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Northern Ireland Assembly

Monday 17 June 2024

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

Members observed two minutes' silence.

Members' Statements

Mr Speaker: The first item of business in the Order Paper is Members' statements. The usual rules apply.

Geraldine O'Hagan

Mr Kelly: I rise to speak about Geraldine O'Hagan, who died from cancer just a week ago after being diagnosed in March. She was only 53 years of age, but she filled her short adult life fighting for some of the most vulnerable people in our society. She worked for the Belfast Trust for decades, and, for the past four or five years, she worked as a family liaison senior social worker, attached to Muckamore Abbey Hospital. I met her while working with some families whose relatives were residents in Muckamore. I know that Linda Dillon worked with her on other cases, and I would not be surprised to hear that other MLAs knew Geraldine for her work. She was a caring, devoted and relentless champion for those most vulnerable patients and their families. She was a relentless voice for the voiceless. She was highly knowledgeable. She was unafraid of hierarchies or officialdom. She spoke her mind to help those in need and empowered others to do the same.

Although very ill and frail, Geraldine was determined to give evidence to the public inquiry into Muckamore. Members may remember seeing her and listening to her powerful words afterwards on television. She became a part of the families that she helped. When she was too frail to answer all enquiries, she set up a WhatsApp group. It was a large group, and what was noticeable was not just the messages to say prayers or of respect, but the outpouring of love for Geraldine. She will be very sadly missed, first by her son Josh and her wider family, but also by all those whose lives she touched. Hers was a life well lived.

Road Safety

Mr Dunne: I rise to highlight the very important issue of road safety. The sad reality that 71 people lost their life on our roads in 2023 is truly shocking. Sadly, 55 people died in 2022, and 50 lives were tragically lost in 2021. Whilst those are numbers, they are much, much more: they are human lives that have been lost, with families torn apart, causing grief and devastation in many homes across Northern Ireland.

To date — 17 June — 30 lives have already been lost this year, with a motorcyclist sadly passing away following a crash in Fermanagh last night. I express my sincere condolences to that gentleman's family.

Sadly, evidence shows that more than 95% of road deaths are due to human error, careless or inattentive driving and inappropriate speed for the road or conditions, with drink-driving and drug-driving accounting for most deaths and serious injuries. The data released just last week by the analysis, statistics and research branch, which is based here, also showed alarming figures. From 2018 to 2022, 377 people were killed or seriously injured (KSI) on our roads as a result of taking drink or drugs, which is truly shocking and alarming. Men were responsible for 80% of those KSI collisions, and drivers in the 17-49 age group were responsible for 82% of those collisions. Most alarmingly, 55% — over half — of drink-driving KSI collisions occurred between 9.00 pm and 4.00 am compared with 14% of non-drink-driving KSI collisions. Those shocking statistics are a reminder of the need for action and intervention, and I welcome the Executive's recent approval of the DFI road safety strategy, which was recently released. The strategy rightly has ambitious targets to improve the safety of all road users and rightly highlights the need for joined-up working with other Departments and agencies, which all have a role to play.

At the Infrastructure Committee, we recently heard evidence from the PSNI, with Chief Superintendent Sam Donaldson speaking in detail on its ongoing efforts to improve road

safety. One of the interesting discussion points was that no country currently has the perfect solution for zero road deaths, which is a reminder that we all have a role to play. I urge the Infrastructure Minister to continue to work with his colleagues and to make every effort to make road safety a priority.

Refugee Week

Ms Bradshaw: I wish to make a statement at the start of Refugee Week. Unfortunately, the number of people being displaced around the world has grown rapidly during this decade; in particular, the return of the Taliban to control in Afghanistan, the brutalities of war in and around Syria and, of course, Russia's appalling, illegal invasion of Ukraine have led to vast numbers of people having to flee and seek refuge. Seeking refuge is nobody's choice; it is forced on growing numbers of families around the world. Sadly, we can expect to see more of it, notably from sub-Saharan Africa, not least as natural resources become even scarcer due to a combination of war and climate change.

Clearly, this presents challenges in countries receiving refugees too. Contrary to what we read on certain social media platforms, most people recognise the global issues and want to help. However, at a time of zero economic growth and with public services pushed to the limit, it is perhaps understandable that people will be more inclined to want to ignore the refugee crisis and focus on issues closer to home. This year, the theme of Refugee Week recognises that it is about our home, emphasising that we should not think of it as an either/or. If we feel that our public services are under so much pressure that they cannot handle a few thousand more people, the answer is that we need to relieve the pressure on our public services through reform and investment.

Our home is, ultimately, global. In the end, we all share the same resources, the same climate and the same broad challenges. We need to be able to build a home in Northern Ireland in which we can deliver economic opportunity and better public services for those already here and extend the hand of friendship to those who have been displaced from the most terrifying of circumstances. Most directly, in the Assembly, we need to see the implementation of a new refugee integration strategy that highlights the need for intercultural exchange and tackling misinformation. That would need to be delivered alongside enhanced race relations work, including the need to end the attacks on innocent people and businesses, the like of

which we saw, sadly, in my constituency last week. To that end, this morning, here in Stormont, we had a visit from members of the Young Syrian Voices group, hosted by Barnardo's, which has played a key role in the vulnerable person resettlement scheme over the past decade since a brutal civil war broke out in Syria. That work includes befriending, tips on resettlement and meeting up with others who have suffered displacement. It is a reminder that we all need to support people who come here to make it their home. This is our planet, so we need to make it a more welcoming, secure and sustainable place for all.

Animal Cruelty Register

Mr Swann: There was much coverage on social media over the weekend of an incident in Staines in England, in which a police car rammed a young calf to bring it under control. It has restarted the conversation about animal cruelty.

I am dealing with a specific case in my constituency. Only recently was I made aware, through investigation and dealing with the council, that our Minister of Agriculture, Environment and Rural Affairs has withdrawn from our 11 councils the funding to provide animal welfare services, while insisting that the same councils deliver the services under the regulations that require them. The Department of Agriculture, Environment and Rural Affairs now seems to be placing the onus on councils to provide such services without any financial support from it. It seems that, for some, animal welfare is an issue only for social media and not for physical delivery.

Over the past five years, there have been only 18 convictions under the Welfare of Animals Act (Northern Ireland) 2011, despite 240 cases having been commenced. That represents a 7.5% rate of success from the point at which those cases were commenced to the point of being delivered. It poses the question of why the Department and the Minister will not revisit calls to establish an animal cruelty register across these islands. The establishment of one was called for and supported by councils across Northern Ireland: Belfast City Council; Armagh City, Banbridge and Craigavon Borough Council; Ards and North Down Borough Council; Newry, Mourne and Down District Council; Mid Ulster District Council; Fermanagh and Omagh District Council; and Derry City and Strabane District Council. All supported having an animal cruelty register and asked the Department to establish one.

I got back this answer from the Minister:

"If Assembly colleagues or stakeholders advocating for a register can provide additional evidence to support the establishment and operation of a register, which could include where any such register has worked effectively elsewhere, my officials will consider any such detail received."

I ask that our Minister for Agriculture, Environment and Rural Affairs proactively engage, rather than wait for proof to be provided to him that having a register has succeeded elsewhere. I ask him to be a leader in challenging animal cruelty.

Chronic Obstructive Pulmonary Disease

Mr McCrossan: I raise a critical health issue that affects countless people throughout our communities: chronic obstructive pulmonary disease. The disease knows no bounds, affecting people of all ages, backgrounds and walks of life. It is a condition that needs our full attention, compassion and action. To date, 41,000 people across Northern Ireland are registered as having COPD, but it is expected that the figure would be much higher if there were proper detection.

My personal journey with COPD has been challenging. I have witnessed how the condition has impacted on my mother's life. It has brought to the forefront the harsh realities and struggles faced by those battling that debilitating illness daily. Her recent hospitalisation has only amplified the urgency of the situation for us as a family, driving home the importance of greater awareness for families and all those affected and of providing more support for those with COPD in Northern Ireland.

It is important at this juncture that I put on record my heartfelt gratitude and appreciation to the dedicated healthcare professionals at Altnagelvin Hospital, specifically ward 26, who provided exceptional care to my mother in an urgent situation that arose just over a week ago. They ensured that her stay was comfortable, and their tireless and unwavering efforts are deeply appreciated by us as a family.

It is also important to record my deep appreciation to the respiratory team at Omagh Hospital in the Western Health and Social Care Trust, particularly to Joan Graham, whose kindness, compassion and exceptional care have been a source of great support to my

family and countless others. Joan is indeed one of the unsung heroes of the health service, embodying the true spirit of healthcare and making a profound difference to the life of everyone for whom she cares.

12.15 pm

This chronic respiratory condition not only impacts the physical health of those diagnosed with it but takes a toll on their mental health, well-being and overall quality of life. It is imperative that the Assembly and, indeed, the Department of Health take action to provide greater resources and support to ensure that we can support those with the disease. To effectively support those affected by COPD, we must prioritise access to comprehensive services, promote early detection and diagnosis, and ensure ongoing education and awareness. By fostering a culture of empathy, understanding and proactive intervention, we can empower COPD patients to manage their condition effectively and lead fulfilling lives despite the challenges that they face.

It is a horrendous disease. There are different stages of it, and you can see it play out in countless people. Numbers are rising across Northern Ireland. I thank all those in our health service who do a tremendous job of supporting those with COPD.

Seachtain na nDídeanaithe

Mr Sheehan: An tseachtain seo beimid ag ceiliúradh Sheachtain na nDídeanaithe anseo in Éirinn agus ar fud an domhain. Is é téama na seachtaine i mbliana: an baile s'againn. Le linn na seachtaine, beidh imeachtaí múscailte feasachta, imeachtaí cultúir agus imeachtaí ealaíon ar siúl ó cheann ceann an oileáin.

Níor mhiste dúinn uilig go léir páirt a ghlacadh sa tseachtain speisialta seo, nó tugtar faill dúinn lena linn caidreamh agus caradas a dhéanamh leis na pobail nua atá ag cur fúthu anseo agus bheith ag foghlaim faoin difear dearfach a dhéanann siad don saol anseo.

Chonaic muid uilig go léir an dul chun cinn a rinne páirtithe ar an eite dheas sna toadhcháin Eorpacha an tseachtain seo caite. Ní hé amháin sa Fhrainc agus sa Ghearmáin ach anseo in Éirinn fosta. Ní raibh riamh an oiread sin iarrthóirí ón eite dheas ar an pháipéar vótála anseo ná mar a bhí i dtoghcháin na seachtaine seo caite.

Fuath don dídeanaí agus bréagadóireacht faoi dhaoine a thig anseo ar lorg tearmainn, sin é an

rosc catha a bhí ag na hiarrthóirí sin. Sin a bhfuil acu le tairiscint: fuath, fearg agus fala. Caithimid seasamh le chéile in éadan an dearcaidh sin agus seasamh ar ghualainn na ndídeanaithe agus na n-iarrthóirí tearmainn a thig anseo ar lorg síochána agus sábháilteachta. Tugann Seachtain na nDídeanaithe faille dúinn sin a dhéanamh agus céad míle fáilte a chur rompu.

Refugee Week

[Translation: This week, we celebrate Refugee Week here in Ireland and around the world. The theme of the week is: our home. During the week, awareness-raising events, cultural events and arts events will take place all over the island.

We should all take part in this special week, as it gives us the opportunity to form relationships and friendships with the new communities that are settling here and to learn about the positive impact that they make on life here.

We all saw the progress made by right-wing parties in the European elections last week. Not only in France and Germany but here in Ireland. There have never been so many right-wing candidates on the ballot paper here as there were in last week's elections. Hatred of refugees and falsehoods about people who come here in search of asylum was the battle cry of those candidates. That is all that they have to offer: hatred, anger and spite.

We must stand together against those viewpoints and stand shoulder to shoulder with the refugees and asylum seekers who come here in search of peace and safety. Refugee Week gives us an opportunity to do just that and to give them a warm welcome.]

'Pride of the Shore' Theatre Production

Mr Brett: On Friday evening, I had the great pleasure of joining hundreds of people at the MAC theatre to watch the premiere of the play 'Pride of the Shore', written by our own Gary Mitchell. The play eloquently articulates the struggles faced by working-class communities in inner parts of north Belfast and, more importantly, celebrates the determination and continuous work of people in our communities to improve the area in which they live.

The main focus of the play is the Pride of the Shore flute band, which, for almost 40 years, has been at the heart of the north Belfast community. Hundreds of people freely give their

time to improve the area that they call home, giving young people a positive outlet, instilling discipline and musical attributes, and ensuring that the mental health crisis that faces many of our communities is, rightly, tackled.

It was wonderful to see working-class communities taking their rightful place at the heart of the cultural setting of our city. The play, in the heart of the MAC theatre, showcased to people from across Northern Ireland who might have had prejudiced or uninformed views the vital role that our marching-band communities play.

The play runs until 23 June, and I encourage Members in the Chamber and those outside it to take advantage of the opportunity to see it. It eloquently articulates the aspirations and hopes of the community in north Belfast and shows that the marching-band scene plays a vital role. I take this opportunity to pay tribute to Green Shoot Productions, which managed to bring members of the local community and professional actors together to showcase the event; to the actors from north Belfast and across Northern Ireland who played a leading role in the play; and to the Pride of the Shore flute band, which continues to ensure that the cultural celebrations in north Belfast are to the fore of our community.

Deafblind UK: Tribute to Alex Patterson

Ms Mulholland: I pay tribute to Alex Patterson and his teenage daughter Jana, who are both from Ballymoney. Alex is a 54-year-old father of two teenage daughters and is a former youth worker. In his mid-40s, his sight began to deteriorate, and he was diagnosed with cone-rod dystrophy in 2019. He is now registered as severely sight-impaired or blind.

Alex has spoken about the social isolation that the diagnosis led to and some of the challenges that he has faced. He is a prolific campaigner on the issue of pavement parking in Ballymoney and beyond. Last week, after a send-off by the Lord Mayor, Micky Murray, he walked from City Hall all the way to Stormont, where he was welcomed by my colleagues from the Infrastructure Committee, Peter McReynolds MLA and Andy McMurray MLA. Alex raised over £1,400 from his endeavour, and he has three key asks. He wants to support the ongoing work of Deafblind, which has been a massive support to him since his diagnosis. He wants to raise awareness of the challenges and consequences that pavement parking causes for those who are sight-impaired. He wants to

highlight the impact on those from the blind community of dogs being off-lead in public areas.

I pay tribute to Alex and his daughter Jana for their brilliant walk. Thankfully, the weather was kind to them. He has raised over £1,400 for Deafblind, and we should be mindful of the blind community when we park and in how we engage with its members.

Northern Regional College: Electrical Installation Courses

Mr Frew: Northern Regional College has confirmed that it is unable to offer year 1 of its electrical installation course for the 2024-25 academic year due to staffing and recruitment challenges. That has massive ramifications for the wider construction industry.

Electrical installation courses are usually very well regulated and are employer-led. That means that, if a firm with 100 employees wants to recruit first-year apprentices, the firm decides how many it requires and sends them to the course. It is the same for a self-employed electrician who needs a first-year apprentice; they will send the young person to the course. If there is no year-1 intake, it will badly damage not only the electrical industry but the wider construction industry. I suggest that the electrical installation course may not be the only course under severe pressure when it comes to taking students in this academic year or in the future.

It also has a devastating impact on this year's young people who aspire to become electricians. The electrical installation trade is a very good one. It is very well paid. It is hard work, but it is a very good trade to have. For young people, especially those from working-class areas, a trade may be the only way to get reliable, good wages. It will have a devastating effect not only in my constituency of North Antrim but further afield in the Northern Regional College's catchment area.

I ask the Minister for the Economy to look into the matter and to step in, if need be, to ensure that the recruitment and staffing challenge does not happen again and that the course can be rescued for the forthcoming academic year.

Protocol: Threat to the Union

Mr Allister: Last week, the electors in the Irish Republic delivered a very timely rejection of Sinn Féin. The election cut that party down to size.

Then, on Saturday, its front organisation, Ireland's Future, had the disappointment of seeing more empty seats than filled seats at its latest jamboree in Belfast. Some were unable to attend, it seems. Alliance leader, Mrs Naomi Long, had more importance business: she had to ride the ghost train in Portrush. Maybe, of course, it was really because she did not want to frighten unionist-minded voters in East Belfast.

Unionists in Northern Ireland know and understand what the aggressive agenda of Ireland's Future is about, but there is something far more insidious in building that same all-Ireland. That is the protocol, which is now the dynamo driving an all-Ireland creation economy. That dynamo is fired by the fact that over 300 areas of law, many of which should rest with the House and touch on our agri-food industry, trade and much of our environment and economy, are now areas of law identical to the laws in the Irish Republic that are now provided by a foreign Parliament. That is the intended mechanism of the protocol: to build surreptitiously and on an ongoing basis an all-island economy, aided, of course, by the fact that, in the House, the Department for the Economy was surrendered to a Sinn Féin Minister. It is that, rather than the aggressive promotion of an all-Ireland through organisations such as Ireland's Future, which presents a far more dangerous and insidious threat to the Union, as well as the assault on basic democratic principles, whereby there is a disenfranchising of the people of Northern Ireland.

Although we are electing a sovereign Parliament, we elect one whose writ does not run on these areas in this part of the United Kingdom, because sovereignty in them has been surrendered to a foreign Parliament. That is something that many unionists are alert to, increasingly so.

Voting Age

Ms Egan:

"It is evident that this generation of young people are among some of the most informed and politically aware we have ever seen. Constant calls for change, progress and development, whether it is in social media, in protest or in youth organisations, all serve as evidence that youth's contribution to society and politics is unfading. Through the Northern Ireland Youth Forum and the Secondary Students' Union of Northern Ireland, it is clear that young people have determination and

ambition to highlight what is essential to their lives. Manifestos produced by NUS-USI and the Northern Ireland Youth Forum clearly outline key policy areas that young people are interested in and demonstrate concise, thorough plans for change. Why should these voices be overlooked by not lowering the voting age to 16? This is what I am here today to raise. We have an upcoming general election, described as a once-in-a-lifetime chance to shift the dial of power in the United Kingdom. Parties who are elected will have the futures of young people in their hands. It is a missed opportunity that we did not make sure that the voices of young people are heard, so they can have their say, by lowering the voting age to 16.

Young people experience the decisions of political leaders first-hand. We encounter the consequences, witness their effects and form ideas for change, ideas of how young people can influence change; yet they are silenced. From 16, they are given a National Insurance number; they are working. Sixteen-year-olds are given a choice to leave compulsory education, leave home and even join the armed forces. How can young people be allowed to serve in the armed forces yet not have a say in how it will be run or by whom? It is time that they were given a voice.

The right to vote would empower 16- and 17-year-olds to engage with democracy, giving them the tools to influence their future through politics. The right to vote will engage 16- and 17-year-olds who already have an interest in democracy and politics, bringing forward a whole new informed and passionate group of voices. The right to vote will ignite conversation among these young people, conversations that will allow already enthusiastic young people to inspire others who, perhaps, are not so enthused just yet. With that information, I implore Ministers to listen to the voices of young people, recognise the significant impact that their actions will have on the lives of 16- and 17-year-olds and, finally, give them the right to vote by lowering the voting age to 16."

12.30 pm

While I agree wholeheartedly with what I just said, those are not my words. That statement was written for me by a 17-year-old. Charlotte from my constituency of North Down wrote that statement for me so that she could have her voice, as well as those of young people, heard

in the Chamber. It is time that 16- and 17-year-olds are given the vote.

Mr Speaker: That concludes Members' statements.

Assembly Business

Public Petition: Carer's Allowance

Mr Speaker: Daniel McCrossan has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes in which to speak.

Mr McCrossan: I will start by putting firmly on record, on behalf of the House, our deep appreciation of all the carers in our community, who do outstanding work in looking after vulnerable family members and others throughout every one of our constituencies. On behalf of those carers right across Northern Ireland, I am calling on the Executive and the Department to deliver a carer's allowance recognition payment for unpaid carers in Northern Ireland. Carer's allowance is entirely unfit for purpose. It provides pennies per hour to those who are caring around the clock, leaving nearly half — it is 46% — of local recipients living below the poverty line. The inadequacy of carer's allowance has taken on even greater significance during the current cost-of-living crisis, with many recipients in Northern Ireland facing severe financial hardship. They are forced to cut back on everything but the bare essentials and are using food banks, skipping meals and getting into debt. Why? It is because they are caring for their loved ones and people in our communities, doing a huge amount of work and saving the health system from collapse.

While it would be only the first step in the wider reform that carer's allowance needs, implementing the recognition payment would make an enormous difference to local carers, putting £540 per year more in their pockets and immediately lifting 3,400 of them out of poverty. The cost of delivering the policy pales in comparison with the money that carers save the Executive every single year. Our carers are propping up the health and social care system and keeping Stormont's Budget from collapsing. They deserve better than a social security benefit that systematically traps them in poverty. Delivering the carer's allowance recognition payment would not change that completely, but it would be an important starting point. There is a significant moral and financial case for the Department to prioritise it during the rest of the Assembly mandate. It is so important that the House recognises carers' outstanding contribution. Today, as I present this petition and thank Carers NI for the work that it does, as well as all those who signed the petition, we must put on record our deep

appreciation of all that carers have done for the people of Northern Ireland.

Mr McCrossan moved forward and laid the petition on the Table.

Mr Speaker: I will forward the petition to the Minister for Communities and send a copy to the Communities Committee.

Committee Membership

Resolved:

That Mr Doug Beattie replace Mr Mike Nesbitt as a member of the Committee for the Economy. — [Mr Elliott.]

Executive Committee Business

Child Support Enforcement Bill: First Stage

Mr Lyons (The Minister for Communities): I beg to introduce the Child Support Enforcement Bill [NIA 5/22-27], which is a Bill to make provision as to the enforcement of payments of particular amounts due by virtue of certain child support and maintenance legislation.

Bill passed First Stage and ordered to be printed.

The draft Damages (Process for Setting Rate of Return) Regulations (Northern Ireland) 2024

Mrs Long (The Minister of Justice): I beg to move

That the draft Damages (Process for Setting Rate of Return) Regulations (Northern Ireland) 2024 be approved.

Mr Speaker: The Business Committee has agreed that there should be no time limit on the debate. I call the Minister to open the debate on the motion.

Mrs Long: Thank you, Mr Speaker. At the outset, I advise the Assembly that I have declared a conflict of interest in relation to the personal injury discount rate on account of my husband's membership of a medical defence union. Medical defence unions have an interest in the level of discount rate, as it may affect the cost of indemnity and, consequently, the cost of membership. In view of that, I delegated to the then permanent secretary of the Department policy decisions about which of the parameters for setting the rate ought to be modified.

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

Before I turn to the detail of the draft regulations, which make amendments to the statutory parameters by which the personal injury discount rate is set, I want to explain the wider context for the changes proposed. It is a well-established principle of our law that a person who is injured as a result of the negligence of another is entitled to be compensated in full — no more and no less — for any future financial needs that arise from the injury. That is called the 100% compensation

rule. Claimants who have suffered serious — often life-changing — injuries will, generally, be dependent on their damages award to meet their basic needs and the cost of their care. The purpose of applying the personal injury discount rate is to give effect to the 100% compensation principle. The rate is a percentage adjustment to a lump sum award of damages for future financial losses to reflect the return that can be earned from investing it.

In the previous mandate, I brought forward primary legislation — the Damages (Return on Investment) Act (Northern Ireland) 2022 — that changed the process by which the rate for Northern Ireland is set. That legislation amended the Damages Act 1996 to transfer responsibility for setting the rate from the Department of Justice to the Government Actuary, prescribe a new methodology for setting the rate and require a regular review of the rate every five years. Under the legislation, the rate must be set to reflect the expected return from investing a lump sum award of damages in a prescribed notional portfolio of investments for an assumed period of 43 years and be adjusted to take account of inflation, the cost of taxation and investment advice and management costs. The rate must also include a further margin to take account of investment risk.

