



# Official Report (Hansard)

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Swann, Robin (North Antrim)  
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# Northern Ireland Assembly

Tuesday 19 October 2021

*The Assembly met at 10.30 am (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

### Resignation of Member: Mr Fra McCann

**Mr Speaker:** I have received a letter of resignation from Mr Fra McCann as a Member of the Assembly for the West Belfast constituency. I have notified the Chief Electoral Officer, in accordance with section 35 of the NI Act 1998.

### New Assembly Member: Miss Aisling Reilly

**Mr Speaker:** I have been informed by the Chief Electoral Officer that Aisling Reilly has been returned as a Member of the Assembly for the West Belfast constituency to fill the vacancy resulting from the resignation of Mr McCann. This morning, Ms Reilly signed the undertaking and the Roll of Membership and entered her designation in my presence and that of the Clerk to the Assembly. She has now taken her seat. I welcome her to the Assembly and wish her every success.

## Matters of the Day

**Mr Speaker:** Members will wish to note that the subject of the first Matter of the Day is technically still active for the purposes of the Contempt of Court Act 1981. The discontinuance of the case should be a formality and, therefore, the risk of sub judice issues arising is low. Nevertheless, I urge Members to exercise their usual caution and moderation in this regard.

### Dennis Hutchings

**Mr Speaker:** Mr Doug Beattie has sought leave to make a statement on the death of Dennis Hutchings, which fulfils the criteria set out in Standing Order 24. If other Members wish to be called, they should rise in their places and continue to do so. All Members who are called will have up to three minutes to speak on the subject. I remind Members that interventions are not permitted and that I will not take any points of order on this or any other matter until the item of business has finished.

**Mr Beattie:** I hope that this Matter of the Day can be debated in a manner that befits the issue at hand. The first thing that I need to do is to pass on my condolences to the family, colleagues and friends of Dennis Hutchings. I also pass on my continuing condolences to the family of John Pat Cunningham, who deserves truth and justice. Now, however, Dennis Hutchings also deserves truth and justice.

People need to understand, or find out, why his case was elevated above all others. Why did his case suddenly end up at the top of the pile, along with others? This goes to the heart of some of the issues that we have to deal with in a difficult legacy process that is affecting the present.

I engaged in the issue of Dennis Hutchings as far back as 2016, when I was the justice spokesperson for the party. I wrote to the then Director of Public Prosecutions to find out why

so many military personnel were being subjected to investigations. I am not talking about the wider investigations; we can talk about those statistics all we want. What I found was that, under section 35(5) of the Justice (Northern Ireland) Act 2002, nine legacy cases were referred by the Director of Public Prosecutions at the time. All nine were either solely or in part about the security forces. Not a single one of the nine was in regard to terrorist action. We found that Dennis Hutchings's case was elevated above all others by the Director of Public Prosecutions, not through a PSNI case file. We have to look into that. We need to examine it, to be fair to the family so that they can understand why this case was elevated. We need to understand what new evidence elevated this case above all others. We need to find out what public interest brought this case forward. We need to make sure that we stop this perpetual lie that Dennis Hutchings was up for murder, because he was not. There is no evidence to suggest that. It was not even being brought forward in the court case.

We took a guy in his 80s, who had kidney failure and heart disease, and brought him to court. Some will say that that was in the public interest and some that, in hindsight, maybe we should not have done that. However, it is not hindsight, because the case was made that this would have a detrimental effect on his health and, as we see, it did.

**Mr Frew:** It is regrettable that we must have this Matter of the Day for the sad passing of Dennis Hutchings. I met Dennis only briefly. I uttered a few words to him, and that was it. Dennis reminded me of people whom I have surrounded myself with all my life: strong, hard-working, diligent and compassionate people. He was a soldier who served his country and was, no doubt, let down many times in that service by his superior officers. That is certainly true of the start of the Troubles. Here was a man doing his duty, serving where he was sent. He had no choice in that. Yet years later, this brave soldier, as an old man, was dragged to Belfast to go through what can only be described as a show trial.

Mr Hutchings had been investigated before, and there is no clear, compelling new evidence that I can see that justifies his being dragged to Belfast, away from his family, to stand in a courtroom. How unfair. How unfair that a brave soldier who served his country, went where he was sent and was let down many times in that service was let down again by the judicial system and, I have no doubt, by the leaders of the state.

My thoughts go out to his family at this time and also to the people who supported him. I think of the likes of Johnny Mercer MP and of our councillors in Mid and East Antrim and Causeway Coast and Glens, who travelled up to meet Dennis and support him in the trial. Of course, however, our thoughts must rest with the family, who are the people left behind. They are the people who are left to pick up the pieces of what is a tragedy and an instance of something that should never have taken place. We have seen examples down through the years —

**Mr Speaker:** The Member's time is up.

**Mr Frew:** — of the judicial system letting people go because of ill health. I think of many republicans who walked free, yet —

**Mr Speaker:** The Member's time is up.

**Mr Frew:** — no such service was given to Dennis Hutchings.

**Mr Speaker:** The Member's time is up. Thank you.

**Ms Dillon:** First, this is a human tragedy, and my thoughts are with all the families who are suffering at this time, including the family of Dennis Hutchings. Let me be clear, however, that, in the House, our job is to make legislation. Our job is not to do the job of the Public Prosecution Service (PPS). Our job is not to do the job of the police. Our job is not to do the job of the judiciary. This was a judicial process, and it is not for us to interfere in that.

I know of many cases in which families have come to me because they did not think that they had been served in the best manner by the judicial process. I have had to say to them, "I can never, ever interfere in the judicial process. It must at all times be independent". I truly and genuinely believe that, and I do not understand why everybody else in the House would not feel the same way. In fact, I find it unbelievable that we would not all be saying the very same thing to anybody who came to us on any matter that is up before the courts.

In the wider legacy context, it is worth saying that, had these issues been properly and thoroughly investigated 30, 40 and 50 years ago, not us but those families would not be in the circumstances that they are in today. They would not continue to be dragged through the courts. A family were dragged through the courts as well: a family who lost somebody whom they loved. There are many, many other

families like them, and I think that we need to be conscious of that. Mr Beattie talked to the fact that we should be careful of our tone in this debate, and I think that we should. Everybody should be conscious of that and be conscious of the fact that there are many people out there listening to us. We will set the tone for what happens outside the House. I have said it before here, and I will say it again: be very conscious of the tone that you set.

In the absence of what we had, all these matters need to be dealt with through the judicial process. We had the Stormont House Agreement, which was agreed by the two Governments and by the parties here. We had a process that may not have delivered justice for all — we know that it probably would not have delivered full justice for many — but it had the best possibility of delivering something for everyone. We need to engage seriously, and my party leader has written to both Governments on that. We are supposed to have a real and thorough engagement around legacy. I have not seen or heard anything about it, and I am one of our party spokespersons on legacy matters. I have not seen any notes of meetings. I have not heard what has come out of meetings. All that I have heard is this perpetual nonsense of, "Let's have an amnesty". That is unfair. It is unfair to everybody involved. An amnesty has been rejected by all the parties in this House. It has been rejected by the victims' sector —

**Mr Speaker:** The Member's time is up.

**Ms Dillon:** — and the victims are, after all, the most important people.

**Mrs D Kelly:** Mr Speaker, I am very conscious of the caution that you advised of Members when participating in this Matter of the Day. Indeed, I am mindful of the families, both the family of John Pat Cunningham, a young man who was shot in the back, and the family of Dennis Hutchings. It is never easy to lose someone, regardless of what age the person is. I dispute, however, the assertion that the trial was not in the public interest. I am not aware of the level of evidence, but it clearly met the very high threshold set for prosecution by the PPS, and that is why the case went to trial. All Members here have expressed the view that no one should be above the law and that the law should be applied equally. That is a maxim in which we can all have faith and belief.

**10.45 am**

In recent weeks, I have noted age being no barrier to prosecution. I saw that a 100-year-old was on trial in, I think, Germany, for war crimes. Some might say, "Rightly so", because, even though the generations who suffered at that time may be long gone, their families remain, as do the hurt and the quest for answers. That is the case for many here who have yet to get truth, justice, acknowledgement and accountability. Where justice is available, it should be sought, regardless of who the alleged perpetrator is. The argument about army personnel has been long dispelled. We know that the Historical Enquiries Team (HET) did not do proper investigations, and we certainly know that there was no investigation by military police at the time of the killing. No one should be above the law. People should be strident in upholding that principle, not just in word but in deed, and they should not cherry-pick depending on who the alleged perpetrator is.

**Ms Bradshaw:** I thank Mr Beattie for bringing the Matter of the Day. It is important that we have the debate.

I am one of only a handful of Members who come from what we colloquially call a "mixed marriage". My mother is from west Belfast, and my father is from north Belfast. I can tell Members that, at the time of a birth, the joy is the same; at a marriage, the happiness is the same; at a milestone birthday, the craic is the same; and, at a time of death, the grief and despair are the same. I have no doubt that Mr Hutchings's family will have been plunged into the same grief and despair. Furthermore, the family connected with his story — Mr Cunningham's family — will relive that time and be re-traumatised by it.

I do not know what happened in 1974. I was only two years old at the time, and, as I look around the Chamber, I see many who are of a similar age. I am concerned that there are those in the House and beyond, especially on social media, who are playing politics with Mr Hutchings's passing. It is essential to note that decisions on prosecution and fitness to stand trial are matters for the independent PPS and judiciary. They are not matters in which politicians should involve themselves.

Not 24 hours ago, we talked in the House about the vitriolic language used online that can create dangerous situations that spill into real life. I call on those who, last night and today, have taken to Twitter and other social media platforms and are using Mr Hutchings's passing to gloat and to stoke up tensions to reflect on the potential outworkings of their language, tone and content. We all have a duty to create a

society that will not return to the Troubles, one where we can come together to improve public services for our constituents and focus on the issues that matter to them. One issue that we should continue to treat seriously together is the deadly virus. We must ensure that we take responsibility for protecting our most vulnerable.

Yesterday, I said of Sir David Amess MP, "May he rest in peace". In turn, today, I say this: may Mr Hutchings rest in peace, and may Mr Cunningham rest in peace. Let us never recreate such a grotesque conflict.

**Mr Allister:** Last night, we heard of the sad end to the torrid pursuit of an old soldier. The veteran Dennis Hutchings was needlessly dragged to court from his home and family in Cornwall in what had all the appearances of a witch-hunt of a former soldier. Last Monday, when I stood with him outside the Crown Court, it was evident to me that he was far from well. This was a man who, every other day, had to have kidney dialysis and had heart trouble, yet there he was, strong in his presentation but labouring under the obvious strain and cruelty of being put in that position.

Our Director of Public Prosecutions, Mr Herron, should consider his position. His office argued that Mr Hutchings was fit to stand trial. His office determined to bring the charge before him. His office proclaimed that there was new and fresh evidence. Where was it? I followed the case as best I could, but I heard no new and compelling evidence that gave me any thought at any time during the trial that there was likely to be a conviction. I say this to Mr Herron, our Director of Public Prosecutions: why did you do that to that man? What was the justification and the basis for dragging him before the courts? Mr Hutchings entered the trial under the presumption of innocence. and, in the same vein, he died an innocent man.

**Mr Buckley:** The sad news last night about the death of Corporal Major Dennis Hutchings will leave an impact on many in Northern Ireland. First and foremost, I pass on my deepest sympathies on his sad and tragic passing not only to his family and friends but to our veteran community, who have been really touched by what they have seen over the past months, when Dennis showed the true and lasting qualities of a solid old soldier when he tried to clear his name. He was an honourable man who came to Belfast to stand trial and clear his name, not only for him but for his regiment.

