of real intimidation, and survivors and victims of the past whose current housing need is completely unsuited to their deteriorating health and conditions. We need to ensure that any new system continues to protect those people without incentivising poor behaviour. Accordingly, a replacement must be sought for the housing selection scheme.

There are many recommendations in a joint University of Ulster and University of Cambridge paper on the matter but there are three areas, in particular, that should be of importance to the House and the Minister when considering a review of the housing selection scheme. First, moving away from the current points-based system would allow us to move to what is described as an active choice-based approach. This would allow people to see what is happening in the social housing market and to actively bid on properties that they are entitled to. On the surface, it would increase people's participation in the rehousing process and research has shown that this will increase success in obtaining a property.

4.15 pm

Mr F McCann: Would the Member give way?

Mr Dickson: I would.

Mr F McCann: I find the argument around choice-based lettings interesting. Most of the proposals are based on what was available in huge housing estates in England, where there were many hundreds of houses lying empty. People here are being offered choice-based lettings in areas where there are already difficulties, and, when houses are allocated, it adds to the difficulties that exist in those communities.

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

Mr Dickson: Thank you, Mr Deputy Speaker. I wholly respect what Mr McCann is saying, but, if he will allow me, I will make the point now rather than later that we need not only to review the scheme but, ultimately, to provide a much wider choice in the properties that are available, and that includes building them and providing them through other innovative schemes and methodologies. If we can widen the base, it will allow people to do what I genuinely believe they want to do, which is choose the appropriate house to live in rather than having it chosen for or thrust upon them, which is so often the problem that we face in Northern Ireland.

The current common selection scheme should not be the only option for people in Northern Ireland, and we need to invest much more heavily in co-ownership and encourage people to get involved in mutual exchanges. We should also look to develop other types of housing that will deliver for most people in need in our communities.

Minister Givan recently highlighted to the Committee the fact that £6.5 billion was needed over the next 30 years to address the upkeep of social housing in Northern Ireland. With the lack of certainty on funding, we must ensure that that is done and that we use all the best and most innovative ways of delivering housing, so that we can take the stress away from people's need to select the appropriate accommodation for them and their families and their lifestyle in terms of employment, age and medical or other conditions. It is important that we do that, recognising that we need to move towards a more integrated and open society that allows people to live where they want to live, in a society that is shared and open for everyone. The Alliance Party is happy to support the Minister in bringing forward appropriate recommendations for public discussion on housing selection.

Mr Stalford: I am happy to support the motion, and I thank Fra McCann for bringing it before the Assembly. It is timely that he has done so. The Committee for Communities has an over-representation of Belfast Assembly Members, and I think that one of the reasons for that is that all of the best people are on that Committee [*Laughter.*] No. One of the reasons is that, as a Belfast Assembly Member, I know, like my colleague from East Belfast Mr Andy Allen, that the huge majority of my time is spent dealing with housing issues. I am sure that that will be a common experience across the city, although I suspect that, for most Assembly Members, a huge chunk of their time is taken up by housing matters.

One important issue that has not yet been touched on in the debate is the way in which the present points system actively undermines the sustainability of communities. I say that because, time and again — I think particularly of communities such as Ballynafeigh — people come to me seeking accommodation in the area where they were born and reared, where their family network is and where they have roots in the community, but, because of the blunt way in which the points system operates, they find that impossible. For example, if you are looking for something in Annadale, you will need 200 points-plus to be certain of getting something there. People who were born and reared in those communities oftentimes find it impossible to stay in them, and I hope that, as we reform the system, some recognition, at least, will be afforded to the desires of those who want to live in the area where they were born and reared in the points system.

Mention has been made — I agree — of the total lack of dignity that Housing Executive clients are left with when they go through the process of declaring themselves homeless. I have been in situations similar to those that have been described by colleagues around the Chamber. For the person who is representing them and going with them to that experience it is hard, but for the person who is on the receiving end of the process it is humiliating. They have to sit in front of a bureaucrat and pour out the most intimate details of their situation, and, often times, they feel as though they are not getting a response, they are not being spoken to like a human being and they are not being treated fairly or with dignity. Reform of that aspect of the housing allocation system would certainly be welcomed.

One of the issues that have already been mentioned — I think that it is important — is the abuse of the whole area of intimidation. As has been said, you will suddenly see a massive rise

in claims of intimidation when housing is about to be released. The thing that has frustrated me many times is that often the people who are awarded the additional points for claiming intimidation are the selfsame people who made the lives of their neighbours and the communities in which they previously lived utterly wretched. People looking at the system —

Mr F McCann: Will the Member give way?

Mr Stalford: Yes, of course.