The first review of the rate under the new legislative framework led to the rate being set at -1.5% in March 2022. The next review of the rate by the Government Actuary must commence on 1 July, which will align Northern Ireland with the cycle of regular reviews of the rate in Scotland. In anticipation of that, the Department conducted an exercise to determine whether any of the statutory parameters by which the rate is set ought to be modified, and whether there should continue to be a single discount rate or more than one rate. That exercise involved consultation with stakeholders and the commissioning of professional actuarial advice from the Government Actuary's Department (GAD).

Having considered the consultation responses and GAD's advice, the permanent secretary concluded that two of the parameters by which the rate was set needed to be updated to reflect current economic projections and ensure that the rate continued to give effect to the legal principle of 100% compensation. The first of those is the measure used to take account of inflation. Currently, the legislation prescribes the retail price index. However, the way in which RPI is calculated is going to change from 2030. Stakeholders and GAD were of the view that that meant that RPI was no longer the best

measure to use. The Department notes that many stakeholders suggested that an adjusted measure would be appropriate; for example, the consumer price index plus a percentage adjustment. However, under the current statutory framework, a single unadjusted index must be chosen.

Given the choice between a price-based measure and an earnings-based measure, the Department took the view that the latter would be more appropriate because, having given regard to the consultation responses, it recognised that earnings and care costs were likely to make up a significant part of any damages award. Therefore, the draft regulations prescribe annual weekly earnings as the measure to be used for the purposes of tackling inflation. However, looking beyond the immediate needs of this year's review, the Department intends to review how the legislation makes provision for the impact of inflation to consider the scope for providing more flexibility, including the potential future use of an adjusted index. Any such amendment would require primary legislation in the next mandate.

The other modification that the draft regulations propose is an increase to the deduction for taxation and the cost of investment advice and management from 0.75% to 1.25%. The new adjustment of 1.25% is based on advice from GAD that changes to the investment yields and tax rates have increased the tax costs for claimants by 0.5% on average. It is worth noting that Scotland has recently made regulations that make the same changes in that jurisdiction to those to be made by the draft regulations in Northern Ireland. That means that, subject to the draft regulations being approved by the Assembly, the rates in Northern Ireland and Scotland will be set using exactly the same parameters.

I thank the Committee for Justice for its detailed consideration of the draft regulations, and I am pleased that the Committee has recommended that the House should affirm the regulations. However, the Committee also wrote to the Department noting some concerns, and I want to address those today. In particular, the Committee highlighted concerns expressed about the impact of the discount rate on insurance premiums and public bodies. As the rate affects the total sum of damages payable to those who have suffered personal injuries, it will affect the liabilities of public compensators and insurance companies. It is therefore likely to be one of many factors that affect the cost of insurance.

Importantly, we do not know what the outcome of the Government Actuary's upcoming review of the discount rate will be, so we do not yet know if the discount rate will go up or down or stay the same. However, the impact of changes in the rate for defendants, insurers and other compensators is not something that can or should be taken into account when the Department and the House consider the need for modifications to the parameters for setting the rate. The cost to insurers and the health and social care service flows from the liability of defendants to compensate claimants in full.

To be clear, the only factors that are relevant for the setting of the rate are those that relate to the expected return on investment. The changes to the statutory methodology proposed in the draft regulations reflect updated economic projections since the rate was last set and are the best means by which the legal principle of 100% compensation will continue to be protected. I therefore commend the draft Damages (Process for Setting Rate of Return) Regulations (Northern Ireland) 2024 to the Assembly.

Ms Bunting (The Chairperson of the Committee for Justice): As Chairperson of the Committee for Justice, I welcome the opportunity to speak on this motion. I declare that I have an immediate family member who works in the legal profession.

As the Minister outlined, the draft statutory rule will make changes to the statutory methodology by which the Government Actuary has to set the personal injury discount rate for Northern Ireland. The Committee took its time to scrutinise the proposal for the statutory rule. In addition to considering a number of papers from the Department of Justice, the Committee scheduled two oral evidence sessions and received a number of items of correspondence from stakeholders. In the interests of openness and transparency, as I informed all Members in a letter issued last Friday, the Committee agreed to publish on its website the documentation that it considered when scrutinising the statutory rule, alongside the Hansard transcripts of the relevant evidence sessions.

The Committee was first informed of the Department's intention to propose the rule at its meeting on 25 April 2024. The Committee was not content for it to proceed based solely on the information that we had received at that time. As a result, we agreed to schedule an oral evidence session with officials from the Department of Justice. That oral evidence session took place on 16 May 2024. The

officials provided background information on the proposals for the rule and lots of detailed information on the methodology used for setting the rate, including the rationale for using that methodology. The Committee was advised that the change from using the retail price index was necessary because the way that the retail price index is calculated is due to change in 2030 and that, as a result, it was no longer an appropriate method to use.

Many respondents to the consultation stipulated their preference for a CPI+ model. We were advised that using a CPI+ model was not an option at this time because the current legislation does not allow for that. However, officials did state that there is a commitment to review the legislation before the next review of the discount rate in order to:

"see whether it is possible to provide more flexibility on what the legislation says about inflation."

Additionally, we were told that the rationale for the change to using annual weekly earnings as a measure used in allowing for the impact of inflation was based on advice from the Government Actuary's Department.

After the oral evidence session with the Department, the Committee agreed to write to the Department to emphasise that the Committee does support the principle of 100% compensation, which was never in question; to ask for clarification on the modification of the standard adjustment from 0.75% to 1.25%; and to ask for more information on impact assessments, as recommended by the predecessor Justice Committee. The Committee then scheduled another oral evidence session, this time with officials from the Government Actuary's Department, and that took place at the meeting on 30 May 2024.

12.45 pm

The officials outlined the role of the Government Actuary's Department in the process, including advising the Department. We were told that its advice had five broad conclusions: that the current notional portfolio and period of investment of 43 years remain appropriate; that RPI is no longer suitable as an appropriate index for damage inflation; that the standard adjustment of 0.75% for tax investment cost is no longer appropriate; that the standard adjustment of 0.5% for the further margin remains appropriate; and, finally, that a single-rate mechanism, rather than one that varies by term or, indeed, another factor,

remains appropriate. At that same meeting, the Committee agreed unanimously that it was content with the proposal for the statutory rule. I quote from the minutes:

"The Committee agreed to write to the Department to emphasise that it fully supports the principle of 100% compensation and to outline a number of concerns about the proposed Rule. The Committee highlighted that everybody wanted a CPI+ model but acknowledged that that could not be done at this time ... The Committee noted the move to the average weekly earnings measure instead of RPI. The Committee noted the modification of the standard adjustment for the impact of taxation and the cost of investment and management advice from 0.75% to 1.25%; that the Government Actuary's Department ... considers that that is appropriate; that GAD is content with the assumed investment period of 43 years; that the Department and GAD are unable to consider anything beyond the principle of 100% compensation; and that GAD said that the 0.5% margin was appropriate.

The Committee noted that the increase is because tax paid has increased and wished to highlight that a number of concerns have been expressed about insurance premiums and the potential impact on policyholders and defendants. Concerns were also expressed about the potential implications for public bodies. It was also pointed out that Northern Ireland has the highest insurance costs compared with other parts of the United Kingdom and [the Republic of] Ireland."

At its meeting last Thursday, the Committee formally and unanimously agreed to recommend that the rule be approved by the Assembly. I therefore support the motion on behalf of the Committee for Justice.

I will now speak in my capacity as an individual MLA. The position of the Democratic Unionist Party is reflected in the position of the Committee. We were conscious of the views of the respondents, defendants, claimants and stakeholders, and we sought to reassure ourselves about the factors under consideration around the issue as much as possible, given its technical nature. We were pleased to receive answers to our queries around CPI+ but remain concerned about the potential impact on insurance premiums for citizens and public bodies. However, we acknowledge that the actuary is not permitted to take into account such factors when striking the rate.

The key to the entire subject area is to ensure that claimants, over the course of their lifetime or the term of their claim, receive as close to 100% as possible — no more and no less. To that end, we agreed to support the rule. That was after we had raised questions and recorded our concerns with the Department and received the comprehensive advice of the Department and the Government Actuary, who also informed us that, through that process, Northern Ireland would likely be much more closely aligned with Scotland on review timings and, indeed, the rate, as stipulated in the Hansard report of the evidence session. As a result of all that, we are content to support the rule.

Miss Hargey: As highlighted by the Minister and Committee Chair, the Committee gave the statutory rule careful consideration during a number of meetings. Those included oral evidence sessions looking at annual weekly earnings, the change to RPI and, of course, modifying the standard rate of adjustments. We reiterate the concerns that were highlighted and about which we wrote to DOJ relating to the impact on insurance premiums, as has been stated here. We know that, due to the geographical make-up of the North, insurance is higher here and that that impacts on premium holders. Sinn Féin fully supports the principle of 100% compensation.

The Chair laid out the context: we were limited in what we could do at this time, and a review is pending. Parties and the Committee await the outcome of that review to see what further changes or modifications will be made. We agreed to allow the statutory rule to progress and to publish all the documentation, which went out from the Chair last week, and all the oral evidence. That is now in the public domain for people to look at and see the scrutiny that we applied as a Committee.

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

Mrs Long: Do you want to speak, Stewart?

Mr Dickson: No. Go ahead.

Mrs Long: Apologies, Mr Deputy Speaker. I was not sure whether my colleague had indicated that he wished to speak. It is fine.

I thank the Members who have spoken today for their engagement. I will address some of the points that were raised during the discussion, particularly those about the cost of insurance premiums in Northern Ireland, which, we all

recognise, is an issue and was of concern to the Committee.

Many factors contribute to insurance premium costs, and the discount rate is just one of them. My Department is not in a position to assess the extent to which the discount rate affects the cost of insurance; that is a matter for insurers. Irrespective of that, however, the legally established principle of 100% compensation means that the impact on insurance costs cannot be taken into account in how the rate is set. As a matter of law, claimants are entitled to be fully compensated, and that is the only consideration that we can take into account in that regard. I am not in a position to comment authoritatively on the detail of insurance costs or to speculate on the extent to which the discount rate affects the cost of insurance locally, but it is common knowledge that a number of factors contribute to the premium costs. The discount rate is one such factor, but the following all make a contribution to the overall picture: the number and nature of thefts here; levels of fraud and uninsured driving; the number and nature of road traffic accidents; the make and model of cars; road safety; road infrastructure; the cost of repairs; the levels of damages awards; the number of new and novice drivers; and the insurance premium tax rate.

For historical reasons, general damages for pain and suffering, for example, also tend to be higher in Northern Ireland than they are in other jurisdictions. That is because the assessment of damages in Northern Ireland was in the hands of juries until about 1987. That may be a reason that insurance costs in Northern Ireland are slightly higher, but, again, that is not relevant specifically to the discount rate. The discount rate is applied only to special damages, which are measurable financial costs and losses. It is also worth noting that the guidance on general damages has been updated recently in England and Wales and separately in Northern Ireland and confirms continuing differences between the guidance on the level of general damages awards between jurisdictions. If we look at house insurance, for example, on which the discount rate has no impact, we see that it is also higher in Northern Ireland than it is in other regions. It is therefore not the discount rate in and of itself that is the only determining factor, although it may contribute in some places.

The regulations will ensure that the personal injury discount rate for Northern Ireland, when set by the Government Actuary later this year, will continue to give effect to the legal principle of 100% compensation and therefore be fair to claimants and defendants.

Question put and agreed to.

Resolved:

That the draft Damages (Process for Setting Rate of Return) Regulations (Northern Ireland) 2024 be approved.

Private Members' Business

On-farm Investment

Miss McIlveen: I beg to move

That this Assembly believes that investment in new and replacement farm buildings is essential to improving agriculture's environmental footprint in Northern Ireland; criticises the decision to drop the published ammonia standing advice used by the Northern Ireland Environment Agency (NIEA) to assess the air quality impacts associated with many planning applications; recalls that this decision was made without ministerial approval or prior consultation; notes with concern recent research conducted by KPMG on behalf of the Northern Ireland agri-food industry, which found that more stringent ammonia regulation could lead to fewer successful planning applications, a 20% to 25% decline in on-farm investment and reduce family farm incomes by up to 38% in some sectors; calls on the Minister of Agriculture, Environment and Rural Affairs to acknowledge that the investment in, and modernisation of, farm facilities will promote animal welfare and reduce future emissions; further calls on the Minister to reject policies that constrain plans to invest in and modernise farm facilities; and calls on the Minister to place the needs of primary producers and consultation with the agri-food industry at the forefront of any new ammonia strategy.

Mr Deputy Speaker (Dr Aiken): 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. All other Members who are called to speak will have five minutes.

Miss McIlveen: For context, Northern Ireland is required to tackle ammonia to improve air quality and habitats. In Northern Ireland, approximately 96% of ammonia emissions come from agriculture. When ammonia is emitted into the air, it is subsequently deposited as nitrogen onto land and water, acting as a fertiliser. If it falls on sensitive species, that can result in damage and loss. That is particularly the case in areas designated as special areas of conservation (SACs), special protection areas (SPAs) and areas of special scientific interest (ASSIs). NIEA estimates that most of those designated areas and other priority habitats receive levels of nitrogen that are significantly above their critical load, which is the concentration at which damage occurs.

Because of that, DAERA wishes to reduce emissions to protect those habitats to allow them to comply with their legal biodiversity obligations.

Set against that, food and drink production is worth £6 million to the Northern Ireland economy. It is our largest manufacturing sector, supports a workforce of around 113,000 and is served by other sectors such as transport, animal health and construction. It should not be understated how important farming is to our economy, our environment and our people. It is for that reason that the debate has been tabled today.

Our planning system is under considerable stress. One of the primary causes of that is gridlock in our statutory agencies. We are already aware of the delays and workarounds that have taken place as a result of the underfunding of Northern Ireland Water (NIW). In my constituency, we see considerable delays caused by staffing shortages in the southern divisional office of DFI. We are also seeing — this is a key part of the motion — the issues surrounding ammonia impact on the planning system.

Farmers need to reinvest in their businesses and replace existing buildings in order to modernise and meet new standards, including animal health and welfare and environmental targets. New and replacement buildings help them to improve the environmental impact in Northern Ireland. They also help the industry to remain competitive. Over-stringent bureaucracy or uncertainty in the application of regulation causes delay, and that impacts on development and progress.

The rules around ammonia adversely impact on local farmers when they apply for planning permission. The rules require an assessment to be carried out of the impact of a development on protected habitats, and NIEA will be consulted if there are any designated sites or priority habitats within 7.5 kilometres of the proposed project. Ninety-seven per cent of Northern Ireland's land mass is within 7.5 kilometres of a designated site or priority habitat.

Large pig and poultry farms are required to conform to additional requirements. However, previous ammonia standing advice was suspended by DAERA following concerns raised by the Office for Environmental Protection (OEP). In its place, NIEA has adopted an interim policy until the final policy is developed. However, that has not provided the certainty or clarity that decision-makers need.

The reality of the issue is that, for a farmer, bringing an application could involve costs of between £10,000 and £30,000. With uncertainty and no clarity, such a spend is, in itself, a huge gamble on the part of the farm business. It has been well recognised that there have been considerable delays and uncertainty in the past seven years or so around agricultural planning applications. The Department's start-stop approach to ammonia advice has not just been frustrating for farmers but deeply disruptive to those with clear and legitimate aspirations to upgrade or invest in new agricultural buildings.

Between 19 December 2023 and 31 May 2024, NIEA responded to 48 agriculture-related cases under its interim ammonia policy. Of those 48, six raised no air quality concerns, seven raised air quality concerns, and only four were supported by the Department. In the remaining 17 cases, further information has been requested.

I know that the Minister has accepted that a backlog of cases has accumulated since November last year, but we need evidence of a sustained effort to deal with those cases for the benefit of all involved. It is alarming that, out of 48 relevant planning cases dealt with by NIEA between December and the end of May this year, only four have been given the green light.

1.00 pm

Farmers find themselves in an almost impossible position: targets are being placed upon them while they struggle to remain competitive. The Department should therefore step up and assist them, either through funding or a workable, pragmatic and clear policy. Take, for example, a pig unit built in the 1980s, which would not have been subject to current environmental regulation. A farmer may want to invest to improve that, but he is faced with a gamble in the planning system and a lack of funding to drive innovation. Even setting aside the contradiction in how the current policy undermines the transition to net zero, it is clear that complexity and delays in securing planning permission for new buildings and technologies degrade the ability of our farm businesses and agri-food firms to compete at a time of great volatility and high-input costs. Furthermore, we all want to see health and safety improvement in agriculture and on farms. Yet, too often, those aims are stifled by the gridlock around ammonia.

In addition to that, there are concerns about what the replacement policy from the Department will be. That pig farmer's proposal

may improve his emissions by 50%, which would be a significant betterment. However, the current process impacts all farm development, including the replacement of existing livestock and poultry sheds, which are effectively treated by the Shared Environmental Service (SES) and NIEA as new developments. Even where improvements can be demonstrated, NIEA can still recommend refusal, because it does not differentiate between new and replacement buildings in its approach. That means that farmers continue to use older, out-of-date buildings. This does not help farmers to tackle environmental issues. Will the new policy take betterment into account? Will it recognise that economic sustainability means that environmental targets are best achieved as a journey? Where else is the incentive to move?

The other concern is that the policy will be so restrictive as to indirectly result in a reduction in herd sizes to meet targets, rather than that happening through innovation. Although not explicitly mandating herd reductions, an overly restrictive policy can make that the only alternative. I hope that that is not the path that the Minister is considering. I hope that he will instead look at encouraging our farmers to adopt innovation and betterment. That is the only way to keep our sector competitive and economically sustainable.

Such concerns are borne out of a lack of engagement by the Department with the Ulster Farmers' Union (UFU) on new protocols despite consistent and repeated offers from the sector. Last year, DAERA consulted on a draft ammonia strategy, focusing on a range of measures that could be adopted on-farm to reduce emissions. That was underpinned by the following ambitions: reduce the total Northern Ireland agricultural ammonia emissions by at least 30% from 2020 levels; and reduce ammonia at internationally designated sites by 40% from 2020 levels. Last autumn, DAERA launched a survey to harness attitudes to investment among farmers and stakeholders. The Department is developing a capital investment measure under the new programme of farm support and development that, it claims, will provide financial support to help primary producers in the agricultural and horticultural sectors. Yet, since the Department and the Minister have not taken up the opportunity to discuss those proposals with the most affected and those who would be required to abide by them — the primary stakeholders — no one is any clearer on what the direction of travel is.

It is important to strike a fair balance between improving farm performance and improving environmental performance. Can the Minister

confirm when he intends to bring forward updated air quality standing advice? Given that equality screening was lacking in the original decision to suspend the standing advice, will he ensure that that is not repeated? Will he consult the UFU on his plans? Perhaps the Minister could also look at other jurisdictions in the UK with similar stringent ammonia restrictions. In England, for example, consideration has been given to how permitted developments could be extended to support investment. I encourage the Minister to speak to his counterpart in the Department for Infrastructure. I ask that he provides clarity and certainty to this hugely important sector. Help it to help him achieve the targets.

Mr Deputy Speaker (Dr Aiken): Will the Member draw her remarks to a close, please?

Miss McIlveen: It is a fine balance between economic and environmental sustainability, and, at this time, it is simply unfair to expect farm businesses to make informed decisions where that clarity does not exist.

Mr Deputy Speaker (Dr Aiken): I call Tom Elliott, Chair of the AERA Committee.

Mr Elliott: I am not speaking as the Chair.

Mr Deputy Speaker (Dr Aiken): In that case, I call Tom Elliott. *[Laughter.]*

Mr Elliott: Thank you, Mr Deputy Speaker. I am not speaking as Chair of the Committee; I am speaking as a Member of the Assembly. I welcome today's debate. I think that we all have something in common: we want to improve our environment, air quality and sustainability. We also need to ensure that we have a proactive, positive agricultural sector that can provide for many nations. We rely on it for our food in Northern Ireland, but our farmers provide food for many communities throughout Great Britain, Ireland, the European Union and further afield.

I note that the overall agricultural planning caseload in the system at the end of May was 185 planning applications. I am not sure whether it has since deviated slightly from that figure, but that was the figure that I was given. For some time, there was quite a bit of confusion between the rules and assessments of the Northern Ireland Environment Agency and those of the Shared Environmental Service. Trying to make sense of which of those bodies' figures should be accepted provided quite a lot of difficulty for planners in whatever council area they were in. In fairness, I understand that the Shared Environmental Service does not

have anything to do with the Department of Agriculture, Environment and Rural Affairs; it is a body that is engaged by local councils, but that confusion did not help the situation.

The system that we currently have is stifling development and production in Northern Ireland. At the same time, without the allowance for replacement construction, the situation is proving extremely difficult. The Member who spoke previously, Miss McIlveen, talked about the issue around replacement buildings. I want to focus a wee bit on that issue. Replacement buildings are treated the same as a new building. You may have a livestock house that houses 100 cattle or 200 sheep — it may only be 50 sheep or 10 cattle — which is a replacement and fulfils the criterion of being 7.5 km away from a protected site to need an emissions or ammonia assessment. That is quite a distance if you have to walk it, and I am sure that many of us would be tired by the time we got there. It is a significant distance, and those people — almost all my constituents who fall into that criterion — have to make planning applications. They no longer have permitted development rights, so they have to make a planning application and try to meet that stringent criterion.

Even if farmers are making a betterment to their system and previous construction by having improved facilities, which may even have mitigation measures to stop some emissions, they are still treated as though it is a new construction. That is a huge downside for those individuals. They are left with old buildings that may not be fit for purpose for the animals and livestock housed in them, but they cannot build a new one, even though the mitigating measures would reduce emissions, because the NIEA treats that the same as it would a totally new construction. If I am asking for anything to come out of this debate, it is that the Minister and the Department look very seriously at that issue and at least allow for a replacement where there is a betterment, clearly giving significant weight to that.

Mr Swann: Will the Member give way?

Mr Elliott: I am happy to give way.

Mr Swann: Does the Member agree that the Department and the Minister should take that into consideration? The situation is putting off new, younger farmers from entering the industry, because they see the structure that they are about to step into. Having been to our agricultural colleges, where the younger farmers train in the best facilities, they then

come home and are held back by the same Department from being able to progress into the updated facilities that they learned about and trained in.

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

Mr Elliott: Thank you. I thank the Member for those comments. He is absolutely right. It is hugely off-putting and demoralising for young farmers who come back from training to realise that, all of a sudden, they cannot build and develop a farm business as they would like.

We know that there are and have to be restrictions, but the situation is inhibiting the agriculture process. It inhibits the business of agriculture in Northern Ireland and is hugely detrimental not only to young people but, I have to say to the Member, to a few older ones who would like to develop and get into a better farming system, which the current system is prohibiting. I am asking seriously that the issue is looked at and resolved to allow for not only sustainability in the sector but development.

Mr McAleer: I welcome the opportunity to speak on the motion. Sinn Féin responded to DAERA's consultations on the ammonia strategy and the future operational protocol. We support logical, practical and well-thought-out policies and, where necessary, legislation that will support farmers to reduce ammonia emissions. However, in our submission to the consultation on the future operational protocol, we highlighted fundamental issues with some of the proposals. While we support the goal of addressing the impacts of air pollution on the natural environment, we have a number of concerns around some proposed methods of evaluating and reducing ammonia emissions in a future operational protocol. We are concerned that a one-size-fits-all approach to ammonia reduction on farms would not be fair, effective or sustainable. Farms here vary in size, stock and type of land, and any evaluation of their emissions and sequestrations must consider that.

Farmers have raised concerns about the part of the operational protocol about in-combination assessments of emissions. Indeed, I raised that issue at the AERA Committee last week. It appears that, by adopting an in-combination approach, farmers who may have invested in reducing their emissions and taken steps to do that may still not get planning permission, perhaps because neighbouring farms still have high emissions. That is particularly unfair, and previous Members to speak also touched on it.

There are situations where, perhaps, a proposed new development is treated as additional to, as opposed to a replacement for, something that may have had high emissions. It is important to note that virtually the whole of the North will be impacted — it is only 5% or less that will not be — by the 7.5 km limit. We believe that the proposed approach could fail to achieve some of its intended outcomes in reducing ammonia, as farmers are deterred from upgrading or replacing old buildings.