As many Members have said, while I recognise the understandable desire of the Cunningham family for justice, was justice best served? Mr

Hutchings was an elderly man, a veteran, a former soldier, a man who had served his country with distinction and run into the face of danger to protect people. He was brought before a court when unfit because of kidney dialysis and heart trouble, as was mentioned. It is clear that Dennis Hutchings should not have been in Belfast before the court; he should have been at home with his family. In the days to come, questions will undoubtedly arise for the PPS. How did it come to the decision? Where was the new information? Did it assess Mr Hutchings's health? Did it understand the serious pressure that it placed not only on him but on his family?

I salute that former soldier. Today, I say this to the veteran community: I understand that you are hurting; I understand your pain. This can never be allowed to happen again. Dennis Hutchings has been let down by the very state whose people he undertook to protect.

**Mr Dickson:** This morning, there are two grieving families to hold in our thoughts, two families connected by tragic circumstance. The first family's grief has been their constant companion for decades; the second family's bereavement journey has just begun. Out of respect for those families, who will both be grieving and in distress today, and in memory of John Pat Cunningham and Dennis Hutchings, let today not be a time for recriminations and political point-scoring. Let today be a day for compassion and sensitivity. People will struggle today with a terrible sense of loss, a feeling that we all have the misfortune to know and one with which we can empathise.

Events remind us of the long shadow that legacy casts over our community and of the ongoing pain and anguish that it causes. In the days and weeks ahead, it should be our responsibility as politicians to again highlight and pursue the need for a comprehensive way forward on legacy issues, but today is a day to show compassion and empathy for two bereaved families.

**Mr Speaker:** Thank you, Members. That concludes this Matter of the Day. Please take your ease for a moment as we move on to the next item.

## **Children's Red-flag Cancer Referrals: Waiting Times**

**Mr Speaker:** Mr Colin McGrath has been given leave to make a statement on waiting times for children's red-flag cancer referrals that fulfils the criteria set out in Standing Order 24. If

Members wish to be called, they should indicate that by rising in their places and continuing to do so. Members who are called will have up to three minutes in which to speak. Interventions will not be taken, and I will not take points of order on this or any other matter until the item of business is finished.

**Mr McGrath:** Thank you, Mr Speaker, for accepting the Matter of the Day to allow me to raise a very important issue.

We are regularly told that our children are our future, they are precious and they are to be protected. What has come to light in the Children's Commissioner's report "More Than Just a Number" tells me and all of our society that we are not protecting all our children; we are not looking out for all our children; and, indeed, we are failing some of our children. The report states that 17,000 children are waiting to see a consultant for the first time. In the Chamber, politicians are often accused of thinking only in parliamentary terms, so let me put it into parliamentary terms: with well over 17,000 waiting and 18 constituencies, that averages just shy of 1,000 children in each constituency waiting to see a consultant for the first time. Let that sink in, Members: 1,000 children in your constituency are waiting to see a consultant for the first time. What is harrowing is that, among those 17,000 children, 24 have been waiting a year with a red flag to see a clinician about a cancer diagnosis.

We are supposed to live in the First World — not the Second, not the Third but the First World — and we leave children for one year to see a doctor when they have a suspected or even a confirmed cancer case. We are not protecting our children or looking out for them. We are failing some of them. We know, as well, that many children and families across the North wait too long for appointments to deal with autism, ADHD and a range of other medical conditions. Let me be clear: if the system is not working, it is broken, and, if we know that it is broken, there is a duty on all of us here to do all that we can to fix it. For the children and their families who still wait, that is what I want to see in the weeks and months ahead.

**11.00 am**

**Ms Ní Chuilín:** I thank Colin McGrath for bringing this Matter of the Day. As Colin said, 17,000 children and young people under 18 years of age are waiting for equality. I also commend the Children's Commissioner for bringing the report forward. However, I have

serious concerns, as will most Members. There are 24 children who have been waiting for a year and are considered to be red-flag cases. That is horrendous. It is horrendous for them, their clinicians and their medical teams but more so their families. We know them. They are people like us, and it is awful.

The system is broken. The system needs to be fixed. We have all said that we need to take politics out of health. We all agree on that. However, with the length of time that children and young people are waiting for their first or second appointments or for diagnoses, the list is getting worse. It was like that before COVID. Let us be honest about that. COVID has compounded it, but it has got progressively worse. There are no signs that it will be fixed soon.

At the heart of it is the fact that it is not just about money; it is about workforce planning. No safe staff legislation has been brought forward. The approach to workforce planning is to bring more agency staff in, and that is completely unacceptable. We have heard practitioner after practitioner talk about how the system is bursting at the seams. If 24 red-flag children who either have cancer or are suspected to have cancer are waiting a year, what does that tell you about the rest of Health and Social Care?

Again, I thank Colin, and I thank the commissioner for bringing forward the report, but there is a challenge for us all, because, when it comes to equality in health at the point of need, we are failing children and young people.

**Mrs Cameron:** I thank Colin McGrath for bringing this very important Matter of the Day. I thank the Children's Commissioner for her report. In the words of the Northern Ireland Commissioner for Children and Young People (NICCY), the waiting time figures that were published are "terrifying", and their consequences are having a:

*"profound impact on a child's health outcomes, emotional and mental well-being".*

The review carried out by the Commissioner for Children and Young People is very appropriately titled 'More Than a Number'. Behind every statistic lies a child and their family or carers. They all deserve much better. The review found that, earlier this year, one in five children and young people in Northern Ireland was waiting for a first appointment or a review with a consultant. The conditions range



from cancer services to speech and language therapy and from scoliosis to autism assessments. There were 17,194 children and young people waiting for more than one year, and 510 were waiting for more than four years. One of the most unsettling figures detailed that 24 children have been waiting a year for their first cancer appointment. It is a travesty that suspected child cancer cases are not being addressed for over a year. What message does that send out about how we value our future generations of young people?

The report also makes 17 key recommendations that we all must examine very closely. One of the foremost recommendations from today's publication is the call for a full review of child services. That cannot come soon enough. There needs to be distinct, targeted and sustained focus on how the current barriers in waiting lists are affecting children's lives. We need to promote lasting solutions that place the health and well-being of every child at the centre of acute elective and community-based health services. The much-needed health transformation in Northern Ireland extends to all aspects of our services, not least children's health and social care. The report is another stark reminder of the task ahead.

**Mr Chambers:** I welcome the publication of today's report. It no doubt makes for uncomfortable reading, but it is a valuable review of the seriousness of the situation that we face. I was also glad to hear some of the commentary earlier that the Health Department participated fully in the preparation of the report. Other Departments might have been less willing to engage. I welcome the relationship between the Northern Ireland Commissioner for Children and Young People and the Department of Health, and I fully expect that, between them, progress will be made on the report as well as on transforming and rebuilding paediatric services.

To be clear, our waiting lists have been exacerbated by COVID, but they were not caused by it. The report makes it clear that the problem has been deep-rooted for several years. The Minister has repeatedly made that very point in the House. Last year, he inherited a truly appalling and intolerable waiting-time crisis. There was no single reason for it. Many factors have contributed: a failure to have a workforce plan; a failure to identify and close the opening gap between demand and capacity; and a failure to transform services.

In 2016, the Department published a 2016-2026 strategy for paediatric healthcare services.

Within months, however, the Executive collapsed, and it was three years before patients had a Minister in place again. In June, the Minister published his elective framework, and I am glad that so much of it, not least the immediate actions, is already being widely implemented. It will take long-term investment, however, to truly fix our waiting times and put them on a sustainable footing so that we never again find ourselves in this position. Everyone in the House knows that.

**Ms Bradshaw:** Thank you to Mr McGrath for bringing this Matter of the Day. I welcome him back to the Health Committee this week. I also thank the Children's Commissioner for her report on waiting times. I know that the Health Committee will look at that.

This is the latest general failing of an unreformed service. Continuing just to throw money at a system that does not work will simply leave us with more appalling instances of non-care. Remember that there are other health services in Europe that simply do not have waiting lists. The very idea that anyone — a child or, indeed, an adult — should have to wait any time at all between being told that they may have cancer and being given the details of what form it may take and what course of treatment may be necessary is unacceptable in many places, so why is it acceptable here? The reality is that the families who were left in this dreadful situation had two options: the first was to wait for the system to respond, which meant going through all the uncertainty that that brings and its consequences for the family's collective well-being; the second was to find the money to pay for private treatment.

We do not want a health service in which people have to find the money; we want the health service to be free at the point of access. It is not free at the point of access if people need to go private. If 24 children have had to wait a year to find out about their prospective cancers, we do not have a health service based on NHS principles. What will it take for us all in the Chamber to grasp the fact that transformation must proceed, and quickly? What will it take for public debate to move on to make such issues an absolute priority? How long will we meekly tolerate a health system that is not set up to deliver on the original pledge of being free at the point of access?

**Mr Allister:** Nothing is likely to touch any of us more than the death and suffering of children. This morning, therefore, we rightly focus on an acute issue affecting a section of our community. It is not unique to that section; if we look at the whole range of cancer services for

all age groups, we will discover a quite chilling situation. As we focus on the position for children, however, it is truly shocking to hear the statistics that Mr McGrath and the report have laid out.

Perhaps it is a little tiresome of me to say this again: yes, COVID has been an aggravator, but it is not the cause of our problems in the health service. The cause is gross and calculated underinvestment. I think back to the years when Michael McGimpsey was Health Minister and to the deliberate cutting off of funding to make a political point — the point that he was not capable and that the problems were caused by his incompetence. The reality was that health was being starved of funding. Today, we are reaping the fruits of that and more. I am going to tiresomely remind the House that, since devolution returned in 2007, we have seen a reduction of between 1,500 and 2,000 beds across our health service. That does not just mean the physical beds, it refers to all the staff that go with them. Then we are surprised that things are as bad as they are. This is a crisis that has fundamentally been made in Stormont; it was Stormont that cut those beds from our health service and across the whole sector. Yes, we, rightly, all lament the situation that we face in our health service, but let us be big enough to face up to the fact that these institutions have not served the health service well.

**Mr Carroll:** I thank the Member who tabled this Matter of the Day, and I thank the Children's Commissioner, Koulla Yiasouma, for the report. The news that 17,000 children and young people, which amounts to one in five, have been waiting for more than a year to see a consultant or health worker gives serious cause for concern and raises many questions about the health impact that is being felt by young people who are unwell and, in most cases, unable to speak to the veracity of the pain and discomfort that they are going through. Young members of my own family have, unfortunately, experienced that scenario, as have too many people in my constituency and across the North. Today, my heart goes out to them.

The fact that so many are waiting on treatment is a shocking indictment, and it is a continual reminder of how our health system is failing people who need health treatment. To be clear, the failure is not on the part of our health workers, who not only have done an outstanding job in an unimaginable situation but are continually overworked and, as the latest pay offer once again shows, underpaid. The failure lies in the fact that so many people — in this instance, young people — lie on waiting

lists, but the cruel reality is that if they or their parents had money, they could get access to private treatment in a matter of weeks. That is the failure that the Executive have not only allowed to continue but have continually thrown money at, reinforcing and funding the private health sector and a two-tier health system whilst claiming to aspire to a health system for all.