Mr F McCann: I will address that point. Many of those who claim intimidation put down as their area of choice somewhere 200 yards or half a mile down the road when they say that their life is in danger. It makes a nonsense of the whole thing.

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

Mr Stalford: The Member is absolutely right. We have all seen that before. People who claim intimidation points are oftentimes those who, as I said, were making the lives of their neighbours wretched. They are so intimidated that, as he said, they want merely to move a few streets away or a couple of hundred yards from the place where they were supposedly being intimidated.

As public representatives, we have seen all of the many flaws that there are in the system. I welcome the fact that the Minister is here today, and I hope that he will be able to answer some of the questions that have been raised. One of the issues that I have had experience of as a constituency representative relates, in particular, to young men who want to live in the place where they were born. In vast swathes of my constituency, if you are a man under 30 with no dependants, you can forget about it because it is just not going to happen. We need to make some provision and give some recognition to that group of people in order that they can stay in the place where they were born and reared.

We all know the reasons why the system was introduced — there is no need to rehash or rehearse them — but I believe that we have moved forward as a society to the point where meaningful reform of the system can be introduced that will command the support of every party in the House. I welcome the motion, and I thank — I nearly said, "I thank Councillor McCann" — Fra McCann for bringing it.

Mr McCartney: Mr Stalford talked about the Communities Committee being populated by people from Belfast: I am neither from Belfast nor am I a member of the Committee, but I assure you that housing is an item that concentrates the mind of every MLA in the Assembly. The motion today, tabled by Sinn Féin, is very straightforward, in that it asks the Minister to re-examine and take a fresh look at how we allocate houses in terms of need. That is very important.

When Fra McCann proposed the motion and when Nichola Mallon spoke, they talked about the core principles around the allocation of houses. I think that they were sound and remain sound. That is the idea of a system based on openness, transparency, following the need and allocating on the basis of need in a very equitable way.

I think that we should continue with that because, in the main, although aspects of the system are broken, other aspects remain sound. That is the basis on which we should go forward. We have seen some unanimity among Members. People feel that it is an appropriate time for a review, but we want it to be based on the system that is in place and on those principles as outlined.

Some Members have gone down other avenues such as areas of high demand and the need for more housing. That contributes to the debate. There is a need for more housing, particularly in areas of high demand. I live in Derry, which is, as the Minister is aware, an area of high demand. We have to find ways to address that.

Most people agree that the points system allows some openness. It is measurable, and people, if they wish, can measure it against the criteria set by the Housing Executive and other housing providers. Some Members touched on an important aspect of the review, which, I hope, the Minister will take forward: the way in which points are allocated for intimidation. What is described as "social" or "community" intimidation receives 20 points, whereas, if it is intimidation by paramilitaries or armed groups, it is 200 points. The point was well made: it is the living experience. If the Minister undertakes the review, I hope that he will take a particular look at the phenomenon of a new housing development reaching the allocation phase. Everybody involved in the system will tell you that there is a spike, particularly in the number of what are called "paramilitary" intimidations. We need to examine that to protect ourselves. Recently in Derry, over 300 houses were allocated over eight or nine months. A lot of

people came away disappointed from that system because, on the cusp of allocation, they were told by everybody concerned that they had enough points, but they were later told that they had failed because someone got 200 points for intimidation. Those people go away feeling cheated by the system, and we have to move to eradicate that.

It is an appropriate time for the review and for the Minister to ensure that the idea of third parties verifying intimidation should also be examined. It is my belief and that of my party that, unless people report that intimidation directly to the PSNI, the allocation of points should be looked at or examined. No one now has any reason to go to third parties. That would put some pressure on the PSNI. PSNI personnel will sometimes tell you that threats of intimidation, particularly around housing, are not investigated as they should be. As someone said, it almost becomes a free way to get a house quickly. We have to remove that. I can say from my experience — I am sure that it is the experience of all Members — that the biggest disappointment and the thing that makes people most decry the system is that they feel that they are on the cusp of being awarded a house fairly, and then, all of a sudden, the house is taken away from them by a process that everybody agrees is flawed. That should be one of the main planks of the Minister's review: to have a look at intimidation.

Mrs Palmer: I thank the Member for proposing the motion. I am happy to speak on it, and I agree with the principle that any replacement of the housing selection scheme must be fair and more transparent than before. There are a number of grievous flaws with the current scheme. We all recognise that, and we listened to Members across the Chamber concurring with each other on the housing selection scheme. I will not use the main body of my speech to list all that is wrong, but it is important to highlight a few key areas, some of which have already been highlighted. That is how important it is to Members who deal with the issue daily. We have an exciting opportunity to improve on what has been a broken and, at times, deeply unfair system. I hope that the Minister intends to grasp his chance with both hands to amend that.