One of the Minister's top priorities is the natural environment. It is clear that a reduction of ammonia is possible if financial investment exists. We in the Committee had an interesting fact-finding visit to the College of Agriculture, Food and Rural Enterprise (CAFRE) at Greenmount last week. We saw and heard for ourselves what can be done if investment exists. We saw, for example, the covering of slurry tanks, the low-emission slurry spreading equipment (LESSE), such as dribble bars, and the flooring operation in a dairy farm that separates the cattle's urine from their faeces, thereby preventing or significantly reducing the production of ammonia. We saw how equipment can make a big change, but farmers need support to do that. We also learned about the case of Ballynahone bog, where sphagnum and biodiversity have improved, and we were told during the meeting that one of the biggest contributing factors was the fact that a farmer whose land was adjacent to the bog had adopted the LESSE. That shows that when farmers are supported and get the right equipment, they can do it.

1.15 pm

Not all the measures in the draft strategy, however, are practical. Going back to the point about equipment, down in my part of the world, where there are mostly hill farms, a lot of equipment, such as dribble bars and other types of equipment, is not necessarily suitable for that terrain. We need to look at all the different land types and types of farm across the North.

The threshold should be consistent across the island, given the transboundary location of a number of affected sites. A lot of our bogs and protected areas straddle the border, and they are key to achieving a reduction in emissions across the island. The agri-food strategy in the South offers a number of possibilities for increased cooperation on an all-island basis, and that should be considered by the Department. In order to ensure that we can effectively, fairly and sustainably reduce ammonia emissions, any future proposals must

be subject to a rural impact assessment that looks at the social and economic impacts of such measures on rural communities and identifies the proposals that work and those that do not. We support the motion.

Mr Blair: I speak as the Alliance spokesperson for agriculture, environment and rural affairs, and I am, of course, also a member of the AERA Committee. The motion acknowledges, though only in outline, that Northern Ireland's ammonia levels are unsatisfactory and that the agri-sector's environmental footprint needs to improve. That is laid out clearly in the motion.

In Northern Ireland, the specifics are that the agriculture sector is responsible for 97% of ammonia emissions. Furthermore, despite having only 6% of the land area and 3% of the population, Northern Ireland accounts for over 12% of the UK's overall ammonia emissions. Recent data from 2022 highlights the significance of those high levels of ammonia emissions, as 96% of our areas of special scientific interest have critical levels of nitrogen. Those figures are alarming, to say the least.

Reducing our ammonia emissions is vital if we are to improve the overall quality of our air and protect sensitive ecological environments from the adverse effects of nitrogen. Movement from the Department is, of course, much needed, and I know that Minister Muir will be publishing the long-awaited ammonia strategy and operational protocol later this year, which will be evidence- and science-based and will, I am sure, respect environmental obligations. That, of course, could have been done much sooner had the Assembly not collapsed for nearly two years. I remind Members that that collapse was caused by the party whose Members tabled the motion.

Another harsh and unfortunate reality is that our Departments are facing significant budgetary and resource pressures, with DAERA being no exception. Those constraints are not assisting progress on this or other matters. Separately, I am thankful for the update that was provided by NIEA at the most recent AERA Committee meeting, when it discussed the measures that were taken by its natural environment division over the past three months to address the backlog of applications. Those measures included increasing staff numbers and implementing a new and more efficient approach.

The information that was presented to the Committee, however, made it abundantly clear that outstanding planning applications — those that were mentioned today that are awaiting

decisions — are not, in themselves, going to address ammonia emissions at the level that is required. In the discussion with the AERA Committee just four days ago, officials made it clear that the vast majority of applications do not include significant mitigation measures. That being said, the issue that we face with ammonia goes far further than planning application delays. The agriculture sector can introduce cost-effective measures to help reduce ammonia, such as improved storage of farm manure, improved farm manure spreading techniques and improved strategies for cleaning livestock areas.

There is much work to be done if we are to reach the UK target of a 16% reduction in ammonia levels in the atmosphere by 2030. Although Alliance supports the motion's goal of reducing ammonia emissions, it is important to note that the motion does not accurately account for our current environmental, legal and financial situation. The motion, for example, references investment and modernisation but does not specify any of the measures, mitigations or installations that are vital to reducing ammonia levels. A more comprehensive understanding of those factors is necessary in order to achieve meaningful and realistic emission reduction goals.

We will not support the motion for those reasons. We do, however, continue to hope that the agri-sector can work towards a supported just transition in ammonia and on other environmental matters.

Mr McGlone: I welcome the motion, and I agree that investment in new and replacement farm buildings is essential in improving agriculture's environmental footprint. However, any valid concerns that the proposers of the motion may have about farm investment and farm income can be lost in their complaint about environmental regulations. Let us be very clear: investment in farms cannot be done regardless of the wider environmental cost. We have seen the effects of policy being adopted where increased productivity is prioritised over concerns about the environment. The steady and sharp rise recorded in the levels of nitrates in Lough Neagh since 2017 has been directly attributed to the adoption of the Executive's Going for Growth strategy. The strategy was developed under the stewardship of a Sinn Féin Agriculture Minister and continued by a DUP Minister. That strategy was adopted despite the fact that Northern Ireland was already exceeding safe ammonia thresholds, and the link between safe ammonia emissions and water quality is absolutely clear. The British Government have established an international

commitment to reduce ammonia emissions by 8% in 2020 and 16% in 2030 compared with 2005 levels. However, here, instead of a reduction, unfortunately, we saw an increase in ammonia emissions of over 11% from 2005 to 2021. Those of us who were at the Committee saw the implications and ramifications of that. We heard that from NIEA. The PAC heard recently that, where a proposal comes from a developer — a farmer — that establishes betterment in environmental quality, that can be taken into consideration. I make it very clear that I accept that fully. We should all aim for that.

Almost all the legally protected sites in the North are experiencing levels of ammonia, air pollution and nitrogen deposits that are known to be harmful to the habitats. The Minister and the Executive have a legal and moral obligation to protect those sites. We have known about the problem with ammonia emissions here for some time, and we have known that the approach being taken to address the problem is flawed. The then Minister for Infrastructure, Nichola Mallon, said:

"This has inevitably introduced both confusion and delay into the planning system and created difficulty for planning authorities seeking to make well-informed, lawful planning determinations."

When a new, delayed ammonia strategy eventually went out for public consultation, the DUP had already collapsed the Executive. That is why DAERA officials were left to make the decision that the proposers of the motion are complaining about. The Department introduced an interim approach to dealing with planning applications in a legally compliant way, using site-specific advice. We have to get to the point where that site-specific advice is proven to give a betterment. Those are the situations that we need to see emerging now.

Any new ammonia strategy will also need to be legally compliant, otherwise it raises major issues for the Department. I would welcome clarification from the Minister on that. It raises issues for not only the Department but any approvals granted that the Office for Environmental Protection subsequently finds to be illegal. I certainly do not want to be, in a few years, having to represent constituents who are found to have had buildings erected that are non-compliant. That is certainly not where I want to be. It was outlined to us that DAERA's decision had to be made because of the threat of legal action that was hanging over the Department by the independent Office for Environmental Protection. I do not know how

much it would have cost had the Department not taken action. Again, those of us who are concerned about public funds, including those of us who sat through the renewable heat incentive (RHI) inquiry, certainly do not want to see money being spent recklessly or fines being incurred that will then be passed on to other people who got planning permissions based on a decision that the Office for Environmental Protection subsequently found to be wrong.

I agree that investment in and replacement of farm buildings are essential in improving agriculture's environmental footprint and that, where or if a mechanism can be established to show how betterment has been achieved — either collectively, through a number of applications, or individually — that process definitely has to be looked at again. The motion, in effect, seeks —

Mr Deputy Speaker (Dr Aiken): Will the Member draw his remarks to a close?

Mr McGlone: — to instruct the Minister to ignore environmental regulations in order to fast-track that investment, which is not the proper way forward. I would welcome clarification from those who tabled the motion —

Mr Deputy Speaker (Dr Aiken): Will the Member —?

Mr McGlone: — of what they seek to achieve by that.

Ms Á Murphy: I welcome the opportunity to speak on the motion. My colleagues and I have engaged with grassroots farmers following the withdrawal of the ammonia standing advice last December. Farmers, understandably, expressed concern that they may not be able to replace their farm dwellings as a result. As we have heard, many farmers, particularly those who are my constituents, have had their planning applications stalled, with some applications sitting for four-plus years at huge cost.

Mr Elliott: Will the Member give way?

Ms Á Murphy: Not at the minute.

A one-size-fits-all approach will not work, given the diversity of size, stock and designation of farms. DAERA must conduct a further public consultation in advance of any formal policy decision to inform the future operational protocol. The operational protocol must be

subject to a full equality impact assessment and a rural needs assessment. The publication of impact assessments must happen sooner rather than later. The publication of the ammonia strategy needs to take place as well.

According to case studies presented in DAERA's call for evidence document, technology to mitigate ammonia emissions is more effective when applied to pig, poultry and dairy farms, as they are more intensive than smaller farm enterprises. Given that the Minister's top two priorities are climate change and the natural environment, I want some clarity on the budget that the Minister intends to allocate to technologies for farmers to improve the natural environment. Furthermore, the Department must acknowledge the transboundary nature of emissions, and the Minister must work as closely as possible with his counterparts in the rest of Ireland to tackle emissions across the island as a whole. The Minister must ensure that the approach to replacement buildings does not inadvertently introduce barriers to farmers who are trying to decarbonise old agricultural buildings.

Mr Tennyson: I welcome the debate insofar as it raises an important issue and challenge for the agriculture sector, but the motion falls short from a number of perspectives. First, and perhaps most obviously, as referenced by Patsy McGlone, it is critical of a decision that was taken by officials in 2023 in the absence of a Minister, without any acknowledgement or contrition for the fact that the absence of an accountable Minister or scrutiny body was due to the proposer of the motion's party boycotting the Assembly during that time. The motion also fails to attribute adequate weight to the scientific and legal evidence before us that the departure from the previous standing advice was necessary. Fundamentally, it fails to engage seriously with the worrying trends in ammonia levels, with Northern Ireland now being responsible for a disproportionate share of the UK's ammonia emissions.

I am conscious of and recognise the frustrations that exist amongst the agriculture sector and the implications that the interim advice had for planning applications. I am equally clear, however, that we cannot simply wish away the huge challenges posed by ammonia emissions, which have a significant impact on our environment, on our biodiversity and, crucially, on water quality and human health.

The current position is that the Northern Ireland Environment Agency will provide planning authorities with case- and site-specific advice on a case-by-case basis. There is no doubt that

a new ammonia strategy and revised operational protocol are required to give our agriculture sector the clarity and certainty that it desires and deserves. We need a science- and evidence- based protocol and strategy that are, importantly, compliant with environmental law and supportive of environmentally and financially sustainable farming. Of course, as others have said, that strategy could and should have been forthcoming much sooner, were it not for the endless merry-go-round of stop-start government in this place. Nonetheless, I welcome the progress that has been made and look forward to Minister Muir publishing the draft strategy later this year.

Of course, Alliance wants to see investment in a just transition for our farmers. In order to achieve that, fair funding arrangements for Northern Ireland are crucial. I welcome the ongoing work by the AERA Minister and the Finance Minister to seek to revise the future earmarked agriculture funding.

Mr Elliott: I thank the Member for giving way. He raised an important issue around the just transition fund. I wonder whether, when the Minister gets to his feet, he can tell us whether there has been any progress on getting a just transition fund for Northern Ireland, be it one for agriculture or any other sector, because it seems to be lagging behind. Mr Deputy Speaker, I should have declared an interest as a farmer.

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

1.30 pm

Mr Tennyson: I thank the Member for his intervention. I am sure that the Minister will respond to it in due course.

The motion talks about the need for investment, and it is true that there is such a need, but it fails to recognise that not all investment is equal. As my colleague John Blair pointed out, the vast majority of outstanding planning applications in the system fail to include significant mitigation measures. We cannot, given our environmental obligations, ignore that fact. We must ensure that investment is consistent with environmental law.

For those reasons and so many others, while we recognise the challenges and are absolutely committed to the publication of a fair strategy that will deliver for our agriculture sector, we cannot support the motion in its current form.

Mr Deputy Speaker (Dr Aiken): Minister, you have 15 minutes.

Mr Muir (The Minister of Agriculture, Environment and Rural Affairs): Thank you very much, Mr Deputy Speaker. This has been a clear and useful debate, and I thank the Members who brought the issue to the House for discussion.

I fully recognise the economic significance of the agriculture industry in Northern Ireland, and I wholeheartedly agree that investment in new and replacement farm buildings is essential to support our farm businesses and rural communities. It is important, however, that investment and development do not have adverse effects on our natural environment. I believe that we can strike a balance that allows the agriculture industry to thrive and be sustainable while protecting our environment. The key to that is making sure that new and replacement farm buildings are designed to deliver environmental improvement as well as to support economic outcomes. That is why the ammonia strategy and the operational protocol to assess the impacts of air pollution on the natural environment are so important. The operational protocol, also referred to as "standing advice", provides the scientific basis for my Department's statutory advice to planning authorities and other competent authorities on the impacts that plans and projects will potentially have on designated sites and protected habitats as a result of air pollution.

In the past year, we have learnt how agriculture's footprint can extend to the environment far beyond the farm gate. High levels of excess nutrients, partly from agricultural sources, were a significant contributing factor to the blue-green algae issue in Lough Neagh. The effect of ammonia emissions from farms also has a negative impact on our beautiful countryside beyond the farm gate. There is scientific evidence to support that.

Ammonia is a colourless gas that contains nitrogen, and it is invisible. It is released into the air as the result of many agricultural activities, and it causes air pollution. Ammonia and nitrogen can damage sensitive plants and habitats in the areas surrounding the source of the gas and further afield. The impacts of ammonia and nitrogen on land are not as visible to the untrained eye as a tide of blue-green algae. Monitoring of the state of our protected habitats and sensitive flora and fauna, however, clearly shows the scale of the negative impact of ammonia on the biodiversity

and health status of iconic Northern Ireland landscape features such as peatlands and bogs.

Sphagnum moss, the spongy green building block of our bogs, is directly damaged by high levels of ammonia and increased nitrogen levels. Conscious that the motion had been tabled and that the debate would occur today, I visited Ballynahone bog, near Maghera, on Thursday afternoon. I thank officials for supporting that visit in extremely wet weather. I have seen the impact that ammonia can have on our environment, and that is why I am here today to respond to the motion.

The most recent report on air pollution in the UK showed that 93% of nitrogen-sensitive areas in Northern Ireland are experiencing levels of ammonia above the level required to protect sensitive species such as sphagnum, lichens, other mosses and heather. As I have previously stated, our natural environment is under significant pressure, and most indicators are moving in the wrong direction. That is true for ammonia. The National Atmospheric Emissions Inventory (NAEI) report shows that the annual total for ammonia emissions from agriculture in Northern Ireland continues to increase, reaching its highest-ever level of 32 kilotonnes in 2021, the most recent reporting year. The National Emission Ceilings Regulations 2018 include a commitment that the UK will reduce total ammonia emissions by 16% of the 2005 level by 2030. For Northern Ireland, that means that our current total ammonia emissions from agriculture need to be reduced by 24 kilotonnes by 2030. It is a challenging target that is compounded by the fact that our ammonia emissions continue to increase. That vicious circle must be interrupted by urgent action.

In December 2023, DAERA decided to no longer rely on the published ammonia standing advice as the basis for statutory advice on planning applications. The decision was taken by a senior official in the Department under the Northern Ireland (Executive Formation etc) Act 2022. After careful consideration and in response to a potential legal challenge by the Office for Environmental Protection —

Mr McGlone: I thank the Minister for giving way. Can the Minister expand on the direction from the Office for Environmental Protection? If the Department had ignored the direction, what would the implications have been for the Department and any other approvals given on the basis of the standing guidelines used at the NIEA prior and subsequent to the direction?

That include the implications for the Department and approved applicants.

Mr Muir: I thank the Member for his intervention. The impact of the Office for Environmental Protection going down the road of legal action against the Department and the Department sitting on its hands and ignoring it would have been significant. I support the officials and their decision because, ultimately, the Minister and the Department should have dealt with this. We could have debated the issue in the Assembly; we could have considered the issue, but the people of Northern Ireland were denied that opportunity. There are now Ministers in post, and I welcome the fact that we can debate the issue in the Chamber and discuss its merits. However, when the Office for Environmental Protection comes a-knocking, action needs to be taken, and that is what officials did.

As a result of the decision, my Department, through the Northern Ireland Environment Agency, is providing planning authorities with case- and site-specific advice on a case-by-case basis. That will remain the case until the new ammonia strategy and updated operational protocol are agreed and in place — hopefully, later in this year. The updated operational protocol will support the Department's statutory obligations to safeguard our natural environment. I acknowledge that the revised operational protocol will have implications for the consideration of new and replacement farm buildings. However, I do not believe that investment in our agriculture industry can proceed at the cost of our environment. Therefore, in response to the call made by Members, I am content to fully support farm development and the modernisation of farm facilities. However, the way forward is through investment in modern, fit-for-purpose farm facilities that promote animal welfare, are environmentally compliant and reduce further emissions.

To date, my Department has offered £67 million in grant support to the farming industry under the farm business improvement scheme, which is a capital support scheme. Of that, approximately £14 million or 21% has been made in relation to ammonia mitigation. I intend to bring forward a capital investment measure under the new programme of farm support and development that will provide financial support to help businesses improve their environmental performance. Initially, it will focus on support for technology and equipment to reduce ammonia emissions, carbon emissions and nutrient loss, and it follows on from the significant support already provided by my Department. I hope that

that addresses, in part, the concerns raised by Members and also the recent research conducted by KPMG on behalf of Northern Ireland's agri-food industry.

I am well aware of the potential economic impact of farm ammonia mitigation measures, which were also set out in case studies in the call for evidence on the future operational protocol. I acknowledge that the delivery of my Department's statutory obligations to safeguard our natural environment and ensure sustainable development will have impacts where additional on-farm investment in ammonia mitigation measures is required. The investment required will vary depending on the details of the specific farm and the specific proposal subject to consideration under the new operational protocol. However, as I have asserted, the new programme of farm support and development provides financial support to help farm businesses improve their environmental performance.

On that — there was a question from Tom Elliott to Eóin Tennyson — I am working with the Finance Minister on the future agriculture budget for Northern Ireland, because commitments were given until the end of March next year and, obviously, there are concerns about the road map for after that. There will be announcements in the time ahead on what we are doing together, as Finance Minister and Minister of Agriculture, Environment and Rural Affairs, on the budget and how it links through to a just transition fund for agriculture. I get the importance of the issues, and that is why Caoimhe and I are working together on this. The more money we can provide for capital support on these issues, the easier the journey ahead. We get the importance and are working hard to address that.

The specific details of the impact on the natural environment of new or replacement farm buildings must be scientifically verified and must comply with the relevant environmental protection legislation. The new operational protocol delivers the legislative requirement to assess the impacts of air pollution on the natural environment in the provision of advice to planning authorities. The draft ammonia strategy sets out measures that show how investing in the right equipment can help to reduce the harmful release of ammonia into the air even where the total number of livestock on the farm would be increased.

I note that Members have called for consultation with the agri-food industry on the strategy and for the needs of primary producers to be fully considered. I am content to take that

forward and intend to build on the consultation that has already taken place. During the public consultation on the draft ammonia strategy and a separate call for evidence on the future operational protocol, in 2023, my officials undertook a comprehensive programme of stakeholder engagement. That included public information events across Northern Ireland and further engagement with representative organisations and individuals. As a result, both the strategy and operational protocol have been developed further, and I intend to update representative organisations on the most recent developments on ammonia before the end of this month. That is a commitment that I have given them, and we are planning it in the diary.

Today, I have set out how the draft ammonia strategy and the revised operational protocol pave the way for environmental protection. Rather than constraining the industry, my Department has supported investment in ammonia mitigation measures and the development of farm facilities and will continue to do that through future farm support measures. Therefore, I cannot agree to the Members' call to reject the policy direction set out by the ammonia strategy and the operational protocol.

I recognise that tackling the challenge of ammonia emissions in Northern Ireland will present additional financial challenges and the degree of challenge will vary between farms. It is not in my interest or anyone else's to hinder investment and economic development of the agriculture industry in Northern Ireland. I reiterate that this cannot be done at the expense of our natural environment and our beautiful countryside.

Mr Elliott: I thank the Minister for giving way. Briefly, I accept what he has said about striking a balance, which is important. Will he accept that NIEA making a response that took three years and three months to a constituent of mine on this very issue is not acceptable? The Planning Service notified NIEA in January 2021, and it did not respond until 26 April 2024.

Mr Muir: I thank the Member for his intervention. I know the frustrations about the turnaround and the response times from NIEA as a statutory consultee, and we are doing all that we can within the limited budget that we have to address that.

I will continue to move forward with policies that address ammonia emissions and help us to meet our commitments under the National Emission Ceilings Regulations and statutory obligations.

We all share the same aim: to protect and improve our natural environment and ensure the sustainable development of our agriculture sector. That needs to be achieved in as timely a manner as possible, and I recognise that it is likely to be a longer process than any of us would like. However, as I have highlighted in other contexts, tackling ammonia emissions cannot be seen in isolation from the natural environment more generally, and we cannot tackle its problems in isolation either. Therefore, I look forward to similar support from Members when I bring forward my environment strategy, which, I hope, the Executive will adopt as Northern Ireland's first environmental improvement plan.

If I have another minute, I have one other point to make. The point about betterment has been raised by a number of Members, and officials addressed it at the Committee meeting last week, on Thursday, at CAFRE in Greenmount.

I understand the points that were made, but the advice that we have received is very clear: there is no legal basis for the use of the betterment approach, and if there are adverse effects as a result of the development, the Northern Ireland Environment Agency is legally obliged to advise of such, even if those adverse effects are a reduction compared with the impact of the existing building. I know that that was considered at the Committee.

1.45 pm

I thank the Members for proposing the motion, and for what has been a useful debate. My officials and I will review the Hansard report afterwards for the points that have been made. Believe me, this is something that I have put my energy into. There are lots of issues in the Department, but, as officials know, we have met on this matter on a number of occasions. I have agreed to engage with stakeholders later this month. We are listening. I am very conscious of my legal obligations, as any Minister would be in this position. We are looking to find a way forward. The capital funding through the UK Government that has been earmarked to support —

Mr Deputy Speaker (Dr Aiken): Will the Minister draw his remarks a to a close, please?

Mr Muir: Yes.

It is absolutely critical that we have that funding to support our agriculture industry here in Northern Ireland.

Mr Deputy Speaker (Dr Aiken): I call Tom Buchanan. You have 10 minutes.

Mr T Buchanan: Thank you, Mr Deputy Speaker. I thank all who participated in the important debate today, and I thank the Minister for being here to respond.

Agriculture, as we all know, is the backbone of our rural communities and is vital for Northern Ireland's economy, the environment and its people. Northern Ireland's farm businesses are an essential part of our rural economy and our communities, providing jobs and driving growth in food production and diversified industries, such as renewable energy and tourism. However, to continue to compete in the marketplace, our farm businesses need to continually reinvest in their businesses to increase efficiencies, meet new standards and improve health and safety while improving the environment.

The Department's stop-start approach to ammonia advice has been not only frustrating for our farmers but deeply disruptive to those with clear and legitimate aspirations to upgrade or invest in new, enhanced, modern buildings. All farms, regardless of size, that are associated with livestock or poultry are impacted by planning rules around ammonia. The policy has impacted on the redevelopment of many farm businesses throughout Northern Ireland that, had they been allowed to proceed, would have been of immense benefit to our environment through the reduction of ammonia levels. To give an example, I have a constituent who was looking for planning permission to replace a milking parlour because the old one that he was using was overdue for replacement and no longer fit for purpose. However, when he looked into getting planning approval, he found that there was no hope of it being granted because of the ammonia target that he had to meet. Had that farmer been granted planning approval and built his new milking parlour, he would have reduced his ammonia levels by at least 80% or 90%. Common sense would tell anyone that that is a way in which to help to reduce ammonia levels across Northern Ireland, but because of the stringent planning issues around ammonia, he is still operating under his old regime. If the Minister is serious about seeking to reduce ammonia levels to protect our environment, he needs to take such situations into account. Let us remember that the farming community is out to protect and enhance the environment, but it is being handcuffed and not allowed to proceed. It is rather absurd that farmers find themselves in the position in which they are expected to do more to protect the environment while working

with a planning system that is entirely incapable of responding to their plans to deliver change.