Throughout the pandemic, I have repeatedly raised the fact that there exist beds, staff and facilities in the private sector that should be taken into public ownership, primarily in the fight against COVID but also against other conditions. I am always dismayed and puzzled when, after asking the Minister in an Assembly question about the exact capacity in the private sector, I am told that it would be too burdensome for the Department to give that answer to me and other Members. To me and anybody else, that suggests that there are many private facilities in existence. Look around Belfast and elsewhere across the North: private facilities are popping up left, right and centre.

The Minister and the Executive must now ensure that measures are taken to alleviate the waiting lists by acquiring the resources necessary to treat people who are in need. That means paying our health workers properly to retain them, stopping the throwing of tens or hundreds of millions of pounds into the private health sector, plugging the gap of thousands of workers who are not in the NHS at the moment, making sure that safe-staffing legislation proceeds and doing away with euphemisms like "transformation" and "reconfiguration", which are often code words for reducing, cutting, stripping back and not investing in our health service. If we do that, we will be on course to deal with these and other waiting lists.

**Mr Buckley:** I thank Mr McGrath for tabling this Matter of the Day on what is a very sensitive issue that deserves to be debated on the Floor. I thank the Northern Ireland Commissioner for Children and Young People for conducting the review of child waiting times. Sadly, the state of our cancer services will send a shiver down all our spines. I spoke on the issue of cancer waiting times and what I saw as being a pending cancer crisis in Northern Ireland, in the midst of the very severe lockdowns. I was concerned, because I had constituents from all age groups coming to me, including young people who were unable to get the treatment that they required, because they were really suffering as a result of a close down of many aspects of our health service due to COVID-19.

I was accused of scaremongering when I called it a cancer crisis, but I stand by that remark. The figures show that we are at crisis point. We need to deal with the issue through the recommendations that were made for reform.

**11.15 am**

The Assembly has to address a number of factors. One is something that some Members and representatives of health professionals do not like to talk about, and that is the lack of face-to-face GP appointments. That is having an impact on our current cancer crisis. I remember when the health chiefs briefed the Committee. They talked about people arriving at A&E and about how late presentations in the midst of the severe lockdowns were having an impact. Unfortunately, for many of those who presented late, their inability to get the appropriate treatment then led to very difficult conversations. Just last week in my constituency, I attended the funeral of a one-year-old who, unfortunately, died of cancer-related illness. There is nothing more touching than a child who is suffering and in pain because of a condition such as cancer.

We must redouble our efforts to address the issue through reform. Look at some of the recommendations in the proposal: a full review of the children's health system; the appointment of a deputy chief medical officer dedicated to children's health; and the establishment of a single point of entry in our health service for children. Those are things that we can all get behind. The solutions are there, but we need to grasp them now and tackle the cancer crisis head-on to ensure that we deliver the best service for the people whom we represent.

**Mr Speaker:** I ask Members to take their ease for a moment or two before we move to the next item.

## Ministerial Statement

### Autumn/Winter Contingency Plan

**Mr Speaker:** I have received notice from the First Minister and the deputy First Minister that they wish to make a statement.

I remind Members that, in the light of social distancing being observed by the parties, my ruling that Members must be in the Chamber to hear a statement if they wish to ask a question has been relaxed. Members still have to make sure that their name is on the speaking list if they wish to be called, but they can do that by rising in their place, as well as by notifying the Business Office or the Speaker's Table directly. I remind Members to be concise in asking their questions. It is not an opportunity for debate per se, and long introductions will not be accepted.

**Mr Givan (The First Minister):** In our pathway out of restrictions document, which was published on 2 March 2021, the Executive made commitments on how we would approach our decision-making. We undertook to make our decisions on four overarching principles: that they would be evidence-based, necessary, proportionate and sustainable. As our social contract, we said that we would regularly and carefully consider what mitigations were required, and for how long, in order to reduce transmission. We recommitted to the strategic priorities that we had set ourselves at the start of the pandemic. At the front of our minds have been the health and well-being of our citizens, our societal and community well-being, our economic well-being and the revitalisation of the economy.

In our pathway, we set out the steps that we could envisage taking. Since March, we worked through those carefully and cautiously across key themes. The pathway illustrated the steps for home and community; education and young people; culture, heritage and entertainment; sports and leisure activities; worship and ceremonies; travel and tourism; work, retail and services; and hospitality. We envisaged that those steps would bring us to a place where there might be few remaining issues for the Executive to address.

Throughout this year, the Executive have taken regular stock of the situation, the available data and the impacts on our people, in line with our key principles. Between 1 April and 31 October, 84 easements of restrictions were delivered or agreed. As promised, we moved along the pathway out of restrictions carefully and cautiously at all times. We have been driven by

the data and by the impact that restrictions had on our economy, our people, our families and our wider society. We have been following the decisions made in nearby jurisdictions very closely, but our decisions have at all times been focused on delivering the best outcomes for people here.

We understand that some people will have wanted us to move more quickly, and others will have been content with the careful and cautious approach. We hope that we built confidence in our people to exercise safer choices for themselves, and we have been very grateful for all the steps taken to adhere to all the public health advice.

Unfortunately, it is a fact of life that COVID remains with us, and we need to continue to find ways to manage the situation. Our case numbers and other key indicators remain very high, with an average of more than 1,200 positive cases per day over the past seven days. Almost 350 confirmed COVID patients are in hospital, with 33 in intensive care. We are entering the autumn/winter period when, as we know from last year, COVID thrives. Last year, we did not see a significant flu season, but we cannot guarantee that it will be the same this year. Indeed, we must plan on the basis that we will see a flu season.

At this time, 82.3% of citizens aged 12 and over have received at least one dose of vaccine. Our vaccination rates are very good, but there is still room for improvement. The vaccination rate for 30- to 39-year-olds is 79.5%, and this falls to 75% for 18- to 29-year-olds. Those who have not yet had their first jab should do so as soon as they can, please. Every person who takes the jab makes a difference to themselves, their families and their communities. Everyone who takes the second jab further builds their protection and that of those around them, including potentially vulnerable loved ones. The booster jab is also being rolled out. We will continue to promote that as it will make a difference to how we will get through the autumn and winter.

Too many families have lost loved ones to this dreadful disease. Family members and friends are still grieving, and many of our citizens continue to feel the impact of the pandemic. We must all do what we can to control the spread of COVID. We cannot put this strongly enough: every jab matters.

In the decisions that we made on 7 October, we looked carefully at what can be done now. A number of easements were made on 14 October, and we also looked at the restrictions

that can be lifted at the end of October. In preparing for Executive discussions, our officials liaised closely with key sectors, and we were very grateful for the support and attendance of the Chief Medical Officer and the Chief Scientific Adviser at those events. We listened carefully to the views of the hospitality, arts and culture sectors, to our business community leaders and to the faith leaders. Our decisions were taken in the context of COVID-19 data and mindful of the economic and societal benefits of opening up what we can when we can.

For the record, from 14 October, the Executive agreed further relaxations on the numbers permitted in private dwellings and a move away from the maximum number of people allowed to gather from 15 from four households to an overall cap of 30. We also agreed that the requirement for audience members to be seated when watching performances in indoor venues would be removed. The regulations for large house parties and raves remain in place: they are still not permitted.

The Executive have also signalled their intention to introduce a further package of relaxations from 31 October. Over the next few weeks, further work will be carried out with the sectors to prepare for those appropriate mitigations to be put in place in advance of the regulations being lifted.

From 31 October, the requirement to be seated in hospitality venues to drink or to eat food will be removed. The restriction on indoor dancing will be lifted. The need to maintain social distancing in hospitality settings, such as pubs and restaurants, will move to guidance, and night clubs will be permitted to reopen. Those relaxations rely on the adoption and implementation of measures that will help to reduce the transmission of the virus and allow people to gather more safely in settings that would otherwise be considered higher risk.

Extensive engagement has taken place with the arts, entertainment and hospitality sectors, and there has been a positive response to taking additional steps to ensure the safety of customers, staff and the wider community. It is strongly recommended that venues and events organisers require individuals to demonstrate their COVID status through proof of vaccination, negative lateral flow test or natural immunity by way of a positive PCR test within the previous 180 days. Some venues are already implementing those measures to help to keep people safe and provide assurances to those attending their venues that all appropriate measures are being taken to protect them.

In respect of the autumn/winter COVID contingency plan, we start with the need to keep sectors open to the fullest possible extent and, hopefully, in totality. Our schools and further education sectors are back, and we will want to protect those, along with protecting our health service. We want to keep our business and leisure sectors open, and we want to minimise impacts on citizens over the coming months. We have the best chance of doing that if we all continue to follow the basics and if as many people as possible take the vaccines.

Members will see a new public information campaign around the end of this month, which will build on the need for all of us to keep making safer choices. This is part of our social contract: washing our hands; limiting our contacts where we can; self-isolating when we have symptoms or when asked to do so; giving our contact details to help with tracing; and using the outdoors when we can and letting fresh air in when we cannot.

While the importance of personal responsibility cannot be overstated, through our autumn/winter plan, we have retained some baseline measures. Those include the retention of a legal requirement for face coverings in crowded indoor settings; the retention of a focus on flexible and hybrid working to reduce the number of social contacts that take place in work settings, recognising that employers are well placed to engage with their workforce on the model that best suits their business; the continued legal requirement for risk assessments to be carried out in certain settings; and for visitor and attendee details to be recorded to support the work of the test, trace and protect system.

The baseline measures reflect advice from the Scientific Advisory Group for Emergencies (SAGE) that early, low-cost interventions may forestall the need for more disruptive measures at a later stage. In the event that case numbers rise sharply or hospital pressures become unsustainable, the autumn/winter paper identifies a number of potential contingency measures that include more focused communications to emphasise the risk and the need for everyone to act immediately; the potential to deploy COVID status certification in higher-risk settings if considered appropriate and necessary; a strengthening of arrangements for self-isolation for close contacts; and the reimposition of a legal requirement for minimum social distancing in prescribed settings.

We are very mindful that the COVID pandemic has been with us for 19 months, and we

appreciate that it has been incredibly difficult for everyone. The vast majority of people continue to do the right things, for which we are thankful. There are some basics that we need citizens to continue to do, and we want to explain why we are asking that of you. We understand that the vaccination programme has given us all hope. We ask you to remember that each act of personal adherence to the public health advice, however small, makes a big difference. We want to set out what we are asking of you.

To stay safe, you should get the vaccine when you are offered it; wear a face covering in crowded or indoor settings; wash your hands regularly and cover your nose and mouth if coughing or sneezing; self-isolate and take a PCR test if you have symptoms; take regular tests if you do not have symptoms to reduce the risk of spreading the virus; meet outside if you can, and open windows when indoors; keep your distance from people not in your group; and work from home where practicable, or do a mixture of home and office-based working.

### 11.30 am

Throughout the pandemic, we have adopted a cautious approach to the relaxation of restrictions as we have sought to carefully balance the health and well-being of citizens with societal, community and economic considerations. The autumn/winter plan is a continuation of that approach. The efforts that have been made by many people in recent months to drive up vaccination rates and step up with compliance and mitigations seem to be working. It is vital that we do not let up. We must maintain our focus and collective endeavour. We all have a part to play in keeping transmission under control. Together, we can keep ourselves and each other safe. If we all do our part as organisations, employers and individuals, we can look forward to an autumn/winter period with fewer restrictions than at any time during the pandemic.