4.30 pm

First, it is important to recognise that young men have been proactively discriminated against in the housing selection scheme. In cases of marriage breakdown, the assumption was that the woman, in particular a mother who

had majority custody of the children, was given priority, but that was only partially due to the lack of housing, which is still an issue, and it is a problem that has yet to be addressed. It is also understandable that the well-being of children was central to decision-making. However, the outflow of that was the creation of a significant class of young, vulnerable men who often had nowhere to go; we heard in the Chamber about couch surfing. They have become victims of crime, become involved in crime or, even worse, suffered poor mental health as a consequence of the system that is failing them. Any new scheme must take that into account and seek to address the imbalance.

Secondly, I wonder why it is not possible to have two lists for housing need: an A-list for those without specific considerations, and a B-list for those in more urgent special circumstances. My fellow Members across the Chamber will know that the overwhelming majority of housing cases we deal with are emergencies: people dealing with disabilities, victims of intimidation or those with large families. What that means is that those falling outside those critical criteria are often left in the shuffle. We need a system that addresses the seriousness of those in grave need of housing but which does not leave all the others to languish in temporary accommodation because of the poor points system. Having two lists would be a step forward and allow for a better, joined-up approach in dealing with housing allocation. It would mean that those in the most urgent need would be automatically prioritised, but that those still in need but not in special categories would not simply be allowed to languish.

Finally, I would like to ask the Minister to consider how the Department deals with the issues of antisocial behaviour and intimidation. We have heard it all; we have heard all the Members talk about it. While charities do their best, I feel that it is unreasonable to rely so heavily on their assessments. I argue that, moving forward, that is a service that should rightfully be carried out by the Department; it should not be farmed out to charities. All allocations and assessments ought to be handled by a central unit in the Department. Furthermore, community consultation is an important part of many of the housing allocations. However, its use ought to be reformed. We heard about the intimidation and the bullets in the post. We heard about all the resettlement payments — well, we have not, actually. There are resettlement payments for those deemed to have been intimidated. It is maybe £600 to resettle into a new area, and

whoever wrote and sent the bullet in the post gets a percentage of that. That is the deal that is cut across Northern Ireland. That is the corruption of the system, and we need to address that system urgently.

Additionally, with the B-list for those with special considerations, there is an obvious need for anonymous consultation to protect proposed tenants. There should not be a community veto on proposed tenants, and more must be done to proactively protect people moving into or living in areas away from paramilitary threats.

Mr Deputy Speaker (Mr Kennedy): I ask the Member to conclude her remarks.

Mrs Palmer: We cannot allow paramilitaries to pick and choose who lives in which area. While due concern and care must be given to genuine threats, if we continue to allow so-called community vetoes, we are increasing the stranglehold that paramilitaries have over communities. The role of community representation in housing allocation must be urgently reviewed.

Mr McCrossan: I welcome the opportunity to participate in today's debate on an important issue that is plaguing my constituency of West Tyrone and many others, as we heard in the House today. It has left tens of thousands of vulnerable and helpless people across the North without adequate housing. The supply of a good standard of housing is a basic human need. When you come from a constituency that is rife with deprivation and unemployment, social housing is absolutely paramount for children to ensure that they have a roof over their head and that they get the best possible start in life.

That should be a priority for the Assembly in this new mandate.

Some would say that the provision of social housing is reaching crisis point. I strongly argue, having listened to the contributions from Members today, that we are at crisis point. I hope the Minister is listening intently to the concerns of Members. There has not been the necessary investment in new social homes, while the existing stock will soon become outdated and is coming into a state of disrepair due to the delay in maintenance projects, which is ongoing.

As my colleagues and others highlighted, waiting lists for social housing are at an all-time high. I think it is important that we continue to repeat this number: 40,000 people are on

waiting lists, Minister. Some 22,000 of those are in housing stress and 10,000 are deemed homeless. This House, through past decades, has completely failed many of these people, who are the most vulnerable, marginalised and helpless in our society. In this year's Budget and draft Programme for Government I do not see any meaningful attempt from this Government to address this issue.

The Minister stated in his opening statement to the Committee for Communities that his vision is to ensure that everyone can have access to good-quality housing at a reasonable cost and that he intends to have 1,600 social housing homes built across the North this year. I welcome that announcement, Minister, but West Tyrone alone suffered for years with few or no new housing builds. In fact, the waiting list in my constituency is, as articulated by others, at an all-time high, with 1,400 people on waiting lists and 600 deemed to be in housing stress. There has been little or no reduction in those numbers in the last 10 years. That is a reflection of the failure of the House to meet the most basic needs of our community.