Striking a fair balance between improving farm productivity and environmental performance is, of course, important. We recognise, as does the Ulster Farmers' Union, that 96% of ammonia emissions come from agriculture. Equally, we have to ask how it advances Northern Ireland's GHG emission targets to have a planning policy that, more often than not, blocks the introduction of more efficient and low-carbon infrastructure on our farms. Newer buildings are far more environmentally efficient, requiring less energy.

Significant investment across our farms has resulted in the adoption of new technology to reduce ammonia levels. Livestock diets have been adapted to lower crude protein, which results in lower ammonia emissions. Significant reductions have already been made in the pig sector, and specialist livestock house floors, housing systems, manure scraping systems, tree planting and other management practices have been adopted across Northern Ireland farms to help to reduce emissions, yet much of that work is unaccounted for in ammonia inventories. Nor, indeed, do planners accept it as mitigation measures, and that is a serious problem for farmers who have made the effort to invest in some issues in their business, yet the planning authority does not take that into account. Therefore, farmers are reluctant to make significant investments in ammonia mitigation measures until there is more clarity on what NIEA might accept. Perhaps we could get clarity from the Minister on what NIEA is really looking for with ammonia mitigation measures.

I will deal with some of the issues that were raised in the debate. The proposer of the motion spoke about the importance of the farming industry to our economy, a planning system that is unfit for purpose, delay by over-stringent planning policy and how it costs a farmer between £10,000 and £30,000 to bring a planning application. We need to see evidence of sustained efforts to reduce the applications backlog, and the Minister should bring forward evidence that planning applications are being dealt with in a timely and efficient manner.

There was concern that if policy is restrictive, it will reduce the number of livestock on farms and productivity in Northern Ireland. There was a call for the Minister to provide clarity and certainty for farmers, and that is what we need. We need to see the Minister come forward, and we thank for Minister for being here today, with clarity for our farming community.

Tom Elliott spoke of the need for improvement in air quality and the environment — of course, that is what farming businesses are all about — and a proactive agriculture policy to provide for Northern Ireland and further afield. He spoke about the difficulties. A matter that, I am sure, every Member has faced when dealing with agriculture issues is the difficulty between NIEA and SES with planning applications and the confusion that there seems to be between those two bodies. That really needs to be dealt with. He spoke about the problems with replacement buildings and planning applications being no longer allowed under permitted development rights if they fall within a distance of 7.5 km of particular sites. That is a huge drawback for our farming community.

Declan McAleer said that Sinn Féin supports a logical and well-thought-out policy and said that a one-size-fits-all approach to ammonia was neither "fair" nor "sustainable". That is a fair assessment; a one-size-fits-all approach will not be fair or sustainable to our farming communities. Another issue that has been raised around the Chamber today is that new and replacement dwellings must be treated with different measures; not all measures in the draft strategy are suitable or sustainable. Any proposal must be subject to a rural impact assessment. Perhaps the Minister will take all those issues on board.

The Alliance Members who spoke said, of course, that they were not in favour of the motion. That is no surprise to us.

Patsy McGlone said that investment in improving farm buildings is essential. That process must be looked at again.

The Minister talked about striking a balance that provides new buildings and protects our environment. He talked about bringing forward capital investment measures to help businesses improve their environmental performance.

Mr Deputy Speaker (Dr Aiken): Will the Member draw his remarks to a close, please?

Mr T Buchanan: Thank you. We look forward to those measures, and to the Minister providing the clarity that has been asked for around the Chamber today. I commend the motion to the House.

Question put.

Some Members: Aye.

Some Members: No.

Mr Deputy Speaker (Dr Aiken): As Question Time begins at 2.00 pm, I suggest that the Assembly takes its ease until then. We will return to this debate after the question for urgent oral answer, when I will put the Question again.

The debate stood suspended.

(Mr Speaker in the Chair)

Oral Answers to Questions

Justice

Prisons 25by25: Update

1. **Mr Harvey** asked the Minister of Justice for an update on the implementation of the Prisons 25by25 programme. (AQO 585/22-27)

Mrs Long (The Minister of Justice): The Prisons 25by25 strategic improvement programme captures the Prison Service's ambition for continued development and improvement. The focus of the programme is delivering the best possible service to those in our care and for wider society. Year 2 concluded at the end of March. Achievements included three recruitment campaigns; further development of support services for serving and former staff; the launch of a substance misuse strategy; the completion of over 100 minor works projects; and the roll-out of X-ray body scanners in all three prisons. The programme has now entered its third and final year. While it is right that the planned actions continue to be ambitious, it is important to acknowledge the context in which the Prison Service will be operating and delivering, with a significantly increased and increasing prison population.

Mr Harvey: I thank the Minister for her answer. Could the Minister update the House on the development of the programme to facilitate autism-friendly visits as part of the strengthening family relations strategy?

Mrs Long: I thank the Member for the opportunity to do so. A number of years ago, when I visited the prisons, one of our staff had helpfully designed a programme to support children with autism or, indeed, neurodiversity to access prison visits better than had been the case in the past. As people will appreciate, family connections are a hugely important part of the rehabilitation process. They are also a hugely important part of a prisoner's life when they are apart from their family and, conversely, for their family when they are apart from the prisoner. Therefore, a lot is at stake when those visits go well or do not go well.

Autism and autism spectrum disorders can lead to people finding the prison environment stressful and to a degradation in the quality of visits. That programme was put in place to

support individuals who are neurodiverse and acquaint them with the processes that they would face when they arrive at prison, with the different stages of search and with the environment. Obviously, those who have particular sensory issues will often find prison a stressful environment. The noise, the sniffer dogs and the change of environment can be stressful, so preparing children, in particular, and adult visitors for what to expect when they arrive at the prison has proven to be valuable to families. We also recognise that some of our prisoners arrive with complex needs and often with undiagnosed neurodiversity issues. We are looking at how we can better support those prisoners on their journey through the system so that they get the maximum benefit from their time in our custody.

Mr Beattie: The Prisons 25by25 programme is important. You are absolutely right that one of the key issues is our people. Minister, are new prison officer recruits security-cleared before they have access to PRISM (the Prison Service management information system) on the landings?

Mrs Long: I would advise the Member to raise the operational detail of that with the director general. However, no one would have access to security-level information unless they have been adequately cleared to take up that role. Checks are made before people are allocated to the roles that they play in the system. I imagine that it would be the same with PRISM.

Ms Nicholl: What impact is the rising population having in prisons?

Mrs Long: Our experience shows us and evidence demonstrates that a high prison population generally results in an increase in tension in the prison setting. Managing prisoners through encouraging positive behaviour becomes more challenging, leading, for example, to increases in assaults and incidents. When we are dealing with a more volatile environment, that leads to increases in the use of force, the number of adjudications and the use of segregation. That can contribute to prisoners, particularly vulnerable prisoners, feeling more unsafe, and levels of self-harm tend to increase.

Prisoners, in general, are cooperative when they are treated with humanity and respect; in essence, when relationships between them and prison staff are positive and courteous. Therefore, it is hugely important that the Northern Ireland Prison Service (NIPS) seeks to maintain appropriate living conditions, out-of-

cell time and the delivery of a predictable and stable regime. If NIPS does not have sufficient staff available each day, it is not possible to offer that predictability, and, therefore, restrictions will increase, out-of-cell time will reduce and relationships with staff will deteriorate. The fact that over 500 prisoners are doubling up across the estate also impacts on living conditions and on prisoner and staff morale.

Child Criminal Exploitation

2. **Mr McMurray** asked the Minister of Justice for her assessment of the impact of the recent series of short films created by the Executive programme on paramilitarism and organised crime (EPPOC) highlighting the impact of child criminal exploitation by paramilitary groups. (AQO 586/22-27)

Mrs Long: The harms that are most commonly associated with paramilitary gangs are centred around drugs, violence against the person, public order issues and bombing and shooting attacks. What is less obvious is how gangs groom, exploit and harm vulnerable young people to maintain their position in communities through intimidation and the threat of violence. To help to highlight that, the Executive programme on paramilitarism and organised crime produced three short case study videos covering the topics of violence, victims and child criminal exploitation. The first film launched on 1 May and has been viewed over 46,000 times on social media, prompting media and public discussion. The remaining two videos in the series, which cover the topics of violence and criminal exploitation, will be launched by the programme in August and September respectively.

Mr McMurray: Thank you, Minister. Will the videos be used in education settings?

Mrs Long: The hope is that the videos will serve as a prompt for discussion and learning to be used by EPPOC's delivery partners, engaging with different groups of service users as well as with all schools. They can be integrated into existing programmes, such as those by the Education Authority, Communities in Transition, Developing Women in the Community, Aspire, Engage, NIACRO and others. The plan is that the videos can serve as a prompt for people who may not realise that they or, indeed, their friends have been subject to, for example, child criminal exploitation but, on watching the videos and looking at the evidence that is presented in them, may recognise themselves or others as victims and,

therefore, be more willing to report and make disclosure about that abuse.

Independent Commission for Reconciliation and Information Recovery

3. **Mr O'Toole** asked the Minister of Justice to outline her Department's engagement with the Independent Commission for Reconciliation and Information Recovery (ICRIR). (AQO 587/22-27)

Mrs Long: My Department has had limited engagement to date with the Independent Commission for Reconciliation and Information Recovery, which was formally established on 1 May. The Commissioner for Investigations, Peter Sheridan, wrote to me in March to update me on the development of the commission and its operating model. In his letter, he offered to meet me to brief me more fully on those matters. That meeting took place on 4 June. The commission has also requested a meeting with my officials, which is due to take place next month.

The Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 places statutory duties on relevant authorities, including the PSNI and the Office of the Police Ombudsman for Northern Ireland, to provide such information, documents and material as the commission may reasonably require to enable it to carry out reviews of deaths and other harmful contact during the period of the Troubles. I am aware that the commission has been engaging directly with those organisations on how those interfaces will be managed. There has also been some preliminary engagement with Forensic Science Northern Ireland and the legacy inquest unit in the Northern Ireland Courts and Tribunals Service.

My opposition to the legislation passed in Westminster and my concerns about the impact that it will have on the right of victims and survivors to access justice and on wider public confidence in the justice system remain. The justice organisations for which my Department has responsibility will, nevertheless, fully comply with any obligations now placed on them by the Act and will not seek to obstruct or frustrate in any way the delivery of truth or justice to those impacted most directly by the Troubles.

Mr O'Toole: Minister, I acknowledge that the Act places legal obligations on your Department and its bodies and it would be wrong to obstruct them, but is it also the case that, given that

every party in the Chamber opposes the Act, it would be right for your officials to plan now on the basis of that Act's being repealed, as is the policy of what will, hopefully, be the incoming UK Government? Does the Minister agree with that? Will she instruct her officials to plan and prepare for that eventuality?

Mrs Long: I am already committed to the repeal of the legislation, and I have been clear that that is what, I believe, should happen. We have to look at what has been suggested by Labour Party statements in the round. While Sir Keir Starmer has pledged to repeal the Act if there is a Labour Government following the general election on 4 July, the shadow Secretary of State for Northern Ireland, Hilary Benn, speaking on 'Good Morning Ulster', said that Labour would remove immunity from the Act and restore civil cases and inquests. There therefore appears to be something of a dichotomy in Labour's approach. My Department will make preparations for whichever outcome the next Government announce in due course and, in the interim, abide by our legal requirements on cooperation.

Ms Bunting: The Minister will be aware that not everybody is willing to engage with the new bodies and that some innocent victims and their families have trust issues with the new arrangements. What reassurance can she give to those families that they and their cases will not be left behind?

Mrs Long: I deeply regret the fact that I can give such people no consolation, because the matter is outwith the competence of my Department and the Assembly. Responsibility for legacy legislation has been taken by the Westminster Government. They have made their decision that that is the way forward. I have consistently made clear my opposition to the Act, and I fully support calls for it to be repealed. I hope that whoever is in government following the general election will make that a priority and will listen to victims and survivors and support them in their quest for truth and justice. I cannot, however, offer them an alternative means of seeking truth and justice, which has been barred by legislation from Westminster.

Mr Dickson: While the legislation remains in place, what funding is the Department expecting to receive in order to service it?

Mrs Long: One of the great challenges that we have had is being able to determine what burden the new legislative arrangements will place on my Department. While the

Government are clear that they believe that the legislation will alleviate some of the pressures that the Department has faced when handling the issues, no allowance has been made for, for example, the funding of some requests that have been made in addition to what we receive through the block grant. I can think of examples in which that is the case. I have, however, made it clear to all the organisations that work with and are funded by the Department of Justice that any work done for the ICRI is a separate line of accounting and needs to be treated as such and that costs need to be recovered from the UK Government. Treasury rules are clear that whoever owns the policy pays the bill, and that has to apply in this case.

Criminal Responsibility: Minimum Age

4. **Ms Bradshaw** asked the Minister of Justice for an update on her plans to increase the minimum age of criminal responsibility. (AQO 588/22-27)

Mrs Long: I have been very clear about my commitment to raising the minimum age of criminal responsibility (MACR) in Northern Ireland in order to bring us closer to meeting international standards, including those set by the UN Committee on the Rights of the Child (CRC). At 10 years of age, our current MACR is the lowest in Europe. In raising it, we are saying not that children's offending behaviour should be ignored but that children should not face the full force of the justice system.

In order to seek the views of the public on this important issue, I agreed to a consultation, which was carried out in 2022. It showed overwhelming support for an increase in the MACR, with over 83% of respondents agreeing that the age should be increased beyond 10 years. The majority supported an increase to 14 years.

On the basis of the outcome of the consultation, my officials have developed an options paper. I intend to share it with my Executive colleagues to seek their views on my proposals. As any increase in the minimum age of criminal responsibility requires legislative change, it will not be possible for me to progress the matter in the absence of Executive approval.

Ms Bradshaw: I thank the Minister for her answer. Will she please outline what the effect of increasing the minimum age will be?

Mrs Long: The effect will depend much on the agreed new minimum age, but it would affect

only limited numbers of individuals, as few young children are currently dealt with through the formal justice system, thanks to the work of the Youth Justice Agency (YJA). If the MACR were to be raised to 12, for example, it would have affected a total of 63 children in 2022, as that was the number dealt with through the courts or diversionary measures. Only 12 of those cases were prosecuted at court, which is less than 1% of the number of children dealt with in that year.

Some may see that as a reason not to make a change, but, as well as meeting our international obligations, raising the minimum age of criminal responsibility would send out a clear message that young children who offend need support, guidance and help, not criminalisation and punishment. Were the MACR to be raised, it would be our intention to work with partners across other statutory, community and voluntary sectors to agree a framework through which children engaging in criminal or antisocial behaviour could receive multi-agency support in the community to address their behaviour and the underlying issues.

We know that contact, particularly early contact, with the justice system tends not to augur well for people's long-term life outcomes. The longer we can keep our young people out of the justice system and provide them with the support that they need, the better for everyone in society.

2.15 pm

PSNI Surveillance: Journalists

5. **Mr McGrath** asked the Minister of Justice to provide an update on whether an independent inquiry is required into allegations of the surveillance of journalists by the PSNI. (AQO 589/22-27)

Mrs Long: As I publicly stated to the House on 4 June, I am not ruling out future action and stand ready and willing to support the board in such actions as may be considered necessary. However, at this stage, I remain satisfied that no action on my part is yet required, as the processes of accountability by the Chief Constable, the Policing Board, the Investigatory Powers Tribunal and the McCullough review should be allowed to conclude without interference.

Mr McGrath: In the interests of clarity, will the Minister confirm that there is no rule or law preventing the calling of an independent inquiry

now, and that that is a decision that the Minister is taking?

Mrs Long: It is a decision taken in line with the guidance in the legislation. It clearly says that a Minister, in making a decision to call a public inquiry, must have due regard to what other investigatory mechanisms are available to deal with an issue before proceeding. It is also the case that it would be improper, though not impossible, to cut across a tribunal system that is judge-led. I have also set out the other restrictions that may come into play at such times as I would be directly asked to institute an inquiry, in that the issues may well interface with the security services, in which case my powers as a devolved Minister and, indeed, any devolved Minister's powers are significantly constrained by the Inquiries Act 2005.

Mr Blair: Does the Minister agree that all mechanisms available to the Policing Board should be exhausted in such circumstances before any inquiry should be considered? Those matters around policing arrangements are precious and important to the accountability of the Chief Constable to the Policing Board.

Mrs Long: It is a very important point. The Chief Constable is ultimately operationally responsible to the Policing Board. The Patten arrangements were put in place after considerable thought and sensitivity, and, as Justice Minister, I would be loath to take a wrecking ball to the delicate balances therein. That course of action and how the Policing Board decides to proceed with its investigations is a matter for the board. I respect its operational independence in its role of holding the Chief Constable to account. However, I understand that the board has agreed to exercise its power under section 59 of the Police (Northern Ireland) Act 2000 to require the Chief Constable to submit a further report on the matter and that, provided that the terms of reference for the McCullough review meet the board's section 59 requirements, this will act as its section 59 report.

PSNI: Pensions and Injury Benefits

6. **Mrs Dillon** asked the Minister of Justice to outline why her Department has no current plans to legislate for the removal of the injury-on-duty and the police pension scheme for ill-health retirement from the Policing Board's responsibilities. (AQO 590/22-27)

Mrs Long: Until the four recommendations outlined in the Northern Ireland Audit Office (NIAO) report relating to the police injury-on-

duty scheme are addressed, I have no plans to remove either the injury-on-duty or ill-health retirement responsibilities from the Northern Ireland Policing Board at this stage. The matter is out for a targeted consultation until 17 July 2024. However, the roles and responsibilities of the Department, the PSNI and the Policing Board will be considered as part of future deliberations.

Mrs Dillon: Go raibh maith agat. I thank the Minister for her response. Based on the responses to that consultation, might you revisit it and consider bringing forward legislation on ill-health retirement and injury on duty? We do not want a system where we have two separate processes, because you could have one officer going through two separate processes.

Mrs Long: I understand the point that is being made, but given that the roles and responsibilities of the Policing Board were established by the Patten report, any change is likely to be a cross-cutting matter involving the Executive Office and the Department of Finance and, potentially, requiring amendment to primary and secondary legislation. Before making any commitment to change, it would be important to do proper consideration on it.

In March 2020, the Northern Ireland Audit Office concluded its report on injury-on-duty schemes for officers and looked at injury-on-duty awards made to former police and prison officers for injuries sustained while they were on duty. One recommendation of the report was to set up a steering group comprised of key representatives from DOJ, DOF, the Police Service, the Policing Board, the Northern Ireland Prison Service and the Departmental Solicitor's Office to manage the implementation of the recommendations. The two subgroups that now report to the steering group were established to allow us to take that forward. The steering group is considering the roles and responsibilities associated with the PSNI injury-on-duty scheme to determine where they would be best placed. However, it is important that we do not cut across other important work that is also strictly time-bound and needs to be taken forward in shorter measure when we come to look at this issue.

Mr Donnelly: What has the Minister done to try to address the backlog in independent medical referee (IMR) appointments?

Mrs Long: The IMR issue is significant. We have now engaged the service of an external supplier. That allowed the independent medical referee assessment process to commence on 4

March this year. Officials have instructed the supplier to procure additional resources, with a view to resolving the backlog as soon as possible. That backlog is the result of medical appointments being paused due to several factors. They include the COVID pandemic, by removing the ability for cases to be actioned; the McCloud remedy, requiring the reassessment of some police pensions; the exploration of the Department's previous IMR contract; and the difficulty in procuring a new supplier who could provide the services. Thankfully, on the last score, we now have that arrangement in place.

Mr Clarke: Does the Minister accept that the current process for ill-health retirement and injury on duty is clunky and not fit for purpose? Does she also accept that, given the high numbers of people involved in it and the low numbers of police officers on the front line, we need a robust system fast to resolve the issues for many of those officers who will never be able to return to work or who are off for in excess of 12 months? Does she accept that we need to do something more swiftly, rather than have some form of consultation?

Mrs Long: There is, of course, nothing to stop the board doing whatever it wishes to speed up delivery by the injury-on-duty scheme. That is the responsibility of the board, and it is not for me to direct the board on how to implement that scheme or what resources to attach to it. The question that has been asked of me is whether I would relocate that injury-on-duty responsibility either in the Department or, more likely, with the Chief Constable. We need to approach that question with due care and attention. We are waiting on a consultation outcome in July. When we have the consultation outcome and have been able to see the feedback on that, we can look at whether that is the way to proceed. We need to make sure that do not simply move a failing scheme, potentially, around different organisations. We need to get to the bottom of why the delays have happened and how we can eliminate those delays, rather than doing things that, I guarantee, make life easier for the board but may not help the officers about whom you speak.

Terrorism-related Offenders

7. **Mr Chambers** asked the Minister of Justice to outline how she intends to monitor terrorism-related offenders throughout this mandate. (AQO 591/22-27)

Mrs Long: In September 2021, my Department established the multi-agency review

arrangements, known as MARA, to assess and manage the risks posed by terrorist risk offenders (TROs). That is in line with article 50 of the Criminal Justice (Northern Ireland) Order 2008, which makes provision for the management of offenders who may cause serious harm to the public. In discharging that function, MARA brings together the Department of Justice and supervising officers appointed on the Department's behalf, along with representatives from the Northern Ireland Prison Service and the Police Service of Northern Ireland.

Terrorist risk offenders are managed under MARA from the point of conviction through to the expiry of their licence period. Under the arrangements, supervising officers work with partners to conduct risk assessments; prepare risk management plans; provide reports for review by the Parole Commissioners for Northern Ireland; and monitor those offenders who have been released into the community. Those arrangements enhance and support public protection.

Mr Chambers: Thank you, Minister. Will the Minister outline the annual cost to her Department of His Majesty's Prison and Probation Service (HMPPS)?

Mrs Long: The Department has allocated around £500,000 for 2024-25 to support the deployment of supervising officers whose role it is to engage with TROs to support the assessment and management of their risk. The funding secures supervision officers and administrative staff — six and a half full-time equivalents — from HMPPS. The supervising officers are all qualified probation officers. My priority is keeping the public safe and delivering effective public protection. That can be a costly exercise, but savings are realised wherever possible.

Victims of Crime Commissioner

8. **Ms Ferguson** asked the Minister of Justice whether she has any plans to place the role of the Commissioner for Victims of Crime on a statutory footing. (AQO 592/22-27)

Mrs Long: I recognise the very important contribution already being made by the Commissioner Designate for Victims of Crime in giving a voice to victims and representing their needs and interests. I plan to introduce legislation before the end of the mandate to put the role of Commissioner for Victims of Crime on a statutory footing.

Ms Ferguson: I put on record my thanks to Skeoge community hub and the ladies and gentlemen from Skeoge in Derry who have come along today to find out more about the work of MLAs in the Assembly.

Minister, what steps have you taken to ensure that the role of the Commissioner for Victims of Crime is fully functioning before it is put on a statutory footing?

Mrs Long: The commissioner designate and her office continue to represent the needs, rights and interests of all victims of crime. I am very grateful for the engagement that the commissioner designate and her team have taken forward with victims and their families and for her identification of priority areas for change. Not only has she been instrumental in amplifying the voices of victims of crimes to promote better service delivery and compliance with the victims' charter, she has been critical to the driving up of the protection of victims' data and privacy. In the next number of weeks, I hope that she will join us at the Criminal Justice Board on a trial basis, so that she will have a seat at the table as we make decisions about crucial issues such as speeding up justice.

Ms Egan: What is the Minister's assessment of the impact of the work of the commissioner designate, so far?