**Ms McLaughlin (The Chairperson of the Committee for The Executive Office):** I thank the First Minister and deputy First Minister for the statement and contingency plan. The Committee has been consistent in its message that the introduction or removal of restrictions must be evidence-based, and that there must be clear messaging around what we all should do and not do. I think that it is fair to say that messaging from the joint office is not always clear or consistent. We have heard from young people and community stakeholders that planning for recovery should be inclusive and participatory. With whom have the First Minister

and deputy First Minister engaged in the design and development of the contingency plan?

**Mr Givan:** I welcome Sinead McLaughlin to her new role as the Chair of the Committee for the Executive Office and wish her well in that capacity. I look forward to engaging with her and the members of that Committee.

In respect of messaging, I agree with the Member: it is important that we have clearly communicated and understood messaging. If that can be achieved with consensus and a unified approach, that is, of course, what we want. That is what the deputy First Minister and I seek to achieve. It is not always easy in a five-party coalition. Ministers from other parties will engage in their own positioning publicly, which, at times, can undermine the collective nature of the Executive. However, the Member can be assured that, in the Executive Office, the deputy First Minister and I strive to have that unified approach and communicate it effectively.

As regards the engagement that has taken place, we have an Executive task force. It covers a wide range of areas where there is engagement with a whole range of stakeholders in the development of plans. That comes through, by way of advice, to the Executive, and then we take decisions based on that advice. That engagement takes place right across society. When it relates to places of worship, there is a forum with faith leaders. When it comes to economic aspects, there is a wide variety of stakeholders in the hospitality sector, for example.

Ongoing work takes place when we come to formulating our plans. That has been vital to the collaboration between Government and public-sector organisations and to our ability to communicate to citizens. That togetherness is what has allowed us to make 84 different easements. Over the past number of months, we have lifted restrictions to the point where, at the end of October, only a couple of areas of regulation will be left as we move into a guidance space, where we will continue to provide the best advice.

**Mr Sheehan:** Gabhaim míle buíochas leis an Chéad Aire as ucht a ráitis ar maidin. Many thanks to the First Minister for the statement. Does he agree that getting vaccinated is the best way in which to protect oneself, one's family and other people? Does he encourage everyone to get vaccinated?

**Mr Givan:** Key to the success of what we have done over the past number of months has been

the roll-out of the vaccination programme. At our Executive meeting on Thursday, we will get an update on the next phase of that. As the plan indicates, we will continue to seek to encourage people who have not been vaccinated to do so. There will be a small number of reasons why some people may not do it, such as medical reasons. We respect that. However, where somebody does not have an ethical concern or medical reason not to do it, we encourage them to take up the vaccine. Those who have concerns can speak to their GP and may be able to get reassurance from them to overcome any difficulties that they have.

I continue to encourage the uptake of the vaccine. I have said publicly that I have been vaccinated. Indeed, at the weekend, I supported the flu vaccine uptake by going to my local practice. As we head into the winter, it will be important to seek to maximise the uptake of the flu vaccine so that our hospitals are not overwhelmed with what have commonly become seasonal pressures.

**Mrs Dodds:** I thank the Minister. What is the message for businesses and employers who still have staff working from home but who would like to return to a level of normality?

**Mr Givan:** I thank the Member for that question. I know that businesses have been seeking further advice on that matter. The message on working from home was never in regulation. It is guidance, and, in reflection of our easing of restrictions and the changing environment, it is right that it has evolved. The contingency plan, as I indicated in my statement, outlines where we are now. For the record, the plan says:

*"we will ... retain a focus on flexible and hybrid working to reduce the number of contacts that take place in work settings – recognising that employers are well placed to engage with their workforce on the model that best suits their business."*

Along with the junior Minister, I met Citibank, for example, which is one organisation, but others have recognised the need to have members of their workforce in the office to deliver their business and for the individual to be back in the office to learn from colleagues. Such organisations made the point that there are people who have been recruited in the past 18 months who have only ever worked on their own at home. They include apprentices who are not learning from their colleagues. There is not only a critical business need but a need for employees to have that learning. The

contingency plan recognises the evolving picture, and I trust that that gives businesses the confidence to engage in that way.

**Mr Stewart:** I thank the First Minister and the deputy First Minister for the plan. First Minister, you said that, should case numbers "rise sharply", COVID status certification is one measure that might be introduced. Whether mandatory or optional, how long could such a certification scheme take to be introduced? Given the cross-cutting nature of such a scheme, what proprietary work has the Executive Office done on it?

**Mr Givan:** I thank the Member for his question. The contingency plan references certification. It also indicates that the Department of Health has been developing the technical infrastructure that would be needed for its deployment. The plan recognises, however, first, that the Executive have not taken a policy decision on its use and, secondly, that an evidence base would be needed to do that. In seeking the evidence base to facilitate discussions, I and the deputy First Minister corresponded on 18 August with the Minister of Health outlining in detail what the Department of Health needs to provide to the Executive. For the record, let me quote a paragraph:

*"Whilst our officials are able to assist with the scoping exercise in relation to the potential usage of a domestic vaccine passport across various sectors here, they are not in a position to lead on the development of any technical solution, nor are they in a position to determine if it is public health policy that the Executive should adopt."*

The correspondence went on to indicate the responsibility that lies in the Department of Health, and it gave examples. The Department of Health introduced the international travel technical solution without recourse to the Executive. The change to self-isolation for those who were fully vaccinated was a Department of Health-led policy that was then brought to the Executive and that we subsequently adopted. The evidential basis on which the Executive would need to have that discussion sits with the Department of Health. It is for the Minister of Health, should he wish to introduce such a vaccine passport scheme, to come forward with a paper for the Executive to consider.

**Ms Bradshaw:** I thank the First and deputy First Ministers for the statement. The paper talks about potential contingency measures that

may be introduced if hospital pressures become unsustainable. First Minister, yesterday we had 347 people in hospital, 24 of whom were on ventilators, which is two more than the day before. How much worse must the pressures on our health and social care workers become before you bring in those measures?

**Mr Givan:** As for how we are managing that in the health service, a critical care surge plan was developed over the summer. That plan, understandably, seeks to avoid the use of the Nightingale, for example, because that has significant consequences when it comes to elective procedures being carried out. That plan continues to be reviewed. The Nightingale remains an option in the event of an extreme surge.

The health service continues to monitor the availability of capacity. The Department seeks to have an integrated approach so that the health service does not have to cancel elective care procedures. That happened in previous waves, which had some knock-on impact, but it has not happened this time. The Department of Health is taking a regional approach so that it can better manage the issue of elective care. We continue to be advised by the Department of Health about the pressures that it is facing in the health service. We, in the Executive, will get regular updates on that.

**Mr Gildernew:** Gabhaim buíochas leis an Aire as a chuid freagraí go dtí seo. Thank you to the Minister for his answers up to now. Minister, you referred to the public messaging campaign that will go along with the autumn/winter plan. I recognise and support the need for good, clear public messaging. Can you outline what that public messaging will be and how it will be brought forward?

**Mr Givan:** We are seeking to communicate with the public through a series of platforms, including mainstream media and social media. The messaging will be targeted at the types of individuals in society whom we seek to address. In the statement, I outlined the key areas on which we will continue to ask citizens to provide their support. The messaging will be about wearing a face covering in crowded indoor settings; taking a common-sense approach to regular handwashing; and covering your nose and mouth if coughing or sneezing. That will also have a positive impact on the seasonal colds and flu that we experience. We are asking people to put that into practice. We are also asking people to continue to get tested regularly if they are going to a place of work, even if they are not displaying symptoms. Sometimes, a

lateral flow test can detect if you have COVID even if you are asymptomatic. We will continue to encourage people to do that. We then want people to follow the advice on self-isolation, get a PCR test and provide the information to track and trace.

We will be communicating that effectively at the end of the month. There will be a programme to roll out that type of communication to make sure that the message gets to citizens. We will, of course, engage with various sectors and organisations through the other channels that we use. That work will continue through the COVID task force team.

**Ms P Bradley:** I thank the First Minister for his answers thus far. First Minister, you stated:

*"Extensive engagement has taken place with the arts, entertainment and hospitality sectors".*

We know that those sectors were massively impacted during the pandemic. What feedback has there been from them since the recent relaxations, particularly indoors?

**Mr Givan:** I thank the Member for that question. In her role as Chair of the relevant Committee that covers arts and entertainment venues, she regularly raises that issue with me. There has been very constructive work with the hospitality sector and events organisers. That has allowed us to move restrictions that were in regulations into a guidance format. The mitigations that we asked for are being put in place voluntarily by organisations. The feedback from organisations that hold large events is that they have done that, and they have effectively ensured compliance. In an update, we were told that there has been 99% compliance at the events that have taken place. Those organisations are taking that decision. It is ultimately a commercial decision for them. They have denied individuals access to events.

We have not mandated that because, ultimately, that is something for businesses and commercial organisations to do.

**11.45 am**

There has been extensive engagement with all of the events sectors; for example, that allowed us on 14 October to allow people to stand in indoor venues, because that was having an impact on their viability. Because of that constructive relationship and the willingness of those organisations to proactively put in place mitigation measures, that partnership approach

has allowed us to move away from regulation into a guidance format. I am confident that, as we get to the end of this month, those sectors will continue to work with us and allow further progress to be made for their sustainability.

**Mr Speaker:** I call the new Member, Aisling Reilly, and welcome her to the House. Fáilte romhat.

**Miss Reilly:** Go raibh maith agat, a Cheann Comhairle. While our vaccination rates are relatively high, the take-up is lower among our younger people. How can the Executive ensure that more people, particularly in the younger age groups, can be encouraged to take up vaccinations?

**Mr Givan:** Let me join in welcoming the Member to her place. I wish her well in her role as a Member of the Assembly.

Like the Member, I continue to share that concern about wanting to increase the vaccination level. I have said on the record that I do not believe that an overtly coercive approach is the best way. There is some, admittedly anecdotal, evidence that, sometimes, the harder you push people who are resistant, the more resistant they become. The best advice that we can give to people is to listen to the scientific and medical experts and then have conversations with family and friends who have received the vaccine. That will, hopefully, inform those individuals in making a decision that they feel comfortable and confident with. I continue to encourage those who have not been vaccinated and have no reason to object to it to take it up.

**Mrs Cameron:** I thank the First Minister for his statement and welcome the easements that are in place, while recognising that there will be ongoing concerns about how the health service will cope going into the winter months.

On the subject of the vaccination roll-out, the First Minister will be aware that there is reluctance among some people, not least pregnant women, ethnic minority groupings and people who are concerned about or are questioning the ethical nature of vaccines. Will the Executive Office work with the Department of Health to ensure that misinformation is addressed speedily so that those individuals who can take a vaccine — not just the COVID vaccine but the flu vaccine, if it is made available — are encouraged to do so quickly?

**Mr Givan:** I thank the Member for that question. I encourage those who have health concerns



about taking the vaccine to engage with their GP. Our general practices have been doing an excellent job in making sure that the vaccine has been rolled out. They have been following up with people who have not received it and then providing advice. I encourage pregnant women to speak to their health professionals in that regard.

We have myth-busting advice available to people about some of the claims that have been made. We had a discussion at the Executive about the ethical issues around vaccines. There is a belief that one of the vaccines had its origins in an aborted fetal cell line. There are vaccines where that is not the case and they have been synthetically developed. That overcomes an ethical concern about one particular vaccine. There are others that should provide the confidence to people to address those concerns. People should seek authentic sources of information. We are all fully aware that, when it comes to social media, we need to ensure that we go to the right sources to get that information. Extensive advice is available on our government websites that should allay a lot of the concerns that some people have.