It is of no surprise that, since 2011, West Tyrone has had the lowest number of new builds of any constituency across the North. That has left many individuals and families, especially those with young children or suffering disability, in a state of anxiety and depression. Given the chronic waiting lists for social housing and the rise of homelessness in Strabane, I am glad that the Minister has finally taken notice and is directing some resources to Strabane by committing to build 105 new social housing units in the area. But that is only the tip of the iceberg and will not resolve the impending crisis. I want a commitment that these proposed builds will happen on time, and I stress the need to the new Minister for further new build programmes across the entirety of the west Tyrone area.

Turning to the selection process, which has dominated today's debate, there are some serious issues with it, and I see them every day. As other Members highlighted, these are very real issues in our communities, and I will give you a few quick examples. I know of a mother of three children — she is very young and single — who went into a hostel. She has been there for eight months, and there is no sign of having her housed. She is in desperation and is living in very poor circumstances. I have been speaking to staff in the Housing Executive. Morale is at an all-time low. One lady said that she has worked for the Housing Executive since its foundation and has never seen things as bad.

In most instances, temporary emergency accommodation is provided, but that can be anywhere across Northern Ireland, which removes the family and friends' support structure that exists. Things are very, very bad. Just last week I attended the funeral of a gentleman in my constituency, but by the time I got back from his funeral, four people had called my office to ask whether there was any possibility they could get that house. "Desperation" is the term we must use.

I am aware that today is the starting point of the new Assembly term, and I am glad that this issue has been raised for debate. There exists serious need for new social housing, and it is my view and the view of the SDLP that such need can be met only with new builds.

Mr Agnew: We need to build more houses, as has been pointed out. We have 40,000 people on our waiting list. Jonathan Bell was the first to raise honesty when people are seeking a home and trying to get as high as they can up the points list. The reality is that people will do what they need to do to get housed and to get appropriate and suitable accommodation for them and, in some cases, their families. When constituents come to us, we are, by necessity, complicit in the system that exists, in ensuring that they get the maximum points available to them.

I am certainly not suggesting that anyone in this House is encouraging people to get intimidated, but we ensure that they get the points that they are entitled to, and, hopefully, we do no more. There will be those who do not come to our offices and who are maybe not getting that support. It is those who are more proactive and know their way round the system who will get the extra points and support and get themselves up the housing list. The motion calls for a fair system. That is not a fair system.

We need to build new houses and more social houses. We need to suspend and review the right-to-buy scheme because we are chasing our tails. Whilst sales are down from the peak of the right-to-buy scheme, we are still selling off when we have insufficient stock.

Mr F McCann: Will the Member give way?

Mr Agnew: Yes, I will give way.

Mr F McCann: At its height, 220,000 houses were under the Housing Executive's control; it is now 88,000. Whilst new build is crucial to rehousing people, and the policy of relets brings thousands of houses, as you continue to sell off

your houses, that drives more and more people onto the housing waiting list.

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

Mr Agnew: I thank the Member for his intervention, and what he highlights is the slow privatisation of our public housing sector. We are allowing that to continue, and it is time to suspend to look at this again and decide if it is the way that we want to go forward.

We also need to bring our existing stock up to standard. We need to take as a basic principle that, where possible, we keep people in their homes. Currently, by and large, if somebody comes to us and says that their accommodation is unsuitable, we move them. There is obviously expense in that, and reference has been made to some of the grants for resettlement, but we just shift the problem. In some cases, we will put somebody else into that house who will later claim that it is unsuitable.

We need to make sure that our houses are suitable; that we make the adaptations and improve the standards. We need to do it at a strategic level across the board, but we need to do it, where possible, for those individuals, whether it is disability adaptations or just improving the quality of the building they are in.

The housing selection scheme itself needs to be reformed. We have conflated two connected but separate issues: housing need and personal circumstances. Until we separate those, see them as separate and come back to the principle of housing need first, we will continue with the problems that Members have highlighted today.

We need to ensure, yes, that we put people in appropriate housing and assess their personal need and circumstances to ensure that we get that right, but the priority should be housing need, not personal circumstances. If we get back to that principle, we can address some of the issues that have been raised. However, the reality is that if there are not enough houses, there are not enough solutions. That has to be where we start: we have to build more social housing and invest in the social housing that we have to make sure that it is up to an adequate standard and that it accommodates lifelong living. We have to make sure that people who want to stay in their homes can stay in their homes and do not have to move because of damp, or because poor quality is affecting their health, or because they cannot afford to heat energy-inefficient homes.