Mrs Long: The work that the commissioner designate has done is hugely important. As Members will be aware, when we appointed a commissioner, the idea was that that person would lead on areas such as hate crime and domestic violence and abuse. Her work on that has been extremely strong; she has not only challenged the legislation, the victims' charter and those areas but has looked at the flow from domestic abuse cases into the family courts and challenged for the reform of the family courts system. That has been incredibly helpful, particularly to those victims, with whom we have all engaged, who find that the family courts system can sometimes be abused by former partners who try to coerce and control their partner, post break-up. The commissioner designate's voice and independence on that are hugely important. The challenge function that she can provide at the moment is powerful, but, given a statutory footing, I believe that she will be able to do much more.

Rape Victims: Trial Support

9. **Ms Hunter** asked the Minister of Justice to outline what further reforms are being

considered to support rape victims during a trial. (AQO 593/22-27)

Mrs Long: I am planning a range of reforms that will add to the supports for rape victims, such as the establishment of remote evidence centres, advocacy and sexual offences legal advisers (SOLAs), which my Department has already introduced. Those new measures include legislation to provide for greater regulation of the use of victims' private information within the criminal justice disclosure process and to clarify when and how pre-trial third-party representation for victims of serious offences may be enabled. Those measures will support victims who wish to object to applications for the disclosure of their personal information, such as medical or counselling records, or to applications to admit evidence of their previous sexual history at trial.

Subject to funding, I hope to launch a pilot to test pre-recorded cross-examination, before the end of the mandate, and to establish SOLAs for child victims. I look forward to receiving a report on some ongoing research into attrition in serious sexual offence cases and will use the findings to develop further measures to increase victims' confidence to be able to report sexual crime and to remain in the criminal justice system until the conclusion of their cases.

Ms Hunter: I recently met a fantastic sexual offences legal advisory team that does incredible work to support rape victims in Northern Ireland. That team said that there is no mandatory policy by which the Public Prosecution Service (PPS) is notified about a rape case. Could you make that mandatory in this mandate? Also, I welcome the news that you are looking at providing SOLAs for under-18s. Do you have a timeline for that?

Mrs Long: I would be interested to meet the Member to further discuss that first point. That issue has not specifically been raised with me through the Department, but I would be keen to address it if there is a gap in provision.

We had hoped to provide the children's sexual offences legal adviser (CSOLA) this year, but we did not get the resource budget that we bid for in respect of that project. We will continue with the work that is being done as part of the under-13s pilot, hopefully extending it to under-16s in order to expedite those cases through the justice system to give as much support as we can and continue to work with others to secure the additional funding needed for the CSOLA.

Mr McReynolds: Will the Minister outline what support is in place for rape victims at trial?

Mrs Long: A range of support is available for people who go to trial in rape cases. One of them is that people have the right to seek special measures that mean that they do not have to go to the court and give their evidence in public.

Some of the reforms that Sir John Gillen's review proposed have been implemented and are having a positive effect. Disclosure is obviously one of the areas that we wish to address, because we believe that some issues around disclosure have been negative. The seeking and use of victims' third-party material has also been a concern for victims' rights advocates. We ensure that victims are informed of the SOLA service and can self-refer to legal advice prior to making a report. Finally, the provision of remote evidence centres is hugely important to ensure that victims can give their evidence in safe and comfortable surroundings away from the court building. We have excluded the general public from the court room at trial, and we continue to implement other Gillen recommendations to reduce delay, improve training for front-line staff who deal with victims and improve achieving best evidence procedures and disclosure processes to help with the experience of victims of sexual crime.

2.30 pm

The most powerful thing that we as an Assembly can do is not what we do to support the victims of crime but what we do to change our society so that people are less at risk of becoming victims of crime. I look forward to seeing the strategy for ending violence against women and girls being published soon in order that we can refocus on preventing victims being created rather than simply focusing on the supports that we can offer people once their life has been, often, irretrievably destroyed.

Mr Speaker: We will move to topical questions.

Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022: High Court Judgement

T1. **Mr O'Toole** asked the Minister whether, if she is successful in seeking another office to leave the office that she holds now and as this could be the last time that she is in the Chamber to answer questions as Minister, given that she has now had several weeks in which to consider whether to appeal the High

Court's scathing rejection of the anonymity provisions in the Justice (Sexual Offences and Trafficking Victims) Act 2022, she will do what sexual offence victims and media organisations would like her to do and confirm that she will not appeal that judgement. (AQT 391/22-27)

Mrs Long: I will do what is right in front of the law and the Assembly. The specifics of the Justice (Sexual Offences and Trafficking Victims) Act — the four clauses — are one element of that consideration, and they are an important one, but the wider ramifications of the judgement for the ability of the House, Committees and, indeed, the Executive to take forward legislation are not insignificant. Therefore, I will wait until the full legal advice has been offered to me before I make any decision. I have briefed my Executive colleagues and others for whom this is relevant on some of the detail of that, and I will make the right decision on the basis of the future of the House and its ability to legislate on those matters.

Mr O'Toole: Given that, in a fortnight's time, you are standing for election to leave the job, Minister, you may not be the one who makes that decision. I know that your diary is filled with visits to funfairs and other matters, but it is important that we deal with these things seriously.

Political stability is another issue. You and I agree that neither the First Minister nor the deputy First Minister should have the power to resign their office and throw the Executive into instability. If you are elected as MP for East Belfast, your replacement will have to be elected specifically and uniquely by the Chamber. If that happens, is there a political agreement that an Alliance Party representative will replace you, and, if not, will you commit that your party will not throw the institutions into instability by leaving the Executive, should the next Justice Minister, if you are successful in the general election, not be an Alliance representative?

Mrs Long: With respect, Mr Speaker, I am not sure that the general election is a matter that falls to the Department of Justice, nor do I believe that the question is particularly appropriate. I cannot use my resources in the Department to promote my campaign; equally, I do not think that other parties should use the Chamber to promote theirs. There has to be some appropriateness when it comes to such things. I am glad to know that the Member is watching me so closely to see how I spend my time outside the Chamber. He will, no doubt,

also have recognised that the 30 seconds that I spent on the ghost train, which, by the way, was excellent value for money, was only a tiny part of a busy day on the campaign trail.

Mr Speaker: Dr Aiken is not in his place. I call Paula Bradshaw.

Post Office (Horizon System) Offences Act 2024

T3. **Ms Bradshaw** asked the Minister to give an update on the implementation of the Post Office (Horizon System) Offences Act 2024. (AQT 393/22-27)

Mrs Long: My Department is working with the UK Government and operational partners on the implementation of the Act. That includes identifying any cases that are within the scope of the legislation, notifying the individuals concerned and ensuring that their records are updated. That work is ongoing.

Although the number of cases that have been identified in Northern Ireland is relatively small, the hurt and distress that the Horizon scandal inflicted on the individuals concerned is no less significant. Therefore, I am keen to ensure that all those who have had convictions overturned or cautions deleted are notified as soon as possible and that those eligible to receive financial redress are allowed to access that as swiftly as possible.

Ms Bradshaw: Thank you, Minister. You have touched on it a bit, but could you indicate, please, how quickly those affected will know that their convictions have been overturned?

Mrs Long: Prior to the calling of the election, it was anticipated that the Bill would pass and would receive Royal Assent in early to mid-July. That was the deadline to which my Department was working. However, the Act went through those processes swiftly in the wash-up in Westminster, and, therefore, we are notifying people that their convictions have been quashed where their convictions have been identified, and, as I described in my initial answer, we will take steps to notify a personal representative if a person is deceased.

Our original intent was that those letters would issue at the point that the legislation received Royal Assent. However, as Royal Assent was brought forward to 24 May, that was not possible. However, work to identify individuals within the scope of the legislation is advanced: indeed, I received an update from the Chief

Constable this morning on that issue. Once that assessment of cases has been completed, we will issue those letters without delay.

The intention is for letters to issue to affected individuals in advance of the opening of the financial redress scheme for the cohort of applicants. We understand from the Department for Business and Trade that that is provisionally scheduled for the end of July. However, if anyone believes that they have the right to be exonerated under the scheme, I encourage them, even at this stage, to come forward to the Department, make us aware of their case and allow us to find the relevant information to ensure that everyone who is entitled to support is fully captured.

His Majesty's Prison Magilligan

T4. **Mr Bradley** asked the Minister of Justice, notwithstanding the good news that the funding is available for the necessary upgrade at His Majesty's Prison Magilligan, how reductions in the budget will impact on the work due to take place at the correctional facility. (AQT 394/22-27)

Mrs Long: As the Member knows, we remain absolutely committed to a replacement facility being built at Magilligan. Initially, the plan was for the residential accommodation and the kitchen and dining accommodation to move forward as a single project. Due to the restrictions on resources in the Department, particularly in the capital budget, and the urgency of the work required on the kitchen and dining facilities, we have decided instead to split those into two separate business cases. We will advance the kitchen and dining facilities first, and we will submit a business case at a later stage to advance the accommodation element. We believe that the kitchen is the bit of the facility that is at most risk, given its age and the need for an upgrade.

Mr Bradley: Thank you very much for your answer, Minister. I raised this question some time ago — almost six years ago — with a previous Justice Minister, yet here we are with the same question arising. Has a time frame been set for work to commence on the prison?

Mrs Long: Again, I reassure the Member that work has commenced in terms of the design process, the business case and all of the preliminaries that need to be done. However, we cannot start to cut the sod on those two major pieces of the jigsaw until we know that we have the resources to do so. I know that the Member visits the prison to check on progress,

so he will know that there has been other significant development around Magilligan. For example, there have been improvements to power lines, to the building exterior, to the house of worship and to other spaces in the prison that are significant. We will continue to make those adaptations to the system in the meantime.

Ultimately, however, those major projects are entirely reliant on the availability of capital investment, for which I am competing with schools, hospitals and the rest of the public sector. Often, people do not realise just how important it is that we rebuild our prison system and provide a safe and dignified environment not only for the people who live there but for those who work there.

Anti-community Behaviour: Derry

T5. Mr Delargy asked the Minister of Justice for an update on any involvement that her Department has had, as we approach the summer, in supporting initiatives that are run by community and voluntary organisations in his constituency in Derry, particularly those that aim to minimise anti-community behaviour. (AQT 395/22-27)

Mrs Long: I will not pretend that I can run through every scheme that the Department is involved in, but we have a relatively small footprint in the work that we do. The Youth Justice Agency is engaged in diversionary programmes dealing particularly with young people. The assets recovery community scheme (ARCS) is used to invest in community-based organisations that provide facilities. If the Member would like, I can provide him with further detail about what organisations in his constituency we fund on those issues.

Mr Delargy: I would definitely appreciate that. Thank you. Can you also provide me with an update on any cross-departmental work that you are doing, particularly with the Executive Office?

Mrs Long: There are a number of areas where we work with TEO, including the Communities in Transition scheme. We also work with the Department for Communities on diversionary activity and trying to support young people particularly but also wider communities in building resilience against paramilitary and organised crime, which, we know, is a genuine issue for many people.

It was remiss of me not to mention that the policing and community safety partnerships

(PCSPs) in each of the council areas are funded by my Department. My Department also invests in local projects and diversionary schemes to support the wider work of the PSNI and the other law enforcement agencies and their community and voluntary sector partners.

UVF Show of Strength

T6. Mr McReynolds asked the Minister of Justice to join him in condemning the UVF's so-called show of strength in east Belfast at the weekend. (AQT 396/22-27)

Mrs Long: I would love to say that I have pleasure in doing so, but I have no pleasure in doing so. It is incredibly disturbing that, at this juncture in Northern Ireland, we continue to see such shows of strength. The people of Northern Ireland generally and of east Belfast in particular are weary of paramilitary organisations exerting coercive control in their community. They are not interested in changes in leadership and management; they are interested in those organisations being put out of business. The sooner that happens, the better for us all.

Mr McReynolds: I thank the Minister for her response, and I certainly agree with the sentiment of her answer. Minister, do you agree that what took place on Saturday evening demonstrates the coercive control that such organisations exert over our communities and that discussions around group transition are no longer appropriate in 2024?

Mrs Long: The obvious thing that most of us can see is that many groups have successfully transitioned with no government support: they have transitioned fully into organised crime gangs. Where they want to make a step change in function, they seem capable of doing it without support from anywhere else. Group transition, in the sense of those organisations becoming post-conflict organisations, is not the answer. Those individuals need to transition to being law-abiding members of our community. They need to integrate into society on the same basis as the rest of us and cease the coercive control, threat and intimidation that they wield. Some people refer to these as shows of strength; in my view, they are shows of fragility. When you have to ship people in from outside to cause intimidation in a constituency, there is nothing strong about it.

Courts: Gillen Review

T7. **Mr Blair** asked the Minister of Justice to give an update on the progress that her Department is making on the Gillen review, which she mentioned in an earlier reply, given the wide-ranging but very important issues associated with that review. (AQT 397/22-27)

Mrs Long: I remain fully committed to the full implementation of the Gillen review. It is a transformational programme, but it requires a collaborative approach across other Departments, statutory agencies and third-sector organisations. Some work streams — for example, those related to relationships and sexuality education — fall to the Minister of Education to progress. We have made good progress, with 76% of recommendations having been implemented to some degree and 62% fully completed. A further 14% are partially completed, and that is usually in the form of a pilot.

While it is useful to note the number of completed recommendations, it is equally important to note the measures and services introduced as part of the implementation programme that are making a real-life difference to victims. Access to free legal advice, which we discussed in response to Ms Cara Hunter's question, is hugely important to people. Many people are now able to give evidence from remote evidence centres away from court and are therefore much more likely to attend their court hearings and not be intimidated away from doing so. Members of the public can no longer be in a courtroom during a trial. Complainants are no longer required to give oral evidence at a committal hearing, forcing them to give evidence about the most traumatic moment in their life twice. Across the criminal justice system, professionals have better access to training so that they can understand and deal sensitively with the trauma that complainants have suffered. It is hugely important that we continue that work.

2.45 pm

Mr Blair: The Minister has mentioned this already, but will she confirm that engagement with stakeholders will continue as the recommendations in the review are implemented?

Mrs Long: We will continue to work with our statutory partners, the wider justice system and the community and voluntary sector. In particular, we are working on the judge-led voluntary protocol. It has seen a 70% reduction in the average time between reporting a sexual

offence and court disposal. The voluntary protocol is for child witnesses under 13, but it is now being extended. They are expediting as much as possible similar serious sexual offences involving children under 16 in all court divisions. If we can do more at each stage, whether that is through the children's sexual offences legal advisers, experiences like this or, indeed, the existing NSPCC-led establishment of remote evidence centres, we will continue to do all in our power to work with partners to deliver the best possible outcomes.

Mr Speaker: We are moving on to questions for the Minister of Agriculture, Environment and Rural Affairs. I ask Members to take their ease while the Ministers change places.

Agriculture, Environment and Rural Affairs

Mobuoy Dump: Remediation Strategy

1. **Ms McLaughlin** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the public consultation on the draft optimum remediation strategy for the site at Mobuoy. (AQO 598/22-27)

Mr Muir (The Minister of Agriculture, Environment and Rural Affairs): I wish to highlight from the outset that my Department remains fully committed to pursuing the perpetrators of this environmental crime through ongoing criminal proceedings, including ensuring that the polluter pays through confiscation under the Proceeds of Crime Act 2002.

Safeguarding public health, assuring safe drinking water and reducing the environmental impact of this crime are paramount. My Department will continue to deliver its comprehensive environmental monitoring programme at the site. That includes site inspections, regular monitoring of groundwater and surface water, daily laboratory testing of water quality at the NI Water drinking water abstraction point and working in partnership with NI Water. Detailed water quality monitoring reports are published on the DAERA website, and I am advised that, to date, there has been no adverse impact on the safety of drinking water supplied from the River Faughan.

A draft optimum remediation strategy to deliver the long-term remediation of the Mobuoy site, based on the best balance of environmental, social and economic factors, has been

developed. A detailed risk assessment drawing on extensive site investigations and over seven years of monitoring has provided a robust evidence basis for a detailed appraisal of many remediation options and, subsequently, the development of the draft remediation strategy. The draft strategy has been developed in line with best practice and using guidance issued by the Environment Agency that applies to Northern Ireland. The next step in the process is to consult the public on the draft strategy. It is vital that we get it right, and I will ensure that all interested parties have the opportunity to comment on the draft strategy. There is no agreed preferred option, and there will not be one until the consultation has been completed and the responses carefully considered.

Ms McLaughlin: I thank the Minister. I really appreciate the urgency with which he is taking action on the issue. The Mobuoy site has serious environmental implications, but it also has implications for our economy. It is holding up progress on the A6. Will the Minister detail how he will work with the Minister for Infrastructure to ensure that progress is finally made on that crucial issue and that the delay in one issue does not kill progress on the A6?

Mr Muir: I thank the Member for her question. I understand the urgency to act on this matter, for many reasons, including in relation to the A6. I have briefly spoken to the Infrastructure Minister about it, and I continue to engage with him. There are other reasons for that as well: it is a site where an environmental crime is alleged to have occurred, investigations of which are ongoing and on which a justice outcome is being sought; and there is also an impact on the local community. In the time ahead, I will engage with Derry City and Strabane District Council, because it is a key issue for the people of the north-west.

Miss Brogan: Is the Minister or his Department aware of or examining any other dumping sites to ensure that a situation like that at Mobuoy does not develop again?

Mr Muir: I thank the Member for her question. I am aware of other sites in Northern Ireland. The issue of environmental crime, particularly waste crime, is something that I take seriously. I have engaged with colleagues on how we can better ensure that we practise the "polluter pays principle" and secure proper outcomes from that. That means working with the organised crime task force and HMRC, and it also means resourcing the Northern Ireland Environment Agency (NIEA). I will put a focus on it and engage with officials in the time ahead,

because we need to eliminate waste crime in Northern Ireland.

Mr Elliott: The Minister indicated that there is no preferred option in the draft strategy. Has he estimated the costs of the options that will be published in it?

Mr Muir: I thank the Member for his question. It is a key issue, and the potential costs have concerned me. To date, my Department does not have a cost estimate that has been assessed and approved through the required public finance processes and an approved business case. There are several reasons for that, and it is important that I outline them to the Member and the House.

First, my Department continues to pursue the perpetrators of the environmental crime through ongoing criminal proceedings and will, in line with the "polluter pays principle", strenuously seek to ensure that the polluter does pay. Secondly, my Department will shortly issue a public consultation on a range of remediation options for the site. Stakeholders' views are hugely important to me, and I want to ensure that those views are taken into account in choosing the remediation options. I am therefore not able to confirm stable costings now. Thirdly, a range of approval processes must be carried out to ensure that any remediation proposals are technically sound and cost-effective.

A number of months ago, I visited the Mobuoy site. The issue there is enormously complex. I am focused on it, and it is important that we find a way forward. We will start the public consultation in the time ahead.

Ms Nicholl: What steps are being taken on the safety of drinking water?

Mr Muir: I thank the Member for her question. The safety of drinking water is paramount, so she asks an important question. Safeguarding public health, ensuring safe drinking water and reducing the environmental impact of that crime are, as I said, paramount. My Department is committed, in partnership with Northern Ireland Water, to protecting the water quality of the River Faughan in order to safeguard drinking water in the north-west.

My officials have put in place a comprehensive environmental monitoring programme at the Mobuoy site. It includes site and riverbank inspections and detailed monitoring using international quality standards for on-site groundwater and surface water, together with

daily laboratory testing of water quality at the Northern Ireland Water drinking water extraction point. Northern Ireland Water monitors water extracted from the River Faughan, water at various stages of treatment and final water supplied from the Carmoney water treatment works. Monitoring data is shared and interpreted by the NIEA and Northern Ireland Water.

Electric and Prong Collars: Ban

2. **Dr Aiken** asked the Minister of Agriculture, Environment and Rural Affairs whether he plans to ban electric and prong collars for use with cats and canines under the Welfare of Animals Act (Northern Ireland) 2011. (AQO 599/22-27)

Mr Muir: My Department's code of practice for the welfare of dogs recommends that only positive, reward-based training be used and that potentially painful or frightening training methods, such as e-collars, be avoided. In that context, I am aware of the merits of banning such devices and am keen to explore how that can be achieved in this mandate, subject to available resources. I intend to discuss that and other animal welfare interventions with stakeholders in the time ahead.

I am aware that the Irish Government will introduce a regulation in the coming months to ban the use of manually operated shock-collar devices but not anti-bark collars or collars linked to boundary fences. Shock collars have been banned in Wales since 2010, and a recent report from the Scottish Animal Welfare Commission (SAWC) recommended a ban in Scotland. Prior to the dissolution of Parliament, DEFRA introduced legislation to ban shock collars in England.

It should be noted, however, that, although the use of shock collars or e-collars is not banned in Northern Ireland, a person may use an e-collar on an animal only if it does not cause unnecessary suffering. For example, if people set the intensity of the device at a level that is deemed to be excessive, they could be causing that animal unnecessary suffering and be liable for prosecution under the Welfare of Animals Act (Northern Ireland) 2011.

Dr Aiken: First, I apologise for not being in my seat when my question to the Minister of Justice was called. Secondly, as a person who looks after a dog — I am not a dog owner; I look after a dog, but it is very much my wife's dog — how do we define "unnecessary suffering" and how can this legislation be enforced? Without the definition and definitive

act of banning the use of shock collars as soon as possible, how can we get away from the confusion in the law? Most people are confused about what the law is and how it will be applied.

Mr Muir: I thank the Member for his supplementary question. There are strong merits to pursuing a ban. I want to engage with stakeholders in the coming weeks and months to get a clear position on our plan to take forward legislation in this mandate. The Member raises an important issue, and there is a strong justification for what he has said, but I also want to pursue many other areas of animal welfare legislation. That is why I want to engage with stakeholders to prioritise the interventions the Assembly needs to make in order to take every action that it can to outlaw animal cruelty in Northern Ireland.

Mr Brett: The Minister shares my commitment to ending harm against animals. Can the Minister outline the support he has given to local councils across Northern Ireland to ensure that enforcement action is in place to remove animals as quickly as possible from those who are endangering their welfare?

Mr Muir: I thank the Member for his question. First, I put on record my thanks to the district councils for their work in relation to this. I am grateful for that, and we have good partnership working with regard to it. The Member will be aware that the budget settlement my Department received at the beginning of the financial year is extremely demanding and stretched, particularly when my bid to continue the compensation scheme for bovine TB at 100% received nothing. The pressures on my Department are immense as a result of that. However, I want to help councils with that work, and I have made a bid for funding as part of the June monitoring. I am aware that there are ongoing judicial review proceedings on the matter, but I am seeking funding from the June monitoring for that. I want to go further than that: rather than only supporting the district councils, I want to support the charities. I am exploring with officials how, if the budget allows, to support the good work that they do.

Mr Donnelly: Does the Minister see any merit in an all-Ireland ban on the use of shock collars?

Mr Muir: There is a lot of merit. The Minister for Agriculture, Food and the Marine, Charlie McConalogue, announced on 7 May 2024 that he would introduce a regulation in the coming months to ban the use of manually operated, remotely controlled electric shock collars. The

proposal by the Minister does not include anti-bark collars or collars linked to perimeter fence systems. I wish to engage with my colleagues in the South on whatever we can do together to outlaw and ban animal cruelty on the island of Ireland and across the United Kingdom.

Mr Durkan: Has the Minister spoken to the Justice Minister about a joint approach to the creation and implementation of stiffer penalties and more appropriate punishments for those found guilty of animal cruelty?

Mr Muir: I have looked at the sentencing framework for animal cruelty offences. I want to engage with stakeholders on the priorities for the time ahead, because we can prioritise that, but we also have to look at the other areas that we want to look at. I am aware of the frustration with the criminal justice outcomes, and I get that. I want to explore the work that we can do with stakeholders to address those concerns.