**Dr Aiken:** I thank the First Minister and the deputy First Minister for providing the information today. With reference to the First Minister's previous comments, I am glad to see that a new public information campaign is being rolled out. He will be fully aware of the issues around the anti-vaxxers and the COVID deniers who are out there. What more concrete things could we do? Will you call on all Members of the Assembly and, indeed, everybody in public life to tell everybody to get vaccinated as we are potentially heading for another outbreak?

**Mr Givan:** Nobody can credibly deny that COVID exists: it does. If we look at the statistics on the impact of the vaccine programme, nobody can deny that, when it comes to reducing serious illness and the need for critical care, the current number of transmissions and the correlated hospitalisation rate are significantly lower than they were when we did not have the vaccine and did not have high numbers in the community getting vaccinated. That evidence is there. Nobody can deny that the vaccine reduces the risk of serious ill health and fatality. That cannot credibly be disputed by anybody.

On that basis, we encourage people to continue to take up the vaccine. On a number of occasions, I have outlined the basis on which I advocate that people do that. Where people have concerns, they should talk to health

professionals and see whether those concerns can be addressed. They should make sure that they get their evidence and advice from official, authenticated sources of information and not from social media or those who claim to be experts in the area but are far from being experts and whose advice can be wholly counterproductive. I very much caution people against that when it comes to getting advice.

**Ms Ferguson:** Does the Minister agree that we must do all that we can to keep the pressures off our health service and health staff over the autumn and winter period?

**Mr Givan:** I absolutely agree. Along with the deputy First Minister, I visited health professionals in the Royal Victoria Hospital. With a number of lead clinicians we discussed the pressures that they face. There is no doubt that our health professionals have faced huge demands physically and emotionally over the past 19 months. We need to give them support by seeking to minimise as far as possible the pressures that they will face over the winter period. The best way in which to do that is by following the steps that we have outlined and by taking that personal responsibility seriously.

We do not want to go back to where we were, because that would also have an impact on our health service. I heard that message clearly when I was in the emergency department. More people have been presenting with conditions that are much more developed than otherwise would have been the case, because people were afraid to go to hospitals and were not able to access the healthcare that they wanted because of the restrictions that were in place. Mental ill health is at a level that should cause us all concern because of the lockdown measures. People were isolated. From looking at the incidence of domestic violence, I know that restrictions had a negative impact on people who were stuck in their home. Lockdown is not a solution that is free of consequences. It has consequences both physically and mentally, and those consequences are now manifesting in the pressures that our health service faces.

Let us work together using the measures that we have outlined and the steps that all citizens and business organisations can take. Doing so will play its part in helping the health service and our health workers during the winter period.

**Mr Frew:** The First Minister tells us that the Health Minister has failed to bring forward suitable evidence to suggest that a domestic COVID certificate system would lead to better

health outcomes, even though the Health Minister said that he supports such a system. Has he taken forward any equality impact assessments (EQIAs) of the damage that such a system could cause through discriminating against people, by refusing them entry to services and hospitality venues and refusing them access to goods, with all the horrendous and atrocious harms that that would bring?

**Mr Givan:** That is an area on which I share the concerns that the Member has articulated. At a number of Executive meetings, I have raised the issue that any decision on the introduction of such a scheme, even if its roll-out were to be voluntary — just making it available — would require equality impact assessments and human rights assessments. If it were to be introduced in a mandatory form, it would require regulations, and those must have a full equality impact assessment and must take human rights considerations into account. That has not happened. Therefore, in the absence of such information, there is no sound basis on which the Executive could take such a decision, and we have communicated that to the Minister of Health. As recently as 4 October, we outlined the information that would be required for the Executive to have that discussion. We also communicated it directly. Minister Mallon raised it in correspondence with the Executive Office. Let me, for the record, read the paragraph that we cited in October:

*"Given that the policy responsibility for COVID vaccination certification lies with the Department of Health, the Executive would require that a paper be presented by them detailing the public health evidence, alongside which areas may benefit most from a COVID certification scheme, including information on what can be achieved within cost and time constraints whilst meeting commitments in respect of data protection, equality and human rights".*

We have consistently outlined those issues to the Minister of Health. For the Executive to have proper consideration of the introduction of such a scheme on a voluntary or mandatory basis they would need to be addressed,

**Mr Dickson:** Minister, overwhelming scientific evidence shows that ventilation is vital in dealing with the current pandemic. The Scottish Government have recently introduced a £25 million grant to support businesses, factories and other buildings in dealing with ventilation issues. It is unacceptable just to prop doors open with fire extinguishers. Buildings are not always easy to ventilate. The sum total on this

in your statement is that you are exploring CO2 meters. What more can you do? Will you consider a grant similar to that which the Scottish Government have given to deliver high-quality ventilation over the winter?

**Mr Givan:** The Member is absolutely right to raise the issue, particularly as we move into winter. At this time, because it is much colder, people understandably close their windows and so on. The statement refers to it, but the contingency plan has a dedicated section on ventilation that lays out in more detail the work that is being taken forward by the Executive's COVID task force. That work includes providing further advice and support to businesses to help them to check their ventilation levels; introducing carbon dioxide monitoring where appropriate; enhanced, easily accessible messaging specifically on ventilation, including what is and is not good practice; and exploring options for the targeted deployment of CO2 monitors in key areas of the public-sector estate.

The Member rightly points to the financial support that Scotland provides. We have had some discussion on whether we have the ability to provide financial support to enable us, working with businesses, to introduce some of the measures. The public-sector estate is more easily accessed. However, the Member is right: ventilation is an important part of this, and the COVID task force is taking forward proposals in respect of the issue.

**Miss Woods:** I thank the First Minister and deputy First Minister for coming to the Chamber. I am still being contacted by constituents who are clinically extremely vulnerable (CEV), immunosuppressed or unable to take vaccines, and they are worried about relaxations. In the autumn/winter plan, is there any part or section of the contingency measures that deals with those who are CEV or immunosuppressed to ensure their safety? Also, has the First Minister any information on whether there is the intention of the Executive to approve vaccines for those who took part in the Novavax trial?

**Mr Givan:** On the last point, as I do not have that information, I undertake to come back to the Member.

Like the Member, I have constituents who, when relaxations have taken place, have contacted me to indicate that that puts people who are more vulnerable at risk. I understand that concern, and I would share it if I were in the same position. This is all about trying to get the

right balance and providing the best possible advice to inform people's decision-making. That includes making sure that those who are more vulnerable than others get the right advice.

I absolutely understand people's concerns when it comes to relaxations being lifted. That is why the Executive have had a very difficult job in trying to get the right balance in taking decisions that affect all our citizens.

### 12.00 noon

**Mr Allister:** For a statement that tells us nothing new, this statement will take some beating. First Minister, why do the Executive think that it is right to give unrestrained access to nightclubs while continuing to restrict family members visiting hospitals? Surely he must know of many cases, as I do, of very distressed families who are told, "Sorry, one person, one visit per week", yet it is open house when it comes to nightclubs. Where is the logic in that?

**Mr Givan:** On the latter point, I absolutely agree with the Member when it comes to accessing loved ones. Only last week, I visited a close family friend whose husband passed away at the age of 93. He had had a stroke, and, for one full month, no one was allowed to visit. Only at the point at which it became clear that he was going to pass away were family members allowed to visit. I think that that is not acceptable, and there is a disparity across our health trusts on the approach that is being taken. Some health trusts are providing more visitation for families compared with others, and I do not understand why there is that disparity. The Department of Health has provided clear advice on what is expected of trusts.

The Member, in making a connection between nightclubs and what is happening in our health services, misses the point that nightclubs have been governed by regulation. Hospital visitations are not covered by the law. That matter is subject to Department of Health guidance, so there is a clear distinction, which is not unique to the Department of Health. Guidance is being provided in Departments across all the arm's-length bodies for which they are responsible, whether that is the Department for Communities in providing guidance to sporting organisations or whether it is the Department of Education in providing guidance to schools. Those are all matters of guidance. I encourage Ministers to keep those under review to make sure that they are proportionate and necessary, and, when they are not, they should be lifted. That is the distinction between the two issues.

I know that the Member will welcome the fact that, since April, we have lifted 84 restrictions. At the end of this month, we will be down to having only a very small number of restrictions that are governed by law. The rest are by way of guidance. That has been a successful approach taken by the Executive. I know that the Member often does not want to give credit to the Executive, but I think that it would be churlish not to acknowledge that we have made significant progress in the easing of restrictions. He would be the first to criticise the Executive had we not got to the point of where we will be at the end of this month.

**Mr Carroll:** First Minister, you stated that cases remain very high, and that is concerning. Have you abandoned your reckless plans to ensure that all restrictions be lifted by the end of the month? If you and the Executive get your way, what is your assessment of what the NHS will look like this winter?

**Mr Givan:** Our approach is not reckless in any shape or form. We have followed health advice throughout the decision-making process. The Member fails to acknowledge my earlier point, which is that there have been severe impacts on citizens across our society as a result of the type of lockdown measures for which he seems to want to advocate. He ignores the mental health consequences and the domestic violence that has taken place, and he ignores the delayed detection of people who have cancer, which is now manifesting. If the Member is going to advocate for the type of lockdown that we had previously, he needs to accept the consequences that flowed from that.

Currently, we are far from where we were in the earlier stages of the pandemic. At one point, we had over 800 people in hospital. Today, there are around 350, and that has been the rate, stubbornly, for the past six or seven weeks. The hospitalisation rate of those who have contracted COVID is significantly diminished from where we were, so to present the current position and compare it with previous occasions is to deny the facts of where we are in managing the pandemic. These are all balanced decisions that the Executive have taken. The Member has stated his position, and I have put on the record his failure to acknowledge the devastating consequences of the previous restrictions.

**Mr Lunn:** I thank the First Minister for a very useful statement. I would like clarification on gatherings in indoor domestic settings. It seems that up to 30 people from an unspecified number of households are allowed to gather

indoors at the same time as house parties are banned. An indoor gathering could be for many reasons, but the type of gatherings that I am thinking of, albeit I am not familiar with them these days, could involve indoor dancing, which is not banned, apparently, and music and drinking. At what point does such a gathering become a house party? How would anybody distinguish between the two?

**Mr Givan:** The Member is right to raise that point. When that regulation was changed but the regulation relating to house parties was retained, I asked, "What does that mean?". We had to look to the regulation, which defined it as a gathering of more than 30 people. Therefore, that is the basis on which the number is capped at 30. There is a distinction between a house party, which is now defined as being any gathering of more than 30, and a rave, which is, clearly, connected to loud music and so on. That is defined in regulation. That is why it is at 30. There are very limited circumstances whereby you would have more than 30 — I certainly would not want to ever have more than 30 in my private dwelling — but the Member raises a point. Those who have very large private dwellings are caught by the restriction. The gathering might be a group of people who are engaging in house worship, for example, or prayer study. People have made representation to me on that and said, "We're not dancing. We're not doing those things, but we're limited to 30". I think that there will be very few, but it is an issue that we need to continue to keep under consideration.

There is a requirement on the Minister of Health, each month, to carry out an assessment of the remaining regulations and guidance and the justification for continuing to have the existing legal framework. With that will coincide Executive consideration of our baseline measures and guidance. We will seek to have that in conjunction with the periodic review that the Minister of Health has to have when it comes to the arguments around the justification of retaining the legal framework.

**Mr Speaker:** That concludes the ministerial statement. Members, please take your ease for a moment or two until we move on to the next item on the agenda.