If we do that, the importance of the scheme that we use to prioritise becomes less important. Get the first part right and the second part almost takes care of itself.

4.45 pm

Mr Carroll: I welcome the opportunity to discuss the motion, especially as it is on an issue of particular importance in my constituency of West Belfast, which has some of the largest waiting lists across the North and where it is not unusual for people to wait five years or a lot longer to be housed. This is an important topic that needs to be addressed. While there are people who, ideologically, want to break up the Housing Executive, we have to defend the principle of public housing and also ask whether we have the best system for allocating social housing. Obviously, the motion comes from one of the Executive parties. It is a bit cloak and dagger for Sinn Féin to say that we should get rid of the present system of allocation without indicating what the replacement system would be. The system is not perfect; I would not claim that it is. However, it would be helpful and useful to the debate if we could see the proposed replacement scheme in front of us.

Mr F McCann: Will the Member give way?

Mr Carroll: I will, yes.

Mr F McCann: It is interesting that you mention that, given that you know my record in housing in West Belfast over many years. It is a bit much for you to accuse the Executive parties, who have worked tirelessly over a long period to deal with housing issues in West Belfast. The system that you are talking about is broken. Everybody knows that it is broken. Something needs to be done to fix it. Do I have all the answers? No, I have not. I am sure that you do not have the answers either. We are talking about the Minister going away and coming back with a solution that allows us to deal with it, not coming off with —

Mr Carroll: I thank the Member for his point, but, as I said, there is no proposal in front of us.

Mr Deputy Speaker (Mr Kennedy): I do not have any answers except to say that the Member has an extra minute.

Mr Carroll: It would be helpful and useful to have the alternative system of points allocation in front of us to better inform the debate. Every week, our constituency office is inundated with

requests about housing, as I am sure other Members' are. These are people who are in dire need of housing, people who are sleeping on sofas, people who are living in overcrowded housing, people who are living in accommodation that is covered with damp, and people who are living in accommodation that does not match their needs. We have to ask whether the current allocation scheme is working for these people. As mentioned previously, we also have to ask whether, under the current points allocation system, people with disabilities are getting the points that they are entitled to. What about people who have mental health issues? We know that, in some cases, people do get points for mental health issues, but it may be only a small allocation that does not reflect their daily life and the fact that mental health problems are a daily issue for them. Under a new system, mental health has to be central to the allocation of housing points.

The issue of asylum seekers and marginalised groups has to be looked at. Are they getting all the assistance that they need from the Housing Executive and other bodies? Any future selection system has to address the fact that an asylum seeker is not currently entitled to be on the social housing waiting list or receive housing benefit, even if an assessment would find them eligible.

The issue of housing in North Belfast also has to be tackled. It cannot be brushed under the carpet for another Assembly term. It is unacceptable that 75% of the people on the housing waiting list in North Belfast, and experiencing severe housing stress, are from the nationalist community.

Mr Humphrey: Will the Member give way?

Mr Carroll: I will not, no. The allocation does not reflect that inequality. We have witnessed examples in the past of the system being exploited by Ministers using sectarianism to provide more housing for one community, despite the need pointing in a completely different direction. This kind of practice has to come to an end. Allocation should be based on need, not on what is in the best interests of a Minister.

Mr Stalford: Will the Member give way?

Mr Carroll: I will not, no. *[Interruption.]* The tone of the debate on intimidation has been quite worrying. To me, it comes across as an attempt to pit people against each other without pointing to the real issue that is being discussed already, which is the lack of social housing. It is

concerning to hear talk of scrapping intimidation points. It is risky to scrap what can often be a safety net for people, as providing intimidation points is, without any concrete evidence provided this evening that the current system is not working. Safety measures need to exist for vulnerable people under any new system and, of course, there are absolutely real claims of intimidation. Indeed, I have had people approach me who cannot get points for intimidation despite being intimidated.

Of course, one way to ensure that people are not stuck on the housing waiting list for years, trying to do what they can to get points, is to ensure that there are enough properties to house everyone on the housing waiting list. That can be done through a crash housebuilding programme, employing thousands of brickies, plasterers, plumbers and other tradespeople. That will provide jobs as well as tens of thousands of homes for people who need them. That is an important point, and, if the political will were there to do it, it could be done.

To conclude, I will support the motion because it is calling for a fairer and more transparent allocation system. However, that does not mean that People Before Profit will give blanket support to whatever the Executive will propose to replace it with. We will look at the proposed replacement when it comes to the Floor and decide then whether the replacement scheme is indeed fairer and more transparent before we decide to support any proposal.