Lough Neagh: NIEA Powers

3. **Mrs Dillon** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of whether NIEA requires additional powers to ensure action can be taken against polluters of Lough Neagh. (AQO 600/22-27)

Mr Muir: The Water (Northern Ireland) Order 1999 serves as the pivotal legislative framework for Northern Ireland and governs the protection of the aquatic environment. The order also provides powers to take enforcement action against uncontrolled discharges that are a risk of pollution to the aquatic environment. A person guilty of an offence under article 7 of the order is liable on conviction:

"to imprisonment for a term not exceeding 3 months or to a fine not exceeding £20,000 or to both."

Whilst the Northern Ireland Environment Agency proactively regulates and enforces current regulations to protect our environment, I recognise that we need to do more.

That is why I have allocated resources from my departmental budget to strengthen regulation and enforcement, particularly in relation to water quality. That will enable the establishment of an enforcement team dedicated to tackling the problems of Lough Neagh and its catchment, together with a commitment to see radical changes to the regulatory approach currently set out in the statement of regulatory

principles and intent, otherwise known as "SORPI", relating to NI Water discharges. Enforcement action is taken against non-compliance in line with DAERA's enforcement policy. The Northern Ireland Environment Agency undertakes a range of enforcement actions from warning letters to the issuing of statutory notices and prosecutions.

3.00 pm

Mrs Dillon: I thank the Minister for his answer. Minister, you spoke about the recent fish kills. The concerns that people have around these issues are about whether NIEA takes it seriously or has the resource to do something about it. I have had many complaints about it being maybe two days after the report of a fish kill before somebody comes out to look at it. That is not good for anybody. Minister, can you confirm that you are content that NIEA has the powers but, perhaps, does not have the resources?

Mr Muir: I thank the Member for her question. She touches on a number of matters. Does the Northern Ireland Environment Agency have the resources that it needs? No, it does not, but I am reprioritising within my Department to give it what I can. I will bid in future Budgets for future years to see whether we can further increase the resources for the Northern Ireland Environment Agency. It is important that it has those resources so that it can respond to those incidents promptly. It is important to send the message today that, if anyone is aware of any water pollution incident, they should report it promptly to the pollution hotline to enable a response.

I have established the enforcement team in the Lough Neagh catchment area as a first step in taking action on this. I also want to take further measures, one of which is a review of the sentencing framework for environmental crime. I am keen to do that in conjunction with the Justice Minister. It is absolutely fundamental that we do that and that we review the regulation around the issue. It is something that we put a lot of effort into. The fish kills that have been reported in recent days anger me, because they really damage our environment. We need to address it and to ensure that we take action to prevent it occurring again.

Mr O'Toole: The 'Spotlight' programme last week highlighted something that we all knew but that is much worse than we thought. Lough Neagh and, indeed, large parts of our environment have become a Wild West for ecocide and environmental crime. Minister, do

you believe that that makes the case for speeding up the creation of an independent environment agency, and will you bring those plans to the Executive forthwith?

Mr Muir: I thank the Member for his question. The Member will be aware of the issues around establishing an environmental protection agency because a colleague of his held the Environment Ministry previously. It is something that I am taking up in the environmental governance review. I intend to make announcements over the time ahead on the next steps.

It is important that we follow due process if we are taking the road ahead in establishing an independent environmental protection agency. It is something that I believe in, and it was in 'New Decade, New Approach'. It is important to establish it correctly, so that it has the correct powers and the ability to deliver for the people of Northern Ireland. I am moving on that at pace, because it is important that we have an independent environmental protection agency.

I have a lot of respect for the officials in the Northern Ireland Environment Agency. However, ultimately, I do not believe that it should be part of my Department; it should be independent. We are taking action on this. I look forward to engaging with Members and society on the issue over the time ahead, because I recognise its importance.

Mr Blair: I welcome the Minister's answer on the movement towards an independent environmental protection agency. As that process takes place, will the Minister continue to engage with stakeholders in and around the Lough Neagh catchment area and include them in all policy discussions?

Mr Muir: I thank the Member for his question. I am doing that and will continue to do so, because it is important that there is stakeholder engagement on the issues.

I am aware of what was reported in the 'Spotlight' programme a few weeks ago. It was extremely difficult and concerning viewing not just for me but for the people of Northern Ireland, and I have been acting on what was reported in it. The Northern Ireland Environment Agency is now reviewing its protocols on how it works with Northern Ireland Water in terms of the enforcement of trade discharge consent breaches. We are also considering how we monitor and respond to cases of lower risk but, importantly, cumulative trade discharge consent breaches. It is important that we consider when

there are cumulative breaches on this. We are also doing work on environmental governance, as I have outlined, including the case for an independent environmental protection agency. In addition, I will engage with Moy Park to outline my severe concern about the pattern of cumulative breaches and to seek plans for how it intends to swiftly rectify those issues.

Mrs Erskine: Everybody in here knows that the information that has come out from 'Spotlight' is concerning: we all get that. However, big companies and Northern Ireland Water are, essentially, getting away with polluting rivers. That is not just happening in Lough Neagh; it could be happening elsewhere in Northern Ireland. When will enforcement happen on the issue? It is vital.

Mr Muir: I thank the Member for her question. It is important that enforcement action that we take around environmental crime, particularly in relation to water pollution, is fair and balanced. I am aware of the concerns about Northern Ireland Water and the arrangements that are in place, which are known as "SORPI", between the Northern Ireland Environment Agency and Northern Ireland Water. I made it clear in the documentary that we need to call time on SORPI. I want to engage with the Minister for Infrastructure on the issue, and I have been engaging with my officials on it. The situation in which Northern Ireland Water gets, essentially, a bye-ball for the pollution of our waterways needs to end.

Farm Sustainability Transition Payment

4. **Ms Hunter** asked the Minister of Agriculture, Environment and Rural Affairs whether he plans to reverse his Department's decision to introduce a 5-hectare requirement for farms to access payments through the new farm sustainability transition payment. (AQO 601/22-27)

9. **Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the increase of the minimum claim size from 3 hectares to 5 hectares to access payments under the farm transition sustainability payment. (AQO 606/22-27)

Mr Muir: Mr Speaker, with your permission, I will answer questions 4 and 9 together.

As announced in March 2022, the new farm sustainability payment, which is planned to replace the basic payment scheme, will provide

a balance between providing a safety net that will help a farm business to withstand shocks that are beyond its ability to manage effectively and encouraging farm businesses to be sustainable, efficient, competitive and able to manage risk proactively.

A public consultation on the policy proposal to increase the minimum claim size to 10 hectares took place in December 2021. The proposal in the consultation to increase the threshold to 10 hectares generated significant stakeholder concern. On the basis of the consultation responses, the decision was announced in March 2022 that the minimum claim size would increase to 5 hectares. I am not currently planning to reverse the decision to increase the minimum claim size. Work is progressing to ensure that the secondary legislation requirements will be in place by the autumn.

On the basis of the 2023 basic payment scheme application data, the number of farm businesses that may be impacted by the move to 5 hectares of eligible land for the farm sustainability transition payment and farm sustainability payment is around 1,400. All land managers with 3 hectares or more of eligible land and who meet the scheme requirements will be able to participate in the farming with nature package when it comes on stream.

Ms Hunter: Minister, you touched on the consultation that you had. Will you give us a wee bit more detail on your Department's work to assess the impact that the change would have on farmers? Will the Minister restore the previous minimum claim size of 3 hectares for farmers to access the payments?

Mr Muir: I thank the Member for her question. There has been significant stakeholder engagement and consultation, primarily through the agriculture policy stakeholder group. I am aware of the figures in relation to the impact, but I am trying to balance future farm support policy in Northern Ireland. I get some of the concerns about support for horticulture. I am exploring that further with officials.

Mr McAleer: I thank the Minister for his response. Minister, there were families in my parents' generation and before who were reared on 1 acre. You will be aware that the unanimous view of the AERA Committee is that we should revert to 3 hectares. This will knock potentially 1,400 small farm businesses out of business, which will have a knock-on impact on rural planning and vibrancy. Will it be brought in via affirmative procedure? Will you reconsider your decision?

Mr Muir: I thank the Member for his question. He outlines clearly the case for 3 hectares. I am happy to attend the Committee in the week commencing 8 July and for that to be added to the agenda so that we can have a further discussion about it. I think that most people know that I want to engage with people and find a way forward for the future farm support development programme that we can all buy into.

Mr Allister: Will the Minister explain to those small farmers why he and his Department are against them? The inevitable consequence of that step is to financially drive those small farms out of business. Why does he want that?

Mr Muir: My Department and I are against no one: we are trying to find a balanced way forward. The person in the Chair will be aware of the issues that we are discussing. I am happy to consider the issues further at the Committee.

Mr Mathison: Will the Minister give more detail on the support that is available to farms that will be impacted by the increase from 3 hectares to 5 hectares?

Mr Muir: I thank the Member for his question. As I outlined, there is a farming with nature package that is a key intervention, and I am keen to see what support we can provide to specific sectors, particularly the horticulture sector.

Mr T Buchanan: What assessment has the Minister made of the detrimental impact that such a move may have on small farm holdings that, despite being small, produce quality meat to the food chain, which, in turn, provides an income for that small farm holding?

Mr Muir: I thank the Member for his question. I have outlined to the Committee the number of businesses that will be affected, and my officials have engaged on that. The number of businesses that will be affected is relatively small, but I understand the case that is being made in the Chamber and am happy to engage with the Committee on the issue so that we can find a way forward.

Littering

5. **Mr Robinson** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of littering pollution at recreation areas, including beaches, along the north coast. (AQO 602/22-27)

Mr Muir: Littering is a blight on our precious environment, and I am strongly committed to and actively working towards reducing the number of littering offences throughout Northern Ireland using the combined approach of legislation, education and enforcement. I am aware of the continuing problem of litter, especially in the marine environment, and I am conscious of its impacts along the beautiful beaches of the north coast and our whole coastline.

My Department continues to work with our stakeholders, such as Keep Northern Ireland Beautiful, Northern Ireland Water, the National Trust and Causeway Coast and Glens Borough Council to reduce the volume of litter entering our marine environment. In addition, legislation was introduced in December 2022 to increase the maximum fixed penalty notice that councils can set for littering offences from £80 to £200 to act as a stronger deterrent to littering. My Department has also provided funding to a number of projects specifically aimed at tackling the problem of marine litter through the marine litter capital grants scheme, which improves environmental management of local public areas by reducing marine litter.

The draft environmental improvement plan (EIP), which is subject to Executive approval, includes a commitment to publish the first litter strategy for Northern Ireland, which will include strategies for tackling marine litter.

Mr Robinson: Thank you, Minister, for your answer. What further message can the House send to those who come to our beaches and think that it is OK to use them as outdoor bins and expect everyone else to clean up after them?

Mr Muir: The House has to send a united message that that is wrong and that penalties are associated with it. I am keen to work with councils to see what more we can do to.

My Department provides significant support to, for example, Keep Northern Ireland Beautiful to tackle the scourge of littering at source. In the current financial year, Keep Northern Ireland Beautiful was awarded £816,000 through the environment fund. There is much that we can do with our communities, with councils or as MLAs to stamp out the problem.

Mr McGuigan: The Minister will be aware that a massive EU study years ago eventually led to the introduction of what became known as the "single-use plastics directive". That legislation

was supposed to be transposed here a couple of years ago. When will we get a ban on single-use plastics here so that beaches on the north coast and the environment as a whole will be protected from littering?

Mr Muir: I thank the Member for his question. I am working on that with officials and want to progress it because it is important that we use those legislative tools to address the issues that are being discussed.

Ms Bradshaw: Minister, will you please outline what funding has been provided through the marine litter capital grants scheme to tackle the issue?

Mr Muir: My Department has provided approximately £622,000 to 67 projects across Northern Ireland over the lifetime of the scheme. The marine litter capital grants scheme was launched for three years in 2021-22, with the third and final year of funding ending in March 2024. The aim of the scheme was to tackle the litter that enters our marine environment, causing harm to marine biodiversity and to the health and well-being of our communities. The funding also helped to improve the environmental management of public areas to reduce marine litter.

3.15 pm

Lough Neagh: Blue-green Algae

6. **Mr Dickson** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the action his Department is taking in relation to blue-green algae in Lough Neagh. (AQO 603/22-27)

Mr Muir: Although there are no quick fixes for the problems at Lough Neagh, I am pleased to provide an update on the actions that my Department is taking to tackle them.

DAERA has led on the development of a report that contains evidence-based actions to tackle the blue-green algae blooms in the lough and secure longer-term improvements in water quality across Northern Ireland. However, approval by the Executive of the draft environmental improvement plan (EIP) is key to taking a strategic approach to the issues facing Lough Neagh in the context of the wider catchment area. I will continue to engage with Executive colleagues to seek their approval on the draft EIP and the Lough Neagh report.

My Department has led on the soon-to-be-launched small business research initiative to explore potential solutions to treat and reduce blue-green algae blooms without impacting the natural environment of Lough Neagh and associated Northern Ireland waterways. It has also led on the development of an inter-agency monitoring protocol to support the response to blue-green algae issues this year. The protocol has been published on DAERA's website, and provides guidance on how water users should consider blue-green algae risks and details the Department's monitoring response.

I am pleased to confirm that action on the ground has already commenced. For example, through the College of Agriculture, Food and Rural Enterprise, my Department has already delivered nutrient management programmes for farmers and land managers targeted on Lough Neagh catchment areas.

The Lough Neagh report and action plan is key and needs Executive approval, but there are many actions that I am taking, as I have outlined to the Chamber. Key to that is the future farm support and development programme, which is a new way forward that is focused on improved and sustainable productivity. Environmental sustainability, built-in resilience, food security and effective and functioning supply chains are key parts of that. The farming with nature package is also a key component.

Among the many actions that we are taking, I am commissioning an independent scientific review of the impact on Lough Neagh of sand extraction. I am putting more resources towards, and more regulation on, the Lough Neagh catchment area, and I am scoping the expansion of the sustainable catchment programme.

Mr Speaker: Time is up for listed questions to the Minister. We move on to topical questions.

Lough Neagh Action Plan: Update

T1. **Mr McGlone** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the Lough Neagh action plan that was presented to the Executive on Thursday. (AQT 401/22-27)

Mr Muir: I thank the Member for his question. I have the report here; it is ready to go. There are many actions that my Department is taking, some of which I outlined to Stewart Dickson. Our farm support and development programme is a significant programme to turn our farms

towards an environmentally sustainable way forward. That has been very well-received and I am looking forward to continuing to deliver it.

Communications around the area are planned and are under way. We also have the soil nutrient health scheme; training planned for slurry contractors; the small business research initiative on the utilisation of livestock slurry; an independent scientific review of sand extraction; more resources for regulation and enforcement; and a scoping of the expansion of the sustainable catchment programme. There is lots more.

My Department is getting cracking and is moving on this, but I need Executive approval for the significant elements that are cross-cutting or new, including the establishment of a model similar to the Forever Mournes partnership using the innovation lab; scoping a conservation management plan; investment in waste water infrastructure; investment in a science platform; a grant programme to support organisations that are working to support better water quality in the Lough Neagh area; a sentencing framework review of fines and penalties for environmental crime; and action on septic tanks.

This Executive will be judged on one thing: delivery. That is what I want to do.

Mr McGlone: Thanks, Minister. Will you give us an indication of what the obstacles were to the action plan moving from the Executive on Thursday?

Mr Muir: I received some feedback on the report, and I will be engaging with stakeholders on Wednesday. I am engaging with the Lough Neagh Partnership, the Northern Ireland Environment Link, the Ulster Farmers' Union and the Northern Ireland Agricultural Producers Association. I am looking forward to that engagement so that we can get the report finalised for the end of this week. Hopefully, we can get it agreed at the Executive next week and give people in Northern Ireland hope after the scenes of last year. We are aware that there are already blue-green algae blooms in Lough Neagh, but we have hope that we will chart a course to turn the situation around. I am confident that we can do that, because together we can achieve so much more for the people of Northern Ireland. Let us get the report and the environmental improvement plan agreed and actually show delivery and positive change for people in Northern Ireland.

River Roe: Fish Kill

T2. **Mr Donnelly** asked the Minister of Agriculture, Environment and Rural Affairs, in light of thousands of fish being killed in recent weeks in rivers across Northern Ireland, for an update on the fish kill in the River Roe just a few days ago. (AQT 402/22-27)

Mr Muir: I thank the Member for his question. The Loughs Agency was informed of a fish kill on a tributary of the River Roe near Burnfoot in Dungiven on 14 June, and that kill was confirmed as significant on 15 June. The Loughs Agency is leading the investigation and has powers of investigation and enforcement under the Foyle Fisheries Act. The Northern Ireland Environment Agency will assist in the investigation, as required.

Mr Donnelly: Is the Minister aware of yet another pollution incident, this one at the Loop river?

Mr Muir: The pollution incidents that the Member has outlined are really concerning for me, and there are too many of them. To have fish kills occurring days after each other is a real matter of concern, and we need to take action. It is important to get these plans agreed and turn the situation around.

I am, unfortunately, detailing to the House another water pollution incident. On Friday 31 May 2024, the Northern Ireland Environment Agency received a water pollution report indicating that there was an odorous grey-coloured material present in the Loop river in the Montgomery Road/Ladas Drive area of Belfast. The Northern Ireland Environment Agency immediately deployed a water quality inspector to the area to confirm the report and assess the environmental impact. The water pollution was confirmed by the NIEA inspector, and an investigation under the Water Order 1999 was initiated to attempt to identify the source.

The area involved is largely urbanised and industrial, and the culverted nature of the waterways and the sewerage system in the area can make investigation more difficult. A number of samples were collected last week that allowed NIEA inspectors to follow a definite line of enquiry regarding the source of the ongoing pollution. The company involved is investigating internally as a matter of urgency. It is dye testing and systematically closing down the production lines to attempt to identify the source of the pollution that is being discharged into the Loop river. NIEA inspectors continue to work with the company involved and will do so

until the discharge is identified and stopped. NIEA treats all aspects of live investigations as if they are sub judice whilst they remain ongoing, and I cannot provide further details at this time.

EU Exit: Independent Monitoring Panel

T3. **Mr Allister** asked the Minister of Agriculture, Environment and Rural Affairs, in light of the fact that the Donaldson deal promised the establishment of an independent monitoring panel to, in its words, "uphold the economic rights of the people of Northern Ireland" and "protect Northern Ireland's place in the Union", albeit in an answer to a question for written answer received today, the Minister said that he is unaware of an independent monitoring panel's ever having been established, to outline how his Department, all these months on, in the absence of the promised panel, interacts on those issues with the relevant UK Department. (AQT 403/22-27)

Mr Muir: I previously wrote to the UK Government asking for an update on what the Member asked about in his question, and it is correct that the independent monitoring panel has not been established. However, I do not need panels to engage with the UK Government; I do that regularly. Before the election period, I was doing it almost daily. I have meetings every month with UK Government Ministers, because I come to this job not searching for problems but looking for solutions. That is my entire focus in the Department. I said during my first Question Time and will say it again today: my ultimate aim in this Ministry is to make the whole issue of EU exit extremely boring. When other people go looking for problems, I go looking for solutions to deliver for the people of Northern Ireland, because they are tired of this. They are tired of people rehashing old arguments. They want people focusing on delivery for the citizens of Northern Ireland. We just talked about Lough Neagh. We want to deliver on that. If people want to rehash old arguments about EU exit, that is up to them. I am focusing on solutions and doing good work on veterinary medicines and other issues, because that is what I want to do as Minister.

Mr Allister: Minister, given that your powers and controls over the Irish Sea border have been removed from you, how are you accountable to the House for the functions exercised by your Department, over which, apparently, you have been denied access and

control? What sort of democratic accountability is that?

Mr Muir: I am accountable to the House for matters that are under my direction and control, and I am happy to answer any questions during this Question Time. The ultimate denial of democratic accountability was two years — two years — when the Assembly did not sit. We could not debate the issues that we are debating today. We could not debate the state of our health service. We could not debate the situation in education. Even worse, we could not do anything about those things. It is important that these institutions are back. We may have different views, and we may debate things —.

Mr Allister: But you have no powers.

Mr Muir: We have way more powers than we had before February —

Mr Allister: You have no powers over the Irish Sea border.

Mr Speaker: Order.

Mr Muir: — and I am focused on delivering on those issues with my Executive colleagues, because politics is about the art of the possible, not blocking and stopping things.

Animal Welfare

T4. **Ms Nicholl** asked the Minister of Agriculture, Environment and Rural Affairs for an update on his planned approach to tackling the important issue of animal welfare, which is among the issues that constituents raise with her most often. (AQT 404/22-27)

Mr Muir: I thank the Member for her question. It is an important issue. I am conscious of the challenges that I have in the Department, but I will not focus on those: I will focus on what I want to do on that issue. I want to take forward a significant range of policies and legislation, but I want to take a new approach to animal welfare. It is important that I set it out today. I want to engage with stakeholders through a process of co-design, so that, together, we can agree the way forward. We have fallen behind in Northern Ireland on protections against animal cruelty. Whilst we are taking action in this first year through the Pet Abduction Act 2024, taking forward Lucy's law and other measures, there is a lot more that we need to do. I will engage in that process with stakeholders as we shape a new way forward

to improve protections against animal cruelty. Nothing is off the table. Everything is up for discussion, including a register of animal cruelty offenders. I want to consider that and the issue of penalties, which we talked about. I am very keen to explore that. I want to sit in the room and work with stakeholders to prioritise the way ahead. My Department wants to work with people to get the strongest protections against animal cruelty here in Northern Ireland.

Ms Nicholl: Thank you, Minister. It is really heartening to hear your plans to address that. What additional legislation or resources will be needed to carry out that work?

Mr Muir: In a short mandate, we have two main challenges. One is the time that is available for legislation. We will look at secondary legislation because, obviously, we can progress it a bit more quickly. We will also look at primary legislation and legislative consent motions. I am not precious, folks: whatever we can do to protect against animal cruelty, I will do it. I will work with anyone, North/South and east-west. We will also look at policy.

The other main issue is budget and the resources that we can get. I understand the concerns of district councils about funding. That is why I am bidding as part of June monitoring. I am also hearing the concerns of animal welfare charities and the pressures that they are under. We will look at monitoring rounds and budgetary bids to see how we can support that. I will use every opportunity that is available to take forward actions on that. Most importantly, I want to work with stakeholders — there is a long list of what needs to be done because this place did not sit for many years — so that, together, we can prioritise what we want to do over the time ahead.

Glenavy River: Fish Kill

T5. **Mr Honeyford** asked the Minister of Agriculture, Environment and Rural Affairs to update the House on what actions the Department is taking on the all-too-familiar occurrence that was, unfortunately, witnessed last week in his old council area, where thick brown waste was emptied into the Glenavy river causing devastation to the environment and a massive fish kill. (AQT 405/22-27)

Mr Muir: The Northern Ireland Environment Agency received a report of pollution affecting several miles of the Glenavy river, County Antrim, at 7.20 pm last Wednesday. Two water quality inspectors were immediately deployed to the area, where they confirmed a fish kill and

began an investigation. On Thursday, inspectors returned to the site to continue the investigation, which is ongoing. I met the staff there. On 13 June, DAERA Inland Fisheries staff completed an assessment of the extent of the Glenavy fish kill. The assessment confirmed a major fish kill along a 4-kilometre stretch of the Glenavy river. A total of 522 brown trout of various age classes and one European eel were confirmed to have been killed. If there is any motivator to take action on water pollution, that is it.

Mr Honeyford: I thank the Minister for his answer. I appreciate that he went quickly to the scene to witness it for himself and the passion with which he spoke about it. Will he agree to meet and listen directly to the local conservation and angling club there, which, in recent years, has done a great job to try to manage that section of river?

Mr Muir: I thank the Member for his supplementary question. I am quite passionate about the issue. People probably guess that. Last week, I met the anglers and was told that children as young as five years old had witnessed fish gasping for air and dying as a result of that pollution. Children had to be brought inside the youth club because of that. We now have an opportunity in Northern Ireland to chart a different direction on water quality. I hope that we are able to do that in the time ahead. My Department is leading on many actions, as I have outlined in the Chamber today. When I was down there, I gave a commitment, and I will do so again today, to meet the local angling group over the weeks ahead so that we can work together to restore fish stocks in the river. It is important that we do that.