## Committee Business

### Defamation Bill: Extension of Committee Stage

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

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 January 2022, in relation to the Committee Stage of the Defamation Bill.*

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

**Dr Aiken:** The Second Stage of the Defamation Bill was successfully concluded on 14 September 2021, and the Bill was referred to the Committee for Finance at that time. The Bill deals with important issues of free speech and defamation. It includes a number of provisions that some may find contentious.

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

The Committee Stage is due to conclude on 2 November 2021, which will not afford enough time for stakeholders to respond to the call for evidence or for the Committee to consider the clauses of the Bill and the necessity for relevant amendments. It is, therefore, requested that, in accordance with Standing Order 33(4), the period for the Committee Stage of the Bill be extended to 28 January 2022. The Committee is cognisant that there will be considerable pressure on plenary business at that time owing to the volume of Executive legislation. However, the Committee will endeavour to conclude and report on the Committee Stage well in advance of that date. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 January 2022, in relation to the Committee Stage of the Defamation Bill.*

### Private Tenancies Bill: Extension of Committee Stage

**Ms P Bradley (The Chairperson of the Committee for Communities):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 14 January 2022, in relation to the Committee Stage of the Private Tenancies Bill.*

**Mr Deputy Speaker (Mr Beggs):** The Business Committee has agreed that there should be no time limit to the debate.

**Ms P Bradley:** I request Members' support to extend the Committee Stage of the Private Tenancies Bill to 14 January 2022. At the Second Stage debate on 13 September, I highlighted that the Bill proposes welcome changes and that the Committee supports its aims. However, as everyone in the House knows, the devil is in the detail. The Committee has identified a range of important stakeholders it needs to hear from on the four key areas of tenancy management; rental payments and deposits; property standards; and security of tenure.

### 12.15 pm

The need to extend is twofold. First, there is the matter of logistics. We are in the Committee Stage of three Bills: the Charities Bill, the Private Tenancies Bill and the Betting, Gaming, Lotteries and Amusements (Amendment) Bill. We are progressing all three at once in planned order to ensure a balance of thorough scrutiny, with a strong chance of completion of all three in this mandate. To that end, the Committee is working at pace, and will meet twice a week from the start of November until the Committee Stages of the Bills are completed. We are well progressed with the Charities Bill, and will start deliberations next week. The call for evidence is in progress for the Private Tenancies Bill, and closes on 29 October. The call for evidence on the Betting, Gaming, Lotteries and Amusements (Amendment) Bill launches today.

Secondly, the Committee needs to be content that it has sufficient time and space to undertake thorough scrutiny. Members raised many issues and matters of concern during the Second Stage debate. In fact, I think that every key clause was touched upon in that debate, which clearly shows the depth of scrutiny needed. The Committee will not lose sight of ensuring that it does the best that it can with the Bill for all those in the private rented sector, but particularly for those individuals and families who make their homes within that sector.

Examples of comments made during the Second Stage debate make the Committee

very mindful of the scrutiny required. I will highlight a few of those comments:

*"no specific legislation has been put in place to protect private renters, many of whom have been pushed into the sector by the lack of social housing stock." — [Official Report (Hansard), 13 September 2021, p57, col2 - p58, col 1].*

*"a good-quality, affordable and secure home ... upholds all other aspects regarding health outcomes, educational attainment" — [Official Report (Hansard), 13 September 2021, p56, col 2].*

*"until such a time as we can build adequate levels of housing ... we will continue to see people going to the private rented sector." — [Official Report (Hansard), 13 September 2021, p59, col 2].*

*"Housing Rights and others ... attest to the fact that a disproportionate number of calls to their advice line come from private renters." — [Official Report (Hansard), 13 September 2021, p58, col 1].*

We have all had constituents come to us in despair after being served with eviction notices by private landlords through no fault of their own and without any realistic prospect of being rehoused any time soon through the social sector.

I ask the House to allow the Committee additional time to scrutinise the Bill so that we can do our level best to ensure that it forms a solid way forward for tackling outstanding matters in the next mandate. We will not hesitate to seek clarifications and propose amendments if needed. A very busy time lies ahead for us in the next few months. I ask that Members agree to this extension to allow us to give the Bill the attention that it deserves and to plan our work to deal with other Bills and our wider workload in parallel.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 14 January 2022, in relation to the Committee Stage of the Private Tenancies Bill.*

### **Betting, Gaming, Lotteries and Amusements (Amendment) Bill: Extension of Committee Stage**

**Ms P Bradley (The Chairperson of the Committee for Communities):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 January 2022, in relation to the Committee Stage of the Betting, Gaming, Lotteries and Amusements (Amendment) Bill.*

**Mr Deputy Speaker (Mr Beggs):** The Business Committee has agreed that there should be no time limit to the debate.

**Ms P Bradley:** I request Members' support to extend the Committee Stage of the Betting, Gaming, Lotteries and Amusements (Amendment) Bill to 28 January 2022. At the Second Stage debate on 27 September, I said that the Bill marks the start of the process to bring about important and long-awaited amendments to the 1985 Order, which has remained largely unchanged since it was enacted. As a result, gambling legislation here is very outdated.

The Minister is taking a two-stage approach to reforms, including this Bill, which, unfortunately, will not establish a new regulatory framework but will amend parts of the 1985 Order. The Committee has already identified a number of key areas and stakeholders from which it wishes to take evidence to understand the impact of gambling-related harm and the impact of the Bill on the local gambling sector, local government, sports organisations and groups, local support organisations for gambling-related harm, and current treatment and prevention services.

I will not repeat everything that I said a few moments ago regarding the Private Tenancies Bill, but there is a need for this extension. First, as I said, in relation to logistics, we are currently in the Committee Stage of three Bills, and we are progressing all three at once in a planned process. We will be meeting twice a week from the start of November. The Committee needs sufficient time and space to undertake thorough scrutiny of the Bill and to ensure that it achieves as much as it can. We know that we will likely be hearing as much about what is not in the Bill as what is in the Bill. We have all heard the Minister say that, as many of the challenges cannot be addressed through our present system of regulation, the Bill is about what is:

*"achievable and realistic within the existing statutory framework". — [Official Report (Hansard), 27 September 2021, p13, col 1].*

As with the Private Tenancies Bill, Members raised many issues and matters of concern during the Second Stage debate for the Committee to consider. Widespread views were expressed, with some focusing on the Bill's shortcomings and the missed opportunities to do more. Others recognised it as a starting point for widespread reform in the next mandate.

It is very clear that the Committee has a tall order ahead of it with this Bill. I ask the House to allow the extension in order to provide the Committee additional time to scrutinise the Bill so that we can do our very best to ensure that the Bill achieves as much as it can. As always, we will not hesitate to seek clarifications and propose amendments if needed.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 January 2022, in relation to the Committee Stage of the Betting, Gaming, Lotteries and Amusements (Amendment) Bill.*

## **Justice (Sexual Offences and Trafficking Victims) Bill: Extension of Committee Stage**

**Ms Ennis (The Deputy Chairperson of the Committee for Justice):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 January 2022, in relation to the Committee Stage of the Justice (Sexual Offences and Trafficking Victims) Bill.*

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

**Ms Ennis:** I apologise if, at this stage, it is all starting to sound very familiar.

The Committee Stage of the Justice (Sexual Offences and Trafficking Victims) Bill began on 14 September 2021. The Bill contains 22 clauses divided into four parts. Part 1 aims to strengthen the law on sexual offending to better protect children from sexual exploitation. It also creates new offences of upskirting and downblousing. The Bill will also implement a number of the recommendations contained in the Gillen report and its review of the law and procedures on sexual offences in Northern

Ireland. It includes provisions to extend the current lifelong anonymity of the victim of a sexual offence, provides for the anonymity of suspects in sexual offence cases up to the point of charge and excludes the public from hearings of serious sexual offence cases.

Parts 2 and 3 of the Bill include provisions relating to trafficking and exploitation and to prevention orders. These clauses make minor adjustments to existing provisions and aim to improve effectiveness. The current practice of providing support and assistance to adult potential victims of slavery, servitude or forced or compulsory labour where there is no element of trafficking will be placed on a statutory footing.

The Bill was introduced to the Assembly on 5 July, just before the summer recess. That meant that the Second Stage debate could not be scheduled before September. The Justice Committee was conscious of the limited time that would therefore be available, assuming the Bill passed Second Stage in September, to consider this important legislation and to ensure that it passed through all the necessary stages before the end of the mandate. For that reason, the Committee agreed, on an exceptional basis, to call for written evidence on the Bill following its introduction to the Assembly prior to Second Stage.

The call for evidence was issued through media notices in the main newspapers and the Assembly website, and the Committee also wrote to a wide range of key stakeholders and organisations seeking views and comments. The deadline for responding to the call for evidence was 24 September, although submissions continued to be accepted until last week.

The Committee intends to undertake detailed scrutiny of the Bill and will take oral evidence on the key issues that were brought to our attention in order to ensure that the legislation is as robust and effective as possible and that any current legislative gaps are fully addressed. In addition, the Committee has been advised of potential amendments that the Minister intends to table, including amendments on the rough sex defence and on widening the scope of and strengthening the current law on the abuse of positions of trust. Although not included in the Bill as introduced, those are important matters that are likely to be raised by stakeholders in the written and oral evidence received on the Bill and that the Committee has undertaken to consider.

At its meeting on 7 October, the Committee discussed the timetable for the Bill and agreed to seek an extension to the Committee Stage until 28 January 2022. That time frame is necessary in order to provide the Justice Committee with adequate time in which to undertake the detailed scrutiny that the Bill requires and to provide maximum flexibility for completing the Committee Stage of the other Bills that are with the Committee. Work on the Bills is also being balanced against other work that the Committee is required to complete and any issues that may arise unexpectedly.

I assure the House that the Committee will endeavour to report to the Assembly on the Justice (Sexual Offences and Trafficking Victims) Bill earlier if possible. The extension until 28 January will, however, provide us with the maximum flexibility for managing the heavy legislative programme that we have to complete and for prioritising work on particular Bills at certain times, if that is necessary.

I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 January 2022, in relation to the Committee Stage of the Justice (Sexual Offences and Trafficking Victims) Bill.*

## Private Members' Business

### Domestic Abuse (Safe Leave) Bill: First Stage

**Miss Woods:** I beg to introduce the Domestic Abuse (Safe Leave) Bill [NIA 41/17-22], which is a Bill to make provision for an entitlement to paid safe leave for victims of domestic abuse; and for connected purposes.

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

### Stability of the Institutions and Referral to the Assembly and Executive Review Committee

**Ms Armstrong:** I beg to move

*That this Assembly affirms the importance of the stability of these institutions in order to deliver for the people of Northern Ireland; refers to the Assembly and Executive Review Committee under Standing Order 59(3)(b) consideration of the matter of replacing the current cross-community voting system, which is based on community designations, with a weighted majority system free from designations, to be used in place of cross-community voting in the circumstances specified in the Northern Ireland Act 1998 or when a reformed petition of concern is invoked; and agrees that the Committee should report on the outcome of this consideration to the Assembly before the end of this mandate.*

**Mr Deputy Speaker (Mr Beggs):** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. Two amendments have been selected and are published on the Marshalled List. By convention, when the proposer of a motion seeks to amend their own motion, the proposer is invited to address both the motion and the amendment within the time allocated, but 15 minutes for amendment No 2 has been added to the overall time for the debate.