Mr Deputy Speaker (Mr Kennedy): I ask the Member to conclude his remarks. Thank you.

Mr Givan (The Minister for Communities): I thank the Members who brought the motion today and thank Members for the contributions from right across the House. The motion gives me the opportunity to tell the Assembly about the important work being done by my Department in reviewing the housing selection scheme, which has been in operation, more or less unchanged, since 2000. Other Members raised issues and questions about the scheme in their contributions this afternoon, and I will seek to address some of those later.

Under a commitment made in the current housing strategy, a fundamental review of the allocation of social housing in Northern Ireland is being led by my Department. In the first phase of the review, academics were commissioned to deliver independent recommendations. These were published in late 2013, and we received more than 40 written responses to those recommendations.

We are now in the second phase of the review. My Department is preparing proposals for public consultation. I will give those proposals my full consideration, and I expect to publish them later this year.

Let me assure the tablers of the motion and the rest of the Assembly that, when the proposals are published, they will find them to be supported by evidence and informed by independent research. I am committed to ensuring that the housing selection scheme is fair and transparent, and that commitment is reflected in the outcomes that I want to deliver as a result of changes to the scheme.

I am considering five outcomes at present, which I will outline for Members now. I believe that these outcomes will clearly address the fundamentals of the motion that we have before us today and ensure a fair and transparent system of assessing housing need. First, the outcome of any review must be to deliver a greater range of solutions to meet housing need. Secondly, there must be an improved system for the most vulnerable applicants. Thirdly, I want to see a more accurate waiting list that reflects the current housing circumstances of those on the list. Fourthly, and this is unquestionably the most important outcome, I want to see that those in greatest housing need receive priority. Finally, I want any changes to the scheme to enable better use of public resources by ensuring that the waiting list moves smoothly. That is my vision for a renewed housing selection scheme. While I will give the detailed proposals careful consideration before publishing them, I am glad of this opportunity to set out some key elements that have emerged during the research and evidence gathering phase.

The responses to the independent research recommendations have shown that, on the whole, the scheme has a high level of public support. There is strong support for the existing principle of universal access to social housing in Northern Ireland. This principle means that any adult can apply for a home if they meet the eligibility criteria.

I expect any changes to the scheme to retain that principle of universal access.

Another area strongly supported in the first phase of the review was the recommendation that an independent, tenure-neutral housing advice service should be established. The service should offer advice to help households meet their housing need and find or keep suitable accommodation in any tenure. Clients could be assisted in applying for a social home,

looking for private rented accommodation, getting support to stay where they are or considering co-ownership or full home ownership. There was broad support for this recommendation and there have been positive outcomes from a similar housing solutions pilot scheme that was run by the Housing Executive.

I am aware of some criticism of how the housing options model has developed elsewhere and the accusation that it is simply about improving the statistics. Let me be clear: that is not its purpose. I want to see a service being put in place that assists to put people into the housing solutions that are right for them. In many cases, people need help to stay in their own homes or to access housing in any tenure. The aim of a housing options service is that it is targeted to individuals' needs and delivers better outcomes for them. It is tailored and bespoke, as opposed to being a one-size-fits-all approach. My officials are therefore considering that proposal as part of the review.

Another area under consideration is the current status of intimidation points in the existing scheme. This is clearly an issue that many stakeholders have very strong views about. My concern is with the outcome. Do intimidation points help us to achieve the desired outcome, namely that those in highest housing need receive priority in the allocation of housing? I have to say that I am not convinced. Applicants with intimidation points do not, on average, appear to be housed quickly. When considering actual housing circumstances, applicants with intimidation points often have very few underlying housing issues, but, because of their intimidation, are housed ahead of other applicants who are often living in much poorer housing circumstances.

Let me give you an example. In the current scheme, a household that is intimidated will receive 200 points because of that intimidation, 70 points because the intimidation rendered them homeless and a further 20 points because they were threatened with violence. That is 290 points in total. Compare that with a household that is homeless because of domestic violence and is sharing with another family, simply because the people have nowhere else to go. In the current scheme, they will receive 70 points because they are homeless and 20 because they were threatened with violence. They will get 40 points because they have to share and possibly 20 points because they are also overcrowded. If they have been on the waiting list for a number of years, they might get up to 10 points because they have been waiting for that time. That is 160 points altogether in comparison with the 290 points received in the

intimidation case. In some areas, families in serious housing need are waiting, and will continue to wait, precisely because households with 200-plus intimidation points always receive overriding priority.