3.30 pm

Welfare of Animals Act (Northern Ireland) 2011: Hunting with Dogs

T6. **Mr Chambers** asked the Minister of Agriculture, Environment and Rural Affairs whether he has considered amending the animal welfare legislation to remove the unnecessary suffering exemption in relation to hunting with dogs. (AQT 406/22-27)

Mr Muir: I thank the Member for his question. As I said, we will enter into a co-design process with animal welfare organisations in the time ahead, and I am keen to discuss all of that. I am also aware that my colleague sitting beside me, John Blair, did excellent work on the issue

through his private Member's Bill. I hope that he is able to bring it back to the House, and I hope that Members are able to support it, because it is long past time that we outlawed that barbaric practice in Northern Ireland. Whether it is by John or by me, we will take action on it, because Northern Ireland should be ashamed of what has happened in our past on the issue.

Mr Chambers: Does the Minister agree that, if section 53(1) of the current legislation were removed, that would remove the need for new legislation?

Mr Muir: I am happy to consider that, but I am also happy to hear the views of other parties. Many Members talk about their commitment to animal welfare, but, when they were voting on the Bill in the previous mandate, they did not match that talk with action.

Environmental Improvement Plan

T7. **Mr Dickson** asked the Minister of Agriculture, Environment and Rural Affairs to outline to the House what his environmental improvement plan entails. (AQT 407/22-27)

Mr Speaker: In less than a minute, Minister.

Mr Muir: My environmental improvement plan has six strategic environmental outcomes. I will outline them in writing to the Member. On 24 March 2022, Minister Edwin Poots MLA approved the environmental improvement plan and wrote to Executive colleagues. He made a statement to the Assembly on Thursday 24 March, which was the last Assembly sitting of that mandate. He said:

"Our environment affects every aspect of our existence. It is central to all life: what we do; what we eat; how we work; and where we live and play. It is, unquestionably, our most precious asset." — [Official Report (Hansard), 24 March 2022, p16, col 1].

He commended the plan to the Assembly. I commend it to the Executive.

Mr Speaker: That brings Question Time to a conclusion.

Question for Urgent Oral Answer

Justice

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

Police Ombudsman's Office: Operational Capacity

Mr Beattie asked the Minister of Justice for an update on the operational capacity of the Police Ombudsman's office following reports that the ombudsman is on extended absence due to illness.

Mrs Long (The Minister of Justice): The office has advised that there will be no significant operational impact on the office's capacity as a result of the Police Ombudsman's absence. The ombudsman has delegated her powers to the senior director of investigations, pursuant to paragraph 9 of schedule 3 to the Police (Northern Ireland) Act 1998.

Mr Beattie: I thank the Minister for her answer. I am sure that we can all agree that the Police Ombudsman is a critical role, and we want to make sure that we safeguard the position. Was a risk assessment conducted of whether the ombudsman should exercise the powers of her office while apparently under criminal investigation? If so, by whom? Was her security vetting reviewed?

Mrs Long: It would be inappropriate for me to comment on the specifics of the case to which the Member refers. First, it is a personnel matter, and, secondly, it relates to an ongoing police investigation. I therefore have nothing to add to my original comment.

Ms Bunting: Will the Minister confirm that all directors and senior officials are currently in place and at work, even if the ombudsman herself is not?

Mrs Long: The ombudsman's office has been undertaking an appointment process to replace the chief executive and has identified a candidate for the role who has not yet started in post.

Mr Kelly: What does the ombudsman's absence mean for capacity? I presume that, since the legacy legislation came in, there is a backlog of reports and investigations that have been completed. Will the absence of the ombudsman affect the release of those reports?

Mrs Long: There is a legal duty on the ombudsman's office, which I mentioned during questions, to comply with requests from the Independent Commission for Reconciliation and Information Recovery, and the office will continue to do that. It has advised us that there will be no significant operational impact on the office's capacity due to the Police Ombudsman's absence due to illness. If that changes, I will expect the Department to be duly informed.

Ms Bradshaw: As the ombudsman is appointed by the First Minister and deputy First Minister, can you please outline what discussions have taken place between the Department of Justice and the Executive Office on the issue?

Mrs Long: The ombudsman herself is a corporation sole, in that she is entirely independent and is appointed by the Executive Office. The office of the ombudsman has an oversight function from the ombudsman herself but also, in respect of its accountability and sponsor branch responsibilities, to the Department of Justice, I have kept the Executive Office updated on developments over recent months and am writing to it again today in light of the recent illness of the ombudsman to keep it informed. Any decision in relation to the future of the current ombudsman is a matter for the Executive Office and not the Department of Justice.

Mr O'Toole: I acknowledge that there is a confidentiality issue around the private matters of a public servant in this case, and I acknowledge that there is a division of labour between your Department and the Executive Office, but, should the case develop over the summer, will MLAs be urgently communicated with should the status of the ombudsman change or any other development occur?

Mrs Long: Our commitment will be to keep Members apprised as is appropriate in the current situation. There are legally complex matters at play, as well as personal matters, and it is important that we respect the privacy but also the process that is under way at the moment.

Mr Allister: With the West Midlands investigation stalled by the proclaimed illness of the ombudsman, surely it is untenable for the office to continue rudderless, with no ombudsman and no chief executive. Does the ombudsman not need to step aside?

Mrs Long: Whether the ombudsman chooses to step aside or not is, in the first instance, a matter for the ombudsman and, in the second instance, a matter for the Executive Office and the First Minister and deputy First Minister. With respect to the investigation, I am not sure what briefing the Member has had, but I am not aware that the investigation has been stalled. Moreover, it is important that, while there is a live investigation, people say less rather than more in respect of it.

Ms Forsythe: I thank the Minister for confirming the recruitment in respect of the vacancy of the chief executive's office. Can she confirm that all other director and senior management posts in the ombudsman's office are currently filled and operational in the absence of the ombudsman?

Mrs Long: At this stage, I have been briefed only on the new chief executive role, because that is the new role that is being brought to bear. The ombudsman had taken forward a process to recruit a new chief executive, and that has now been completed. It is a matter now for the ombudsman to run the office. In her absence due to illness, that is being done by a delegation of her powers to the senior director of investigations.

Dr Aiken: For clarification, the ombudsman is on sick leave and is currently under investigation. The chief executive is currently absent, and a recruitment process has been started. The person responsible for the chief executive's post has been delegated to it. Who gave the authority for someone to be delegated to such a senior position? Where is the oversight of the ombudsman's department? There seems to be no oversight at all.

Mrs Long: To correct the Member, I said that the ombudsman is now on extended absence due to illness. I said that the recruitment of a new chief executive had concluded, not started, and the ombudsman delegated her powers to the senior director of investigations pursuant to paragraph 9 of schedule 3 to the Police (Northern Ireland) Act 1998, which she has the power to do.

Mr Speaker: That brings to a conclusion questions to the Minister. Members may take their ease while we change the top Table.

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

Private Members' Business

On-farm Investment

Debate resumed on motion:

That this Assembly believes that investment in new and replacement farm buildings is essential to improving agriculture's environmental footprint in Northern Ireland; criticises the decision to drop the published ammonia standing advice used by the Northern Ireland Environment Agency (NIEA) to assess the air quality impacts associated with many planning applications; recalls that this decision was made without ministerial approval or prior consultation; notes with concern recent research conducted by KPMG on behalf of the Northern Ireland agri-food industry, which found that more stringent ammonia regulation could lead to fewer successful planning applications, a 20% to 25% decline in on-farm investment and reduce family farm incomes by up to 38% in some sectors; calls on the Minister of Agriculture, Environment and Rural Affairs to acknowledge that the investment in, and modernisation of, farm facilities will promote animal welfare and reduce future emissions; further calls on the Minister to reject policies that constrain plans to invest in and modernise farm facilities; and calls on the Minister to place the needs of primary producers and consultation with the agri-food industry at the forefront of any new ammonia strategy. — [Miss McIlveen.]

Mr Deputy Speaker (Dr Aiken): Ladies and gentlemen, we now go back to the motion in the Order Paper on promoting on-farm investment. I will put the Question again.

Question put.

The Assembly divided:

Ayes 50; Noes 18.

AYES

Mr Allister, Dr Archibald, Mr Baker, Mr Beattie, Mr Bradley, Miss Brogan, Mr Brooks, Ms Brownlee, Mr T Buchanan, Ms Bunting, Mr Butler, Mr Chambers, Mr Clarke, Mr Delargy, Mrs Dillon, Mrs Dodds, Mr Dunne, Mr Elliott, Ms Ennis, Mrs Erskine, Ms Ferguson, Ms Flynn, Ms Forsythe, Mr Frew, Mr Gildernew, Mr Givan, Miss Hargey, Mr Harvey, Mr Irwin, Mr Kelly, Ms Kimmins, Mr Kingston, Mr Lyons, Mr McAleer,

Mr McGuigan, Miss McIlveen, Mr McNulty, Mrs Mason, Ms Á Murphy, Mr C Murphy, Mr Nesbitt, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Miss Reilly, Mr Robinson, Mr Sheehan, Ms Sheerin, Mr Stewart, Ms Sugden.

Tellers for the Ayes: Mr Brooks and Mr T Buchanan

NOES

Mr Blair, Ms Bradshaw, Mr Dickson, Mr Donnelly, Mr Durkan, Ms Egan, Mr Honeyford, Mrs Long, Miss McAllister, Ms McLaughlin, Mr McMurray, Mr McReynolds, Mr Mathison, Mr Muir, Ms Mulholland, Ms Nicholl, Mr O'Toole, Mr Tennyson.

Tellers for the Noes: Ms Egan and Mr Tennyson

Question accordingly agreed to.

Resolved:

That this Assembly believes that investment in new and replacement farm buildings is essential to improving agriculture's environmental footprint in Northern Ireland; criticises the decision to drop the published ammonia standing advice used by the Northern Ireland Environment Agency (NIEA) to assess the air quality impacts associated with many planning applications; recalls that this decision was made without ministerial approval or prior consultation; notes with concern recent research conducted by KMPG on behalf of the Northern Ireland agri-food industry, which found that more stringent ammonia regulation could lead to fewer successful planning applications, a 20% to 25% decline in on-farm investment and reduce family farm incomes by up to 38% in some sectors; calls on the Minister of Agriculture, Environment and Rural Affairs to acknowledge that the investment in, and modernisation of, farm facilities will promote animal welfare and reduce future emissions; further calls on the Minister to reject policies that constrain plans to invest in and modernise farm facilities; and calls on the Minister to place the needs of primary producers and consultation with the agri-food industry at the forefront of any new ammonia strategy.

Cancer Research: All-island Cooperation

Ms Kimmins: I beg to move

That this Assembly notes the recent report from the All-Island Cancer Research Institute on the state of the oncology research industry; recognises the need for greater cooperation in cancer research on the island of Ireland; further recognises that clinical experts in this field have stated that developing oncology innovation clusters, by pooling resources, could help to drive research and investment in oncology, domestically and internationally; calls on the Department of Health to engage meaningfully with the Department of Health in Dublin to consider opportunities for increasing North/South cooperation in delivering innovative research into cancer prevention, treatments and interventions on the island; and further calls on the Minister of Health to subsequently update the Committee for Health on that engagement.

Mr Deputy Speaker (Dr Aiken): 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. As an amendment has been selected and is published on the Marshalled List, the Business Committee has agreed that 15 minutes will be added to the total time for the debate. Please open the debate on the motion.

Ms Kimmins: Go raibh maith agat, a Leas-Cheann Comhairle. *[Translation: Thank you, Mr Deputy Speaker.]* Over 50,000 people across Ireland are diagnosed with cancer every year, with one in two people likely to have cancer during their lifetime. That is particularly important, given that we have a growing ageing population, with people living longer. Due to innovation and research, however, cancer survival rates have doubled in the past 40 years, with new and more innovative treatments and technologies being developed to help diagnose and treat cancers and extend life expectancy for many people.

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

Here in Ireland, we have huge talent and expertise in life and health sciences and cancer research. Therefore, we have a real opportunity to be world leaders in the field. Operating as two separate jurisdictions has major drawbacks, and we need to realise our full potential through collaboration and coalescence on an all-island basis in order to move at pace in research and

the development of innovation in cancer care. Professor Mark Lawler is a highly regarded and well-known scientist, with over 30 years of experience in cancer research. He has outlined the need to supercharge cancer research, which he firmly believes will improve cancer care. He has been leading the way through his work in establishing the eHealthHub for Cancer, bringing together the cancer community across Ireland to work together on cancer research through the use of data. That is just one example of the innovation that is happening, North and South.

The All-Island Cancer Research Institute's (AICRI) recent report on all-island oncology research strongly affirms the benefits of that approach for a number of reasons. For one, it is clear that cancer does not recognise borders. We must take the politics out of healthcare and do what will help us to achieve the best outcomes for all our patients. Ireland, North and South, has over 120,000 people employed in the life and health sciences sector. Some of its biggest growth is in the area of precision oncology, which focuses on cancer treatments that are tailored to individual patients. That has significantly enhanced cancer management, but also has the potential to revolutionise cancer care across our island.

We have 172 oncology and digital health companies operating across Ireland, the majority of which are home-grown firms that also operate on the global stage. As well as that, some of the most prestigious universities in the world are providing us with a significant advantage in oncology research. One of those is the Patrick G Johnson Centre for Cancer Research at Queen's University Belfast. I am delighted that, next week, the Health Committee will visit Queen's University jointly with the Oireachtas Committee on Health to learn more about the facility and the importance of all-island research. I really look forward to that, particularly on the back of today's debate.

4.00 pm

The AICRI report describes how the development of an all-island innovation cluster would bring together academia, industry and healthcare professionals. That would undoubtedly be a game changer for cancer research and care. It would also drive inward investment to the sector, further enhancing the possibilities in cancer research, and ultimately improving our ability to understand and find treatments for various cancers. Increased collaborative working like that will benefit everyone on our island. We already see how well it works when we look at the North West

Cancer Centre at Altnagelvin and the children's cardiology unit at St Vincent's Hospital in Dublin, both of which provide life-saving care to patients from all corners of Ireland.

We do not need to reinvent the wheel. We have access to all the tools. We just need to think strategically and pool our resources for the benefit of all our citizens. As we look at the huge pressures on our health service, particularly through the cancer waiting lists, in the context of major financial challenges, it is abundantly clear that we need to think outside the box to deliver for patients. Bringing together the existing strengths and synergies from both North and South will give us the best opportunity to save lives and potentially slow down the devastation that this cruel disease causes to so many families. Very few of us in the Chamber will not have been touched by it in some way. We must use every resource available. We cannot be short-sighted when it comes to life and death. I was very encouraged by the Minister's words in his first address to the Assembly when he said that he wishes to focus on cancer during his term of office. I sincerely hope that, as part of that work, he will engage with his counterparts in the South to progress this crucial opportunity, which will inevitably transform cancer care for generations to come.

Mrs Dodds: I beg to move the following amendment

Leave out all after "cooperation in cancer research" and insert:

"with both the United Kingdom and the Republic of Ireland; further recognises that clinical experts in this field have stated that developing oncology innovation clusters, by pooling resources, could help to drive research and investment in oncology, domestically and internationally; calls on the Department of Health to engage meaningfully with the respective Departments of Health in London and Dublin to consider opportunities for increasing both east-west and North/South cooperation in delivering innovative research into cancer prevention, treatments and interventions in the British Isles; and further calls on the Minister of Health to develop a Northern Ireland cancer research strategy and subsequently update the Committee for Health with a progress report on this issue."

Mr Deputy Speaker (Mr Blair): You 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 are called to speak will have five minutes.

Mrs Dodds: Thank you, Mr Deputy Speaker. Before we get on to the meat of the amendment, I want us to focus on the real enemy here, and that is cancer, which affects everyone, regardless of race, creed or religion. Macmillan Cancer Support estimates that cancer kills 167,000 people throughout the United Kingdom every year. That is a colossal death toll. In proposing our amendment, we fully recognise that there is clearly work to be done across all jurisdictions in the British Isles: in Northern Ireland, on mainland Great Britain and in the Republic of Ireland. I hope that, on this subject, we can park the more political aspirations and, whatever our views, welcome cooperation across those jurisdictions in the fight against cancer. Our amendment, without doing damage to the original motion, simply includes the crucial east-west dimension with Great Britain. We firmly believe that cooperation and collaboration is the best way forward. In tabling this amendment, we also felt that we should not lose focus on global cooperation and the benefits that we get from being part of UK-wide structures and networks with global outreach.

Last week, at the Cancer Focus event, I had the opportunity to speak to Professor Mark Lawler, and we discussed some aspects of cooperation on cancer research. Professor Lawler impressed on me the importance of a cancer research strategy for Northern Ireland. Minister, I hope that you take cognisance of that. I know that that is suggested in the broader Northern Ireland cancer strategy, but, as the Queen's University briefing paper for this debate indicates, we need to see cancer research as a necessity and not a luxury that we can dispense with or do without. The cancer strategy proposes implementing the recommendations of the oncology service transformation project and extending acute oncology services throughout the weekend. Those are practical things that we can do fairly simply. The strategy also supports increasing the per capita spend on cancer research and the number of Northern Ireland patients participating in clinical trials and receiving access to novel therapeutic agents and techniques. It recognises that we cannot offer every service that we might wish to offer in Northern Ireland and that patients will sometimes need to travel for more specialist services. Sadly, that can too often be the case for children's oncology services.

As the proposer of the motion said, one in two people will develop cancer during their lifetime. That is a frightening statistic. While there are huge opportunities, North and South, the battle against cancer is a worldwide one. Our experts need to share and collaborate with their

colleagues and counterparts throughout the world. For an issue in which research and innovation are so critical, in Northern Ireland, we benefit from access to the very best academic institutions. We are fortunate that, in the United Kingdom, our universities regularly feature in the lists of the top 10 universities in the world. Northern Ireland is part of the UK Clinical Research Collaboration (UKCRC), a partnership of the main stakeholders that fund clinical research in the United Kingdom.

In tabling the amendment, we want to recognise that we share research on the complexity of cancer across all tumour sites not just north and south of the border but throughout the United Kingdom and, indeed, the world. We should also recognise that Northern Ireland is recognised internationally for the quality of cancer research here, which translates into better care for cancer patients delivered through the Patrick G Johnston Centre for Cancer Research at Queen's University. Cancer research at Queen's has led to a number of breakthrough treatments, including the DNA sequencing of tumours of 70% of all Northern Ireland cancer patients, which enables novel cancer therapies to be more available to more than 4,000 cancer patients a year in Northern Ireland. The breakthrough treatments include practice-changing radiotherapy trials, including one that reduced the number of radiotherapy cycles needed to treat prostate cancer from 39 to five. That means not only much greater convenience for patients but considerable savings in time and funding for the NHS. Such treatments are exceptional in such a small place as Northern Ireland.

We should not forget the development of the future medicines institute initiative, a joint vision of the Northern Ireland Precision Biomarkers and Therapeutics Consortium, which is a group involving industry and our universities. Through that, we can develop new technologies, drive productivity and de-risk research and development efforts through collaborative working and the sharing of technologies and resources. Under the planned model, the future medicines institute will operate as a research hotel that allows companies to gain rapid access to shared resources. The Belfast region city deal represents a timely and neat fit with that kind of visionary work. In Northern Ireland, companies are also able to tap into a wealth of experience from academics to get better access to biobanks, product development or analysis and to equip researchers with future skills. The overall goal is to generate new therapies and diagnostics through an integrated pipeline.

To conclude, we have to recognise that cancer knows no boundaries, be they social, political or geographic, and that the world of research is getting increasingly smaller with greater collaboration across the world. As one who, for many years, was involved with the Horizon project — from my time in the European Parliament — I understand the benefits of research on a global scale as well as research, North and South, and within the United Kingdom. In commending the amendment to the House, I hope that Members will recognise that the intention is not to damage the motion but to widen it and give voice to all the types of collaboration and research that we should be looking at in the fight against cancer.

Mr Donnelly: I welcome today's debate, and I thank the Sinn Féin Members for tabling the motion and the DUP Members for tabling the amendment. We will support both.

In Northern Ireland, almost 10,000 people are diagnosed with cancer every year, which is over 20 people every day. With our growing and ageing population, more of us will be diagnosed with cancer at some point in our life. It is particularly concerning that, according to research from Queen's University and the Northern Ireland Cancer Registry (NICR), there was, between 1993 and 2019, a 20% increase in cancers diagnosed in people aged 18 to 49. In addition to that frequency, a greater number of cancers are being diagnosed at an early age. With that in mind, the new Health Minister's urgent priority must be the full implementation of the cancer strategy and all its objectives. I welcome his comments about his commitment to the issue of cancer.

The motion asks us to note the recent All-Island Cancer Research Institute report, and I recommend it to all Members. The report calls for a number of actions, and its recommendations are largely based on greater all-Ireland cooperation. In many respects, closer cooperation between the two jurisdictions on this island makes sense, and there is already a desire for cooperation outside the political sphere, including with academics from various further education institutions and with many industries that are based on the island, particularly in the Republic.

The report's main recommendation is for an all-island oncology innovation cluster, taking in experts in various fields from both sides of the border for them to play a key role in further developing oncology research and development. That could harness both countries' strengths. As the report highlights, Northern Ireland has strengths in its indigenous

companies and in digital health and diagnostics, while the Republic of Ireland has strengths in digital infrastructure and drug manufacturing. The cluster would need to be accompanied by supportive infrastructure, such as national biobanking infrastructure, building on the Northern Ireland Biobank model.

The report also calls for increased research and development funding, which is important, given that both parts of Ireland lag behind the rest of Europe in R&D funding. Potential funding sources include the EU's PEACE PLUS programme and the Irish Government's Shared Island Fund and Project Ireland 2040.

As the motion states, much of that depends on direct engagement between the Departments of Health here and in Dublin, and the mechanisms are already in place for cross-border cooperation, including the North/South Ministerial Council (NSMC). As a member of the Health Committee, I reiterate the motion's call for the Minister to update the Assembly and, in particular, the Health Committee on his engagement with the Irish Government on advancing the report's recommendations. As the Chair of the Health Committee mentioned, we have a joint visit with the Oireachtas Health Committee to the Queen's University Centre for Cancer Research next week. I look forward to that.

I will now address the amendment. We welcome any cooperation and meaningful engagement with the intention of advancing research into cancer prevention and treatment across these islands. Cooperation on an east-west basis should be promoted, not least because of the necessary funding that Westminster must provide. It should be a priority for not just the Minister of Health but the MPs who will represent Northern Ireland in the next Parliament. The report that we are discussing today specifically relates to North/South cooperation, and equivalent research on east-west cooperation would be welcome.

For those reasons, we are content to support the Sinn Féin motion and the DUP's amendment. They have a similar objective: improving cooperation between us and other jurisdictions in the UK and Ireland for the important purpose of improving and developing cancer research.

Mr Elliott: I welcome today's debate. Cancer is something that affects every family in the community. Cancer research is a significant aspect of efforts to improve the lives of many. It goes without saying that cancer is one of our

greatest health challenges. It causes immense concern and suffering and, sadly, cuts short far too many lives.

The fact that cancer is wholly indiscriminate and can affect anyone in the population, from the oldest to the youngest, means that it is a particularly cruel and unrelenting disease.

4.15 pm

As we stand here today, improvements in cancer outcomes are still unacceptably slow, but, importantly, we also need to consider the huge gains that have been made. Even though record numbers of people are diagnosed each year, huge improvements have been made over recent decades. More and more people survive a cancer diagnosis. We are in an era of constant advances, new drugs and cutting-edge treatments. Every day in Northern Ireland, people beat cancer, but there is much more that we can be do, and that is where the ongoing focus on research and development comes in. There is science and data today that none of us could have imagined in the not-too-distant past, but it needs to be effectively harnessed.