**Ms Armstrong:** I beg to move amendment No 1:

*Leave out all after "Northern Ireland;" and insert:*

*"recognises the growing numbers of people in our community who do not primarily identify as unionist or nationalist; acknowledges that the votes of those they elect are not currently*

*treated equally within these institutions; further acknowledges that the system of designations perpetuates division, inequality, and instability; welcomes work initiated by the Assembly and Executive Review Committee to consider the matter of replacing the current cross-community voting system, which is based on community designations, with a weighted majority system free from designations, to be used in place of cross-community voting in the circumstances specified in the Northern Ireland Act 1998 or when a reformed petition of concern is invoked; calls on the Committee to report on the outcome of this consideration to the Assembly before the end of this mandate; and further calls on the UK Government to legislate to make provision for such alternative arrangements at the earliest opportunity."*

**Mr Deputy Speaker (Mr Beggs):** The proposer will have 10 minutes in which to propose the motion and her amendment and 10 minutes in which to make a winding-up speech on both.

**Ms Armstrong:** In bringing the motion and the amendment to the House today, my Alliance colleagues and I seek clear affirmation from all Members of the importance of the stability of these institutions in order to deliver for all the people of Northern Ireland. In this mandate, we have already suffered a three-year collapse.

Now, due to the politicking of some over the Brexit result and its progeny, the protocol, we are under the threat of a further collapse.

### 12.30 pm

The threats to bring down the political institutions are happening at a time when we have the worst patient waiting lists on these islands, as highlighted today by the news about the number of our children who are waiting for first appointments for serious illnesses such as cancer. We have more citizens living with pain and an exhausted, demoralised health service workforce. We are not delivering effective care or respite for people with disabilities, older people or their carers. We have people on benefits who are living in poverty and having to choose whether to heat or eat. We have a broken system that needs a stable Government who are committed to delivering for everyone. Our economy needs a Government that will lead the way and take opportunities. Instead, we have political bickering in a mandatory coalition that is no longer working and is not acceptable to the public.

The Executive are failing to deliver effective government. Ministers block legislation that



could help to make the lives of citizens better. Why is that legislation being blocked? It is being blocked because it can be and because mandatory coalition does not work. The designation system is not working. It forces parties that have contradictory political aspirations to work together. The resolution to a broken system is fixing it. Therefore, on behalf of the Alliance Party, I welcome the work initiated by the Assembly and Executive Review Committee (AERC) to consider replacing the current cross-community voting system. However, we need a report on that work to be produced before the end of this mandate, preferably before the pre-election period starts.

The AERC has been tasked with investigating designations, but, at its last meeting, there was an issue, and the subject of designations was relegated to the "too difficult" box. Instead, a collection of external academic reports will be collated and provided to whoever is on the AERC in the next mandate. Effectively, the can is being kicked down the road. When I stated in the meeting that the issue of designations had already been deemed a priority, I was told that there was not enough time. There is time, if there is a will to ensure that the votes cast for every elected representative in the House are treated equally during every vote. If that had an impact on your party, time being short would not stop changes being made. Given that alternatives to designations could stabilise the institutions, we must find time.

Alliance has made it clear that it respects democracy and the devolved institutions. We are trying to find ways to stabilise the institutions so that we do not have another collapse and failure to deliver. We can do that by removing designations from the processes. I respect everyone's right to their political opinion, but why should we continue to base our political process on the protection of two opposing political opinions.

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

**Ms Armstrong:** I will not give way as I go through this. Sorry, I just want to get it out.

People in Northern Ireland enjoy free elections and can vote for representation. They vote for an elected representative to make decisions and cast votes in an equal system in which every vote is treated the same. However, the House provides a type of democracy in which, in some votes, only unionist and nationalist votes carry the same weight. Every time a cross-community vote takes place, my vote is treated differently. It is time for all of us who respect democracy to replace the cross-

community voting system, based on political designations, with a weighted majority system that is free from designations and can be used in place of cross-community voting in the circumstances specified in the Northern Ireland Act 1998 or when a reformed petition of concern is invoked. It is astonishing that cross-community voting continues to treat cross-community parties, such as Alliance, the Green Party and People Before Profit, as being lesser than those who are nationalist or unionist. In 1998, when the Belfast/ Good Friday Agreement was signed, not too many thought that there would be a significant growth of non-aligned parties, but here we are.

I find cross-community voting insulting. Not counting my vote in the same way as the vote of a unionist or a nationalist is demeaning. Just because I am not a nationalist or a unionist, I am considered to have lesser value in the House. I look to all of you: is that really how you see me? If the House used my gender, race, sexuality, marital status or religion to treat my voting rights differently, I could engage a solicitor and sue the House for discrimination. The House treats my vote as different from the votes of the rest of you on the basis of my political opinion

Members, why are you allowing difference, discrimination and damage to happen each time there is a cross-community vote? In the code of conduct for MLAs, we are all required to uphold the principle of equality. In that published code, principle 8 states:

*"Members should promote equality of opportunity and not discriminate against any person, treating people with respect regardless of race, age, religion, gender, sexual orientation, disability, political opinion, marital status and whether or not a person has dependents."*

However, in the House, because of the designation system, my vote does not carry the same weight as that of a unionist or nationalist. How is that upholding the code of conduct?

Let us consider the type of decisions that treat my vote as one of less importance. Cross-community voting is used for the election of the Speaker, changes to Standing Orders, approval of the Budget and any vote that is subject to a petition of concern. Equal participation in politics enables the advancement of all human rights. It plays a crucial role in the promotion of democracy, the rule of law, social inclusion and economic development. It is essential for reducing inequalities and social conflict. It is also important for empowering individuals and

groups, and it is one of the core elements of a human rights-based approach that is aimed at eliminating marginalisation and discrimination. However, in the House, every time that a cross-community vote takes place, the votes of all of us placed in the category of "other" are not counted with the same value. I ask all unionists and nationalists: is that fair? If you were denied the right to an equal vote because of your political designation, would you be happy, or would you challenge the blatant unfairness of the process?

I turn to political stability. Removing designations from the Assembly and how the House works would create the ability to have stability. After an election, parties would negotiate a Government, as in most other societies, but contentious votes would have to be carried out on a two-thirds majority in order to stop the domination of one party by another. Such a majority would, effectively, guarantee cross-community support and enable all elected politicians to have their vote treated equally. We need to prevent the cycle of crises that has affected progress in our devolved institution. We also need to deliver fair representation for the 111,000 people in 2017 who gave their first preference vote to parties that were not unionist or nationalist.

We need to look at how the joint office of First Minister and deputy First Minister is elected. Without designations, there would be an opportunity to deliver something better and more reflective of the whole community. Some have talked about returning to the original Good Friday Agreement. Although it is preferable to the changes that were brought in by successive agreements, it was of its time and is no longer adequate to deal with the changed demographics of who we are today. It does not reflect today's society. Returning to the consociationalism of the Good Friday Agreement would not reflect who we are. The agreement did not foresee the collapse of these institutions. We should build on the intention of the Good Friday Agreement to build consensus, deliver fair and equitable government and allow all of us elected to this place to have an equal say in all decisions. The Good Friday/Belfast Agreement states:

*"We acknowledge the substantial differences between our continuing, and equally legitimate, political aspirations",*

and that this place should be operated on a cross-community basis. Under the section on safeguards, it states:

*"There will be safeguards to ensure that all sections of the community can participate and work together successfully in the operation of these institutions and that all sections of the community are protected"*

by parallel consent or a weighted majority. If we are to meet the terms of the Good Friday Agreement, we have to ensure that all sections of the community can participate. Alliance acknowledges that, if we are to take forward changes in time for the next mandate, the UK Government will need to make them as soon as AERC has provided its report on the alternative to designations and the issue of the First Minister and deputy First Minister.

Members, let us make good government. I ask the House to vote for the motion and the Alliance amendment.

**Mr McGrath:** I beg to move amendment No 2:

*Leave out all after "Northern Ireland;" and insert:*

*"notes the strong case for reviewing and supplementing designation-related voting, elections and appointments in the Northern Ireland Assembly with additional measures commensurate with wide community support; refers to the Assembly and Executive Review Committee under Standing Order 59(3)(b) consideration of additional voting procedures that maintain the integrity of the Good Friday Agreement while establishing options for weighted majority voting beyond designations; further refers for consideration the restoration of joint election of the First Minister and deputy First Minister in line with the Good Friday Agreement; and agrees that the Committee should report on the outcome of this consideration to the Assembly before the end of this mandate."*

**Mr Deputy Speaker (Mr Beggs):** The Assembly should note that the amendments are mutually exclusive. If amendment No 1 is made, the Question will not be put on amendment No 2. The Member has 10 minutes to propose amendment No 2 and five minutes to make a winding-up speech. All other Members who speak in the debate will have five minutes.

**Mr McGrath:** I welcome the opportunity to introduce the SDLP amendment to the motion. These institutions are a delicate system of checks and balances, which are necessary because the society that we represent is diverse and divided. It is delicate in its own way.

Since the Good Friday Agreement was drafted, a growing number in our community have become unhappy with the polarised and divided politics in the North of Ireland. However, it would be somewhat utopian to believe that we should simply scrap every guideline or rule to have a simple majority-based voting system. The bottom line is that, if we were to operate a majority-based voting system in this place, the same growing number of people who are unhappy with how we do business now would, regrettably, not be long in becoming unhappy at the new way in which things were done.

Our politics in the North is akin to a house of cards: it is finely balanced, intricate and precise. Remove one element of that structure, and we threaten to make the whole thing come crashing down. It was my colleague the former deputy First Minister Mark Durkan who once said that an "ugly scaffolding" supports the institutions here. That was a fair summary and those were wise words. Very few of us like the way that we do business here, but, in our heart of hearts, the majority of us know that it is the only way to do business. That is not to say that there are not elements that we could change, do differently or refine but that would not help us to remove the scaffolding. I will expand on that in a moment.

We need to look at the spirit of the motion, amendment No 1 and the SDLP's amendment No 2. They are saying that there is a problem that needs to be remedied. I note that the Alliance Party's amendment No 1 would remove the words:

*"refers to the Assembly and Executive Review Committee"*

in its original motion and add:

*"welcomes work initiated by the Assembly and Executive Review Committee".*

That may be to tidy up the fact that the AERC is engaged in that process and that we do not need to refer those matters to it as it is already considering them. However, I accept that the motion and amendments allow us to have a general conversation about those issues.

Several options are open to us when making decisions in this place. We have parallel consent, qualified or weighted majority voting or a simple vote. During the significant talks process to construct these institutions, I understand that the parallel consent methodology was used. Given that it served the talks process and the construction of these institutions well, it seemed reasonable to use

that methodology for making decisions here. It is also worth noting that all the parties that were involved in the construction of these institutions were happy with that method at the time. Given that a number of options are available, the SDLP is comfortable with the AERC exploring those and coming back to the Assembly with a report on its findings before the end of the mandate.

One element that the SDLP included in amendment No 2, which differs from the substantive motion and the Alliance Party's amendment No 1, is for the AERC to give real consideration to how we appoint the First Minister and the deputy First Minister in this place after an election. We need to press the reset button and go back to the methodology that was established as part of the Good Friday Agreement, which was seriously undermined by the St Andrew's Agreement. Let us be clear: the appointment of Ministers in this place is done by d'Hondt, which is based on the strength of the parties when they return to this place after an election. Prior to the St Andrews Agreement, the appointment of the First Minister and deputy First Minister was achieved by parallel consent. What was critical in that was that this place decided who would be the First Minister and the deputy First Minister. The St Andrews Agreement instead reduced that methodology to a crude algorithm that disenfranchises the representatives in this Chamber.