I believe that it is time for change. As a society, we have moved on; our policies should also move on. I want to examine in detail whether removing intimidation points from the scheme would be beneficial for people in the worst physical housing circumstances. In exploring this option, I will also want to ensure that people who have to leave their homes because of intimidation will not be disadvantaged. Our legislation is clear in that they would continue to be recognised as being homeless and should be awarded points in the scheme on that basis, but they would be on a more equal footing with, for example, those who are homeless due to fire or flood or those who have experienced domestic violence. This is one of a number of proposals that the review has explored and that I am considering publishing for public consultation later this year.

Briefly, in a couple of minutes, let me address some of the points that some Members raised. Across the House, people mentioned that more resources are needed. I agree with that.

On the debate Mr Carroll raised about the attack on public housing, I suggest that those who want to get a house do not care whether it is provided through public or private finances. They want a house and that is what will drive me in taking forward proposals to try to provide for those who need help.

Mr Allen raised the issue of social size, or bedroom tax. It comes back to the point about there being a range of issues and not just dealing with this in isolation. We have the social housing reform agenda and there is a range of issues to address that will also impact how you can access funding to provide the housing needed. In the future, social size, or the bedroom tax, will obviously become an issue.

5.00 pm

The Assembly set aside £91 million as a result of the Fresh Start Agreement made by the two parties. That has ensured that people over the next period will not have to pay the bedroom tax, a taxation policy that his party joined with the Conservatives in campaigning for during a previous Westminster election, having agreed to take the whip if elected to Westminster, which then brought in the bedroom tax. The Member may therefore wish to reflect on the

genesis of the bedroom tax and on what parties have acted to ensure that it does not have a detrimental impact.

Other Members raised a variety of issues, which I simply do not have the time to deal with now. I will seek to respond to them in writing. I want housing to be provided to people on the basis of need. Mr Carroll introduced a very sectarian element into the debate today, when he referred to "nationalist" housing in north Belfast. As a society, we hope to have left those days behind us. Let me give an assurance to the Member that we want to address people's needs not on the basis of their identity but because they need housing to be provided for them.

In conclusion, the housing selection scheme is complex by nature. I want to see a suite of proposals that can, taken together, deliver the outcomes that I have set out today. Those outcomes are based on assessing housing need accurately and efficiently and will therefore also support many of the proposed Programme for Government outcomes and, indeed, the purpose of the programme's framework, which is to improve well-being for all.

I thank Members for their remarks.

Mr Deputy Speaker (Mr Kennedy): I call Ms Carál Ní Chuilín to wind the debate and conclude.

Ms Ní Chuilín: It is rare for us at the start of an Assembly session, despite some comments, to achieve cross-party support for a motion, a motion that, by and large, everybody has a real sense of commitment to. Regardless of where you sit in this House, Fra McCann is recognised as — I was going to say "passionate" — passionate about housing. I will just get that across. Fra McCann has led the way in housing based on need for many decades. Back in his days on Belfast City Council and the Housing Executive, members of other political parties would contact Fra for advice, which he gave freely and with an open heart. That is the spirit in which we come to the motion. I also thank the research team; I believe that the research pack is very good. It will help some of the charities and other groups working on housing issues.

I will not go through systematically, as happens when winding on debates, what Members have said. Everybody remained for the debate and has heard all that. Certainly, there were some common themes. People are very passionate and concerned that the public housing element

of the Housing Executive stays as it is. That is crucial. What we are saying is that the system, and the Minister confirmed that it has not been reviewed since 2000, is broken. It is not working.

I would like to clarify that some office staff have complained to us, as political representatives, that the conditions that they are working in when hearing confidential cases are not fit for purpose. Some of the staff hear very harrowing cases, and they are not happy with what they are hearing. Nor are they happy with the advice that they are giving people within the current system. They are looking to us to make changes. It is not their fault that we all walk into a crowded room and overhear one another's conversations. It is our fault that that is happening. We need to sort that out.

I also want to pick up on a few points. To be clear, when we are talking about need, we are talking about need. We are not talking about creed. Everybody said that. We are talking about objective need. The way in which objective need is measured will stand the test of time, particularly if there is a review of the situation. That too will be as part of a public consultation.

Mr Stalford: Will the Member give way?

Ms Ní Chuilín: Briefly, Christopher.

Mr Stalford: I appreciate that. Does the Member agree that, throughout the debate, the only contribution that sought to divide the House in terms of orange and green came from our friend in the corner who is supposed to be neither, but red?

Ms Ní Chuilín: I like red; it is one of my favourite colours. I will take exception to one thing. This place is for politics; let us not girm about that.