Northern Ireland has long been recognised as a global leader because of its sheer brilliance in cancer research. Thanks to some of the incredible pioneering work undertaken locally, countless lives have been saved in the community. Despite the difficult challenges facing cancer services across Northern Ireland, more types of cancer are being detected, with many others prevented from developing in the first place. Where cancer is confirmed, treatments are increasingly targeted and effective, but, as I have said, there is much more we can do. We need to drive that progress even faster, and I have no problem in saying that every avenue should be pursued, including the all-Ireland cooperation and the east-west cooperation that has been referenced. Indeed, from evidence the House has received, it is my understanding that Northern Ireland is already closely linked with research developments in the United Kingdom, and, because of the difference in population, the United Kingdom is quickly establishing itself as a global leader in cancer research.

Cancer does not recognise borders, and, in our efforts to tackle it, we must not allow the borders to become a barrier. I am glad that, thankfully, in Northern Ireland, there is regular cross-border work and collaboration, not least in the incredible work of the North West Cancer Centre, but there is more to be done, and, working in cooperation with academia,

commercial industry and government, we must leave no stone unturned, and that includes cooperation with all our nearest neighbours.

Mr McGrath: I pay tribute to the many people who work tirelessly to eradicate this disease from our community. Whilst Northern Ireland is known for many things — we have lots of natural landscapes and iconic structures that automatically make us think of home — there is one building that will not feature in any of the advertisements, and it has already been referenced. It is nestled on the Lisburn Road as part of Queen's University, and it is the Patrick G Johnston Centre for Cancer Research. The building is named for the former vice chancellor of Queen's University, who pioneered so much cancer research and tragically passed away in 2014.

How can we as legislators, from our different backgrounds and political views, support the researchers and clinicians who harness the ability to care for those with cancer and even cure what was once a death sentence? Cancer does not recognise political opinions or constitutional positions. The age profile of its victims is also indiscriminate, and, like other sicknesses, once it takes hold, it does so with relentless venom. A cancer diagnosis brings home one of the greatest fears that we as humans can have: to be told that our life might be limited. When people have cancer, they simply want to know whether they can be cured. Can they get rid of it? Can they get on with living rather than have to face dying?

Today's motion is welcome. It recognises that Northern Ireland is too small to challenge the scourge of cancer alone and understands that we are better when we work together to challenge cancer. The amendment suggests that we should work on a United Kingdom and all-island basis, and I take no issue with that. When I think of family members who received a cancer diagnosis, I would not have cared where the cure came from; I was just interested in them getting back to good health as quickly as possible.

Let us look for a moment at the reality of cancer. I will focus on skin cancer, the most common cancer across the North with over 4,000 new cases each year. The cost of treating the condition is £21 million per year and rising. At least 50% of skin cancers are preventable, yet the cost of treating skin cancer has increased 10 times in the last decade, due to the increasing cost of chemotherapy. Meanwhile, we have a skin cancer prevention strategy and action plan that expires in September. The previous Health Minister

confirmed to me that the Department cannot review how effective that strategy was due to other pressing demands. It is anticipated that melanoma cases in the North will increase by 28% in the next 12 years, which will increase those costs by almost £4 million per year at least.

Where will the money come from to fund skin cancer prevention and the extra care that is needed? It is not missed to me that the motion comes from the party that has responsibility for finances and asks for better outcomes for cancer, which is managed by a strategy that is underfunded. We need to cooperate better and get the most out of those budgets. We know that the Patrick G Johnston Centre does groundbreaking research. Why can we not help to fund it, given that we do not do so at present? We have to do this to be able to fight cancer. If we focus on working with each other, as opposed to against each other, we should be able to help that fight against cancer. Let us get real about our budgets and do what we can.

All of us have known fellow MLAs, family and friends — kind, honest and compassionate people — who have died from this indiscriminate, conniving and cheating disease. As a personal reflection, in two weeks' time, it will be 29 years since my father died from cancer, which meant that, for most of my adult life, I did not know my father. That is a story that any one of us would be able to tell, because it impacts on us. Let us honour their memory and work together to end this disease once and for all.

Mr Dickson: As Members have said this afternoon, cancer knows no borders. Our fight against it must be equally boundless. I had the pleasure recently of attending the Cancer Knows No Borders conference in Dublin. That was an inspirational event, bringing together researchers and cancer professionals from Northern Ireland, the Republic of Ireland, England, Scotland and Wales and, most importantly, the United States of America. That was vital for that event.

By uniting our resources, expertise and knowledge, an all-island cancer strategy can help us to advance cancer research and provide better outcomes for patients across the island. Oncology clusters could bring together research institutions, healthcare providers and private industry. They could drive innovation, attract investment and create high-value jobs. Collaboration will ensure that the latest treatments and technologies are accessible to all people on the island and wider afield.

The success of the Ireland-Northern Ireland-US National Cancer Institute Cancer Consortium, born out of the Good Friday Agreement, shows what we can achieve together. That partnership has delivered high-quality research, including students from both sides of the border.

However, there is much to do. Patients from the Republic of Ireland often travel to Northern Ireland for treatment but rarely vice versa.

Aside from a few initiatives such as the Congenital Heart Disease Network and the North West Cancer Centre in Derry, there is minimal cross-border collaboration in cancer policy or research.

Currently, Northern Ireland's cancer statistics are among the worst in the UK as part of Europe. Increased cross-border collaboration could improve those standards. Meaningful engagement between the Department of Health in Northern Ireland and the Department of Health in Dublin is crucial. I encourage the Minister to take up that work. By working together, we should make significant strides in cancer prevention, treatment and care. Sharing knowledge and funding allows Governments to fight cancer together rather than competing against each other. It means committing to a future in which our collective efforts in cancer research are unified and strengthened. It is about improving health outcomes. It is about showing that we can unite for the greater good, beyond our political differences.

I thank the charities in Northern Ireland that work tirelessly outside of government to fundraise. Every penny that is raised supports patients or is used to buy equipment that the Government or Department cannot provide or to provide extra. The charities in Northern Ireland that fund research provide hundreds of thousands of pounds a year. We must pay tribute to the work that they do.

The Northern Ireland Cancer Registry does excellent analysis of cancer statistics across Northern Ireland. However, until we share those statistics meaningfully and regularly across the whole of the United Kingdom — this is on the point of the amendment — we will not be able to place Northern Ireland's cancer statistics in the UK context or the European context. I encourage the Minister to detail in his response the work that he will do to ensure that we knit our statistics into national and international statistics so that Northern Ireland's cancer statistics can stand up and be measured.

Mr Sheehan: I doubt that there is anyone on the island who has not been affected by cancer either directly or through a family member or friend being diagnosed with cancer. Great

strides have been made in preventative measures, early diagnosis and the treatment of the disease, but a diagnosis of cancer is still guaranteed to strike terror into most individuals and create upheaval in families.

I know from personal experience how difficult it can be. My wife, Siobhan, was diagnosed with aggressive breast cancer in 2002. After surgery for a mastectomy, the next four years were spent attending appointments in the Bridgewater Suite in Belfast City Hospital for chemotherapy and Belvoir Park Hospital for radiotherapy. Of course, Siobhan had to deal with all of the side effects of those treatments, including sickness and nausea, hair loss, joint pain, weakness and extreme fatigue. At one stage, we had to go to Dublin in an ambulance because Siobhan needed a treatment for metastatic cancer; the cancer had spread to her brain. As she had already received a full blast of radiotherapy, any further radiotherapy had to be precise and targeted beams of radiation, which is known as "stereotactic radiotherapy". That was not available in the North at that time, so we had to travel to Dublin. Thankfully, that treatment is now available in the North. Unfortunately, my wife died in 2006. It is not an experience that I would like to repeat, especially having to tell a six-year-old that his mother had died during the night.

My story is by no means unique. Many people have gone through the same, and worse. It makes sense that, on such a small island, we should pool our resources not just to deliver treatment to those suffering from cancer and other diseases and ailments but to collaborate in research, innovation and best practice. If our objective is to reduce the number of people diagnosed with preventable cancers, improve survival and improve the experience of people diagnosed with cancer, collaborative working between North and South is not only desirable but should be an absolute imperative.

It should not stop there. Ireland has the skill set, technology and infrastructure to become a world leader in innovative cancer research, but there is also a need for greater collaboration on a global level with the US and the EU. There is absolutely no reason why this island cannot be a world leader in cancer research. There is still a long way to go to eliminate the scourge of cancer, but cooperation and collaboration are the only way to go.

4.30 pm

Mr Deputy Speaker (Mr Blair): Thank you. I call Mike Nesbitt, the Minister of Health, to respond. Minister, you have up to 15 minutes.

Mr Nesbitt (The Minister of Health): Thank you very much, Mr Deputy Speaker. I thank all those who contributed to the debate. As many Members made clear, everybody knows somebody who has been affected — a friend, sibling, loved one, child, parent. I have spoken previously of my paternal grandmother and her slow, painful and, frankly, undignified death from bowel cancer. It impacts, as Mr McGrath hinted, on mental health, finances and life choices. It impacts on oh-so many others: family members who become carers; and parents who have to tell their six-year-old that their mother passed away in the night. To Mr Sheehan, I extend my total sympathy.

As Health Minister, I am committed to doing everything that is within my power to ensure that we can improve outcomes for those who are impacted on by cancer. "For better outcomes": those three words will be my mantra, my test and my yardstick to judge everything that I do. It is clear that Northern Ireland must find new and innovative treatments and care pathways if it is to improve outcomes for cancer patients. I am also clear that we cannot work in isolation if we want to achieve that aim. Collaboration is essential, and that includes collaboration with our neighbours, North/South, as well as east and west. For the avoidance of doubt, I have no political or ideological objection to North/South cooperation. As the Committee Chair said, we have to take politics out of healthcare, and I am determined to do that.

I am becoming familiar with the work of the All-Island Cancer Research Institute. It published in recent months, calling for greater cooperation across the island on cancer research, innovation and care. One of my first meetings as Minister was with Professor Lawler as we celebrated 30 years of the Cancer Registry. I am pleased to be able to advise that my Department is already working closely with the Department of Health in the Republic to look at ways in which we can cooperate to deliver cancer services. The North West Cancer Centre, as was mentioned, is a key example of that, with patients from the Republic accessing services there. Likewise, we have patients travelling to Dublin for specialist treatment.

We opened the North West Cancer Centre, at Altnagelvin Hospital, in 2016. It provides outpatient systemic anti-cancer therapy and radiotherapy services to approximately half a million people, including patients from County

Donegal, with the centre treating approximately 250 people from the Republic every year. In June last year, Stephen Donnelly, the Minister for Health, announced funding for a new Daisy Lodge short-break centre in Cong, County Mayo, for children with cancer and their families. The centre will welcome 30% of its visitors from Northern Ireland, just as our centre in County Down welcomes 30% of its visitors from the Republic.

Cancer care should not be about politics. Decisions should be made on the basis of what is best for patients. We have a tripartite partnership between the Governments of Ireland and Northern Ireland and the National Cancer Institute in the United States. That partnership commits us to working together to reduce cancer incidents and mortality across the island of Ireland through cross-border and transatlantic collaborations in cancer research and education. It has been pivotal in many of the positive steps that we have taken against cancer on this island over the past 20 years. Collaborative cancer research has doubled, delivering cancer clinic trials to over 35,000 patients, North and South.

We have the All-Ireland NCI Cancer Consortium, which has established clinical trials infrastructure on this island; an all-island cancer atlas; and the training of some 500 clinicians, healthcare professionals and scientists. The consortium has funded fellowship programmes in cancer prevention and in health economics. There is also ongoing collaboration between the Northern Ireland Cancer Trials Network and Cancer Trials Ireland to increase the number of cancer trials available across the island.

Cancer research is another key element on which cross-border collaboration is vital. The Health Research Board in Ireland is partnering with the Health and Social Care research and development division and the US National Institutes of Health to provide funding to support cancer research. The All-Island Cancer Research Institute's recent paper, 'Landscape Review and Economic Potential of the Oncology and Allied Digital Health Sector on the Island of Ireland', calls for us to go further on North/South collaboration. Its proposed oncology innovation clusters would help to bring together all the key cancer research bodies in Northern Ireland and the Republic to consolidate knowledge, resources and infrastructure, with the combined goal of finding innovative approaches to gain better outcomes for patients here in Northern Ireland, on the island of Ireland and globally through their research.

The All-Island Cancer Research Institute states that the global oncology market is expected to reach \$690.4 billion by the year 2032. Its advice is that research stakeholders in Northern Ireland and the Republic should work together, alongside public bodies and industry, to be a part of that growth. The institute has conducted comprehensive research, identifying all the key stakeholders in both jurisdictions.

Of course, those proposals to bring together the major players in industry, academia and the public sector are not new. We have city deals that seek to deliver exactly that, and it is important that we seek to use the leverage of those deals to bring about the greatest benefit for Northern Ireland. I know that my ministerial colleague Conor Murphy is fully aware of the potential economic benefits of having a thriving health industry operating in Northern Ireland. Organisations such as Invest NI and the Health Innovation Research Alliance Northern Ireland are working hard to develop the sector.

The economic benefits are, of course, important and of interest to everyone here. However, my priority is to deliver the best health and social care outcomes for the citizens of this place. Research by the institute emphasises the importance of population health and well-being to the economy. It calls for increased investment in oncology research and innovation. Regrettably, though, that comes at a time when my research and development budget is fully committed and I am facing calls to cut core health and social care services.

Proposals such as this are timely. As we are all fully aware, cancer services here are under enormous pressure. In the quarter ending in December 2023, 89% started treatment within 31 days of the decision to treat; the target, however, is 98%. Some 30% started treatment within 62 days of a referral, but the target for that is 95%. Of those referred on the breast pathways, 52% were seen within 14 days, but the target is 100%. Those figures are unacceptable and have been at unacceptable levels for too long. There have been many causes, including rising demand — for example, demand for chemotherapy has increased by 41% over the past five years and the number of first-diagnosis cancer patients treated has increased by 25% in the past 10 years — but we have also been slow to transform and accept new ways of working.

I do not underestimate the enormous pressure under which cancer staff and the wider HSC family are working. However, despite their best efforts, many parts of the current system are not ready to deliver the cancer services that we

will require in the next five to 10 years, so we must be proactive and ambitious in delivering the equitable and resilient cancer services that the people of Northern Ireland deserve.

The cancer strategy published by the Department of Health in 2022 seeks to effect the transformational change that is needed to change how cancer is managed. That includes recognising the opportunities for collaboration across this island, with Great Britain and further afield to deliver better cancer care and better research and innovation. Although the strategy is not fully funded, we are already starting to see the benefits. We have rapid diagnostic centres that now deliver a vague symptom pathway across Northern Ireland. That is available for patients who have vague but worrying symptoms. They are typically patients who would have ended up with a late diagnosis and, consequently, very poor outcomes. Northern Ireland was the first part of the United Kingdom to commit to implementing an optimal care pathway for pancreatic cancer, and work is progressing well to implement that pathway. Reviews of haematological cancers and cancers affecting adolescents and young adults have also been completed, and recommendations are being implemented.

A cancer research strategy, as Mrs Dodds referred to, was a core commitment in the cancer strategy, and I assure the Member that it is under development. It will seek to establish the infrastructure required to support cancer research and innovation and translate that into improved outcomes for patients — a bench-to-bedside approach that focuses on what we need to address the biggest issues facing our cancer services. It will require additional investment, and, for that reason, I welcome the establishment of the All-Ireland NCI Cancer Consortium's research and innovation grant scheme, which will provide vital funds to support cancer research and innovation to institutions across the island of Ireland. I also commend the All-Island Cancer Research Institute for the work that it has done to bring together 10 universities across the island in a combined fight against cancer.

The way in which healthcare is delivered is continually changing. We must be ready to test and adopt innovative ways to treat and support those who are impacted by cancer. New technologies, new medicines and new techniques provide opportunities to measurably improve cancer survival rates while significantly improving the quality of life for cancer patients. It is essential that we grasp those opportunities.

Greater specialisation of cancer treatment means that it is increasingly important that we adopt a collaborative approach to delivering cancer services with our nearest neighbours. We need to enhance collaboration, North/South, east-west and globally. That is particularly important for cancers that require specialist treatment that cannot be delivered in Northern Ireland or for rare cancers where clinicians must have access to a larger population to develop and maintain the expertise to treat patients. Therefore, in answer to the motion, I am open to all discussions, ideas and proposals that enable us to deliver better cancer services for the people of Northern Ireland. Where collaboration with other jurisdictions can achieve that, we must take those opportunities, where possible, and, on my watch, we will do that.

I will touch on a couple of Members' comments. Danny Donnelly talked about cooperation with the Minister from the Government of Ireland, Stephen Donnelly. I am scheduled to have a meeting with Minister Donnelly before the end of the month, and I very much look forward to that. I hear what Mr Dickson says in his assessment of the state of cooperation with the Republic. "Could do better" might be a summary of his remarks, and I very much will take that on board. As for sharing the registry, yes, I think that data is absolutely critical in improving how we deal with the health service and getting better outcomes. We must base it on data while remembering that, behind every data set, there is the human cost of some disease, be it cancer or whatever.

I bring my remarks to a close by, once again, thanking the mover of the motion and those who tabled the amendment, which we support.

Mr Deputy Speaker (Mr Blair): Thank you, Minister, for that response. I call Alan Robinson to make a winding-up speech on the amendment. Mr Robinson, you have up to five minutes.

Mr Robinson: Thank you, Mr Deputy Speaker. There were 22,600 deaths from cancer in Northern Ireland from 2017 to 2021. According to Macmillan Cancer Support, cancer kills 167,000 people in the United Kingdom every year. The biggest killers are lung cancer and breast cancer, and, with 4,500 people dying from those cancers per year, we need to do better.

As has been referred to, we have a cancer strategy for Northern Ireland, which was launched in 2022. That strategy is a road map that aims to place Northern Ireland at the

forefront of world-class cancer prevention and treatment. Its 60 recommendations should be the bedrock of how we progress cancer diagnosis and treatment in the Province. We must recognise that collaboration is key to unlocking further potential.

By pooling resources and expertise across the British Isles, we can accelerate progress on cancer prevention, treatments and interventions, but we certainly cannot restrict that to just one region.

I thank my colleague Diane Dodds for proposing the amendment. She spoke eloquently, as she always does. I have to applaud her for her understanding of the Health portfolio. I thank the many others who spoke in the debate. Liz Kimmins, Tom Elliott, Stewart Dickson and the Minister all referred to the North West Cancer Centre. I thank the staff for the work that is going on there. In a twist of fate, as I speak in the House, I have a parent who is undergoing treatment for cancer at Altnagelvin.

I urge the Department to engage meaningfully with its counterparts across the British Isles. I hope that the outworkings of the amendment, which widens the original motion, will include exploring opportunities for further cooperation and delivering groundbreaking research. Collectively, we can make strides in cancer care and improve patient outcomes to help to build a healthier future.

Mr Deputy Speaker (Mr Blair): I call Linda Dillon to make the winding-up speech on the motion. You have up to 10 minutes.

Mrs Dillon: Go raibh maith agat, a Leas-Cheann Comhairle. [*Translation: Thank you, Mr Deputy Speaker.*] I thank the Minister for coming here. I am one of the sponsors of this essential motion on cancer research, which was inspired by the recent report from the All-Island Cancer Research Institute.

The motion underscores the critical need for greater cooperation in oncology research on the island of Ireland and highlights the potential benefits of developing oncology innovation clusters. It calls for meaningful engagement between the Department of Health and its counterpart in Dublin. That collaboration aims to foster innovative research into cancer prevention, treatments and interventions. We are all well aware of the financial constraints that the Health Department has to work within, as were outlined by the Minister, and the challenges that he has, so we need to use what we have to the greatest benefit of the people.

By pooling resources and expertise across the island, we can significantly enhance our research capabilities. Themes 1 and 2 of our cancer strategy would greatly benefit from collaborative working. Those themes engage prevention, diagnostics and treating cancer. By working together, we can tackle cancer more effectively, benefiting all people and aiming, as the Minister said, "For better outcomes". Those are his three words, and they are three good words to live your life by in the Chamber. At the end of the day, for people right across the island, that is what matters.

Ministers need to give leadership. We need to work together and support the professionals who are telling us that this will work and will save lives. By establishing oncology innovation clusters, we can attract both domestic and international investment, driving forward groundbreaking research and bringing us closer to finding cures and better treatments for cancer. We have already seen that through the Shared Island Fund. Greater cooperation can lead to standardised best practice, ensuring that all patients, regardless of their location, receive the highest quality of care. We have already seen the benefits of North/South collaboration to cancer research and care, as a number of Members who spoke previously outlined.

Many of us will have attended the recent launch of the Cancer Charities Coalition. It made clear that we need to do better for everyone who has cancer. It is right. It also highlighted the importance of collaborative working to ensure that we have better support and outcomes for people. I stand here having lost my mummy to stomach cancer. Unfortunately, by the time it was diagnosed, it was too late. I know that my story is one of so many, as has been displayed in the Chamber today. We heard from Stewart Dickson, who is, thankfully, a survivor and doing well. We heard from Colin McGrath, who, as a very young man, lost his daddy. We heard from my colleague Pat Sheehan, who had to deliver the devastating news to his little boy, who is now a grown man, but, from that age, he has never known life with his mummy. There are many others in the Chamber. I pay tribute to Alan. I hope that your parent does well. It is down to the work that is being done that, hopefully, many of our family members and the people whom we love and care about will survive.

As I said, I know that my story is only one of many. We must therefore use our resources effectively and work together on an all-island basis to deliver research and innovative diagnoses and treatments so that other families

are luckier than mine and get a diagnosis and the most effective treatment. We have a dedicated and talented pool of people doing amazing work in our universities, communities and hospitals, and we need to give them the support to deliver for our people. Without research, we would not have the screening programmes that have saved so many lives. I will highlight the three recommendations in the report: an all-island oncology innovation cluster; supportive infrastructure; and funding for research and development. I look forward to engaging with the Minister, because, as he has said, there is a lot of good work going on. We need, however, to do more of it, to do it better and to fund it.

I thank all those who contributed to the debate. I do not need to go over everybody's points, because we are very much on the same page. I thank Diane Dodds for referring to Macmillan, which is a vital organisation for providing support to those who are suffering from cancer and to their families who are trying to support them through it. This Saturday, 22 June, I am doing a marathon walk — 26 miles — for Macmillan, and I am happy for anybody to sponsor me. *[Laughter.]* I am doing it along with hundreds and hundreds of people, some of whom will be patients who are perhaps undergoing cancer treatment, some of whom will be survivors and some of whom will be family members.

Mr Nesbitt: I thank the Member for giving way. Do you have a JustGiving page?

Mrs Dillon: Yes. I will make sure that I put it up again this evening on my Facebook page. I absolutely will. Macmillan is a vital organisation. It needs our support, and we need to support it. It is important to point that out.

As the Chairperson of the Health Committee outlined, the Committee, jointly with the Oireachtas Health Committee, will be going to the Patrick G Johnston Centre for Cancer Research at Queen's University. On that visit, we will see at first hand the work that is being done. A fantastic event was held here last year by Cancer Research that showcased some of its work on diagnostics, screening programmes and all the other amazing stuff that it is doing. We need to make sure that we work hard together to be able to implement those screening programmes, to be able to target them at where they are needed and to be able to have the diagnostics and, hopefully, the treatments and cures for the people who may, unfortunately, be future sufferers of cancer.

Finally, I must point out that we need to be looking at prevention, and research will help us with that. I thank Members for their support for the motion and the amendment.

Mr Deputy Speaker (Mr Blair): Thank you for your winding-up speech.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly notes the recent report from the All-Island Cancer Research Institute on the state of the oncology research industry; recognises the need for greater cooperation in cancer research with both the United Kingdom and the Republic of Ireland; further recognises that clinical experts in this field have stated that developing oncology innovation clusters, by pooling resources, could help to drive research and investment in oncology, domestically and internationally; calls on the Department of Health to engage meaningfully with the respective Departments of Health in London and Dublin to consider opportunities for increasing both east-west and North/South cooperation in delivering innovative research into cancer prevention, treatments and interventions in the British Isles; and further calls on the Minister of Health to develop a Northern Ireland cancer research strategy and subsequently update the Committee for Health with a progress report on this issue.

Adjourned at 4.53 pm.