Did the St Andrews Agreement provide a better method? Let us reflect on the recent three-year absence of these institutions. Let us ask our nurses, who had to take to the streets to demand a pay rise. Let us ask any principal of any school whose funding dwindled and whose capacity to manage their school was hamstrung. Let us ask those who are so reliant on our welfare system, who faced the ravages of a Tory Government because there was nobody here to make the decisions. Let us think for a moment about our current situation, in which one party is threatening to pull down these institutions. Why? Because it can. We have a system of appointing a First Minister and a deputy First Minister that serves the whims of a single party, not the collective society that we all serve in our communities.

The system we have for appointing the First Minister and deputy First Minister results in a party having not just a veto on a choice of Minister but a veto on these entire institutions. Allowing parties that maybe represent fewer than 25% of the people of this place to hold the other 75% and, by default, all of society to ransom is wholly unacceptable, and that needs to be reviewed. If Members think that the

system that we have is perfect, our amendment is not for them, but, if they can look their constituents in the eye and say that dithering, inaction, collapse and stalemate are truly unacceptable, they have an obligation to support our amendment.

**12.45 pm**

There is much about our institutions that is good; indeed, they stand as a testament across the world to how division can be overcome. Yes, there are imperfections, and they may take a lifetime to overcome, but we in the SDLP are happy that some of those considerations can be reviewed. Therefore, we are happy to support the motion and its amendment and to offer our amendment to the House.

**Mr McHugh (The Deputy Chairperson of the Assembly and Executive Review Committee):**

On 12 May this year, the Committee agreed its additional priority work topics for the remainder of the Assembly mandate. Whilst a full review of the statement of entitlements for an official Opposition had already been agreed as the Committee's top priority, the Committee believed that there was value in identifying additional topics that were complementary to the review and would lend themselves to the preliminary work.

Agreement was reached following a consultation exercise with Ministers, political parties and independent Members to gather views on possible work streams for the AERC to progress. The then Chairperson and Deputy Chairperson also met the First Minister and deputy First Minister to discuss the proposals that were submitted. Following much analysis of their responses, the discussion on Committee designation and the appointment of the First Minister and deputy First Minister was ultimately selected as the AERC's first priority work topic. Two secondary topics were also selected for preliminary work.

At the outset, it was acknowledged that there was limited time remaining in the mandate to progress the area of work. Therefore, the Committee agreed to carry out scoping work on the topic, resulting in a body of preliminary research and evidence and possible review of the terms of reference for the next AERC to progress. It is possible that a recommendation to that effect will be included in the AERC's legacy report.

I will now make some brief comments on behalf of Sinn Féin. The power-sharing arrangements set out in the Good Friday Agreement were

necessary to avoid any repeat of the systematic abuse of power by unionism in the decades following the imposition of partition on the people of the island of Ireland 100 years ago. Any review of those arrangements must be grounded in a commitment to equality and democracy. However, very recent comments from the two main unionist parties opposite have been undemocratic and anti-equality in many respects. Sinn Féin accepted and has worked the provisions of the Good Friday Agreement over the past 23 years, and, in stark contrast to that position, the UUP and the DUP now refuse to tell us whether they would nominate a deputy First Minister, if the people decided that Michelle O'Neill would be First Minister. I can see a Member shaking his head, but I heard on the radio people dancing on the head of a pin when they were confronted with that question — "Would you nominate a deputy First Minister?" — and they refused to do it. Let me be absolutely clear: the people, not any unionist party, will decide who will be the First Minister in the next mandate. The days of gerrymandering, second-class citizenship and unionist domination are over, and they are not coming back.

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

**Mr McHugh:** No. The Committee needs to continue to do its work as already set out, rather than reacting or pandering to unionist opposition to a progressive, republican First Minister.

**Mr Frew:** Whilst I have joined the Assembly and Executive Review Committee only recently — I think that I have attended only one meeting — I certainly see the merit in it and the potential that I will enjoy being on that Committee, because it looks to reform. For many years, I have spoken in the House — most recently, of course, since we have come back — about the need to reform how we do things and the fact that we need to do things better collectively, individually and with regard to how systems work. We need to do things better, because we fail our people when the apparatus is not fit for purpose.

One thing that I have learnt during my time in politics is that democracy is fragile but must also be agile. It should not be the case that one party can leave an Executive or Government and bring down an Assembly or Parliament. That just should not be the case. However, it is the case that, sometimes, a Government need to fall if they are not fit for purpose. That is just the agility that a democracy should have on its menu. That does not scare me one bit. I am all

for reform. I am all for the exploration of reform in a collegiate way to make things better.

That being said, I understand the travels that we have taken and embarked on. I know that, for some people, it is sensitive. For some people, it is the Good Friday Agreement or nothing. Some will cherry-pick when a political opportunity arises. That has been the case even for the parties that supported the Good Friday Agreement. We should always strive to deliver positive change for people. If we want to deliver positive change for people, why should we then close our ears and turn our faces away from positive change and reform in the Executive and the Assembly?

I speak knowing that the Assembly has given up its power with regard to the health regulations. It should look at getting that power back, because power should not reside at Executive level; power should reside in the elected Assembly or Parliament. We should look at that and concentrate our minds on it.

Let me make it clear: the DUP is up for reform; in fact, we have fought for reform for decades. I will read from the 2011 Assembly election manifesto:

*"We believe that in the long-term, the best means of governing Northern Ireland would involve a voluntary coalition Executive and weighted majority voting of around 65% in the Assembly, resulting in an end to Community Designation. This system could provide for both an Executive and an official Opposition which would be consistent with normal democratic institutions while accepting the particular circumstances of Northern Ireland.*

*This should be the long-term goal of all of the Parties in Northern Ireland. However, we must be realistic about the ability to achieve it in the short-term. While voluntary coalition would undoubtedly improve the performance of devolution in Northern Ireland, it would be a mistake to assume it is a panacea to all of the problems that we face."*

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

**Mr Frew:** No, I will not give way. The proposer of the motion did not give way. That is bad form, but I feel that it then has to be consistent throughout.

My party said that in 2011. The Assembly has to improve. We have to look now at what we can do in a short time. The problem that I see with the reform that we require and that the

proposer requires is that it is a race against time in this mandate. There are practical problems with that time. There is so much legislation that we need to pass for the benefit of our people, but that does not mean that we should not explore it —

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

**Mr Frew:** — and strive to achieve it. I support reform, and so does my party.

**Mr Butler:** I affirm my support for the institutions. I am a devolutionist. I voted for the Good Friday Agreement, along with over 71% of the people of Northern Ireland and over 94% of the people in the Republic. I believe that these institutions, when working correctly, are the best vehicle for delivering for the people of Northern Ireland. The Good Friday Agreement set the foundation for a new and inclusive Northern Ireland where people from all backgrounds and identities could feel safe and have their identity and rights of self-expression protected. As a key architect of the Good Friday Agreement, the UUP is proud of the peace that it delivered and of the effective cessation of others trying to achieve political aims through violence and terrorism.

The foundation set out by the Good Friday Agreement was legislated for by the Northern Ireland Act 1998. That is not a sacred cow, nor is it a holy text. It is merely legislation that can be and has been amended from time to time. We have shown our appetite for exploring change to the Northern Ireland Act where the changes are productive and positive and where there is meaningful benefit. We are adamant that the petition of concern mechanism needs to be reformed, given the excessive use of it in previous mandates. In the previous mandate, we demonstrated our appetite for changing things in the Chamber by forming, along with the SDLP, the first-ever Opposition. To lean back a little into the negotiations in and around New Decade, New Approach (NDNA), we constructed, with the SDLP and the Alliance Party, an alternative suggestion. Elements of it made it into NDNA, but the full working document did not make it into the text, which is regrettable.

The motion asks for consideration of the cross-community support mechanism. Whilst removing the need for designations completely, as the proposer wants, is potentially not the best solution, it should certainly be considered further. I add a word of caution that the intent of the cross-community support mechanism as

laid out in the Northern Ireland Act — it is threaded through the entire Act — was to protect minority voices in the Chamber. That may not have been what happened at times, but the intent was there. When we reflect on and speak about it, we need to be fair to those who authored it. The intent was good. Any tampering with the mechanism must be done carefully, with acute cognisance of the need to respect and protect people's identities.

To my mind, Ms Armstrong's amendment, in her own words, raises a few questions, not least because it is not materially dissimilar to the original motion. For instance, I ask for clarity on the statement that votes designated as "Others" are "not ... treated equally". I do not think that there has been any instance of that since we returned after NDNA; to clarify, there have been no petitions of concern or cross-community votes in that time. Maybe she can come back to that in her winding-up speech. Furthermore, calling on the Government to amend the Northern Ireland Act accordingly before the AERC report, as the amendment does, is, perhaps, presumptuous. I ask the Member to speak to that in her winding-up speech. The report may find that the mechanisms that we currently have may be better than any alternatives suggested. Finally, the suggestion that political designations perpetuate division needs to be clarified if possible.

With reference to the contribution of the Deputy Chair of the AERC on the Ulster Unionist position, it is our ambition not just to replace the Democratic Unionist Party as the biggest unionist party but to be the biggest party in the Chamber. That is why we will compete for the position of First Minister.

**Mr Deputy Speaker (Mr Beggs):** The Business Committee has arranged to meet at 1.00 pm, and I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time, with questions to the Minister of Health and then questions to the Minister for Communities. We will then return to this debate, and the next Member scheduled to speak is John O'Dowd.

*The debate stood suspended.*

*The sitting was suspended at 12.59 pm.*

2.00 pm

*On resuming (Mr Speaker in the Chair) —*

## Oral Answers to Questions

### Health

**Mr Speaker:** Questions 5, 8 and 11 have been withdrawn. Sinéad Bradley is not in her place for question 1.

### HSC Staff Recognition Payment: Independent Sector

2. **Mr Delargy** asked the Minister of Health for an update on the health and social care (HSC) staff recognition payment for those working in the independent sector. (AQO 2608/17-22)

**Mr Swann (The Minister of Health):** I thank the Member for his question. Members will be aware that, earlier this year, I announced that a special recognition payment of £500 would be made to Northern Ireland's health and social care workers. Payments to statutory sector employees commenced in July, but, unlike the statutory sector, where my officials worked with a small number of employers, the independent sector has a much larger employer base. In addition, workers in the independent sector are much more transient than those in the statutory sector, so developing a set of standardised eligibility criteria has proven to be more challenging than first thought. Likewise, the development of a payment mechanism, particularly in circumstances in which an employee has moved between providers or has moved out of the sector completely, has proven problematic.

I met my officials again last week to get a full update on the latest progress and to emphasise the need to see payments processed as quickly as possible. Officials have, in recent days, had further detailed discussions with trusts, the Health and Social Care Board (HSCB) and the Business Services Organisation (BSO) on the delivery and accountability mechanisms for the recognition payment to the independent sector. I am glad to report that that work has almost been completed. My officials have also recently held discussions with a number of major care home and domiciliary care providers and voluntary sector providers to ensure that the proposed delivery mechanisms are workable, deliverable, accountable and auditable. Engagement with the sectors has been very positive, and we will continue to work closely

with all involved. The recognition payments will be paid to the independent sector staff as soon as possible.

**Mr Delargy:** Minister, thanks for that. You have pretty much answered my supplementary question. I want to make sure that all agencies have been contacted. I have been contacted by quite a few people in my constituency with whom contact had not been made. Can you therefore