What I do have an issue with is style over substance. I do not like popularism. I think that it is really cowardly, but pointing fingers on the basis of people having different political points of view is a wee bit silly as well. We need to approach this from an evidence base. If people expected us to bring an alternative without consultation, that would have been a problem, and I think that Gerry is big enough to accept that. I know that he had to make a point for the sake of making a point, but it is not in Fra McCann's gift to throw out an alternative for housing without any public consultation. He is not a Minister — yet. That is a Minister's job and that of a Department. It is then our job to

tear the consultation apart. Better still, if we are coming at it from a good position, it is our job to make the consultation better in order to make it better for the people whom we represent. What I have absolutely no tolerance for is people with assumptions and making points and then not backing them up with real evidence. I dare say that people will grow into doing that.

Not to be sectarian, but it is a fact that in my and Nichola Mallon's constituency, and William's, at times, you can have from 70% to 81.3% of people on the housing waiting list who are deemed to be nationalist. That is a challenge. What I will not accept, and what I do not think that any Member would accept, is that that is allowed to prevail because a lot of Catholics live in North Belfast. I am not saying that. What I will say, however, is that, if we are building houses and creating communities, that has to be done on the basis of need.

Mr Humphrey: I appreciate the Member giving way when the Member for West Belfast who gave incorrect figures to the House that misled it would not.

To put the record straight, I have to say that the figures across the four Housing Executive offices in North Belfast are not 75% or 80% but 50:50. The point that I will make is simply this: in supporting what the Minister said, where there is need, my party is absolutely committed to addressing that need, regardless of anyone's background, religion or creed.

Ms Ní Chuilín: I am delighted to hear that. Everyone who is listening to the debate will hear that, and even people who want to lift Hansard will see that, but, William, it is not 50:50. I am going to disagree with you there, but, sure, we have disagreed from the day and hour that we looked at each other, so it is nothing new.

Apart from anything else, I am heartened by the fact that we are looking at an alternative, which will go out to consultation. I have not seen it yet, but I heard the Minister outline at least five or six outcomes that he wants to see in it. That is a good thing, but we are going to add to those.

We need to talk about intimidation, and everybody talked about it. Jenny outlined some of what is happening in her constituency. In ours, it is referred to as the "buy the bullet" scheme. Let us call it what it is. For anyone to claim that we are doing away with intimidation points, that is misleading and unfair. There are people who are intimidated. There are asylum seekers who are intimidated and refugees who

are intimidated. There are women and men who are intimidated through domestic violence. There are lots of genuine reasons for people being intimidated, but we have all said that the system is being abused and that people are taking the hand. What happens when the system is abused is that the genuine people who endure the humiliation of living on sofas and in hostels, with their wee kids, huddled up and waiting for years, see somebody jumping the queue, and I do not think that anybody could stand over that. I have not heard anyone say anything different. We all gave and heard examples that all sound so familiar to us.

Questions were asked about the availability of land on which to build houses. We need to build houses, and we need to build them where there is need. We also need to try to develop and support communities. I, along with many other people, have written to different Departments to try to find out about land availability. It is up to each of us to try to get that sorted out. I, like Fra and many others, have seen successive Ministers, with the best of intentions, make promises that, for different reasons, cannot be kept. We are in a different place, however. The acute housing problem, if not addressed, either through affordable housing or the availability of land on which to build, will lead to the slow privatisation of housing, because the private rented sector, although some of it is great — I am not a landlord — is becoming the alternative to social housing provision. There is a need for the private rented sector, but not as the alternative. The alternative is not working. That is not working, either. There are some very good landlords out there as well.

The challenge for us is to look at the replacement of the scheme. I am delighted that that replacement is going to come forward for public consultation. We have said that, when people are claiming to be intimidated or are alleging intimidation, it needs to be verified. You cannot ask somebody to intimidate you in a pub on a Sunday, walk round the corner, get your so-called threat on a Monday and have your points allocated the Monday after that. That is ridiculous, but that is what happens. When that happens, the humiliation of the families in the hostels continues. I defy anyone to stand over that system. It is not working. There was a need for a third-party scenario to exist years ago, but that has gone. If people get their cars broken into, they can go to the PSNI. If the PSNI, along with a charity or an independent, can verify it, so be it, but the days of people claiming intimidation through schemes, pals or whatever need to end. Our constituents are living in misery for years on

end. I do not know anybody who could stand over that record.

I am delighted that we have received cross-party support for the motion. I commend Fra for bringing it forward, and I look forward to the consultation on the revised housing selection scheme.

Question put and agreed to.

Resolved:

That this Assembly calls on the Minister for Communities to bring forward a replacement to the housing selection scheme that ensures a fairer and more transparent system of assessing housing need.

Adjourned at 5.12 pm.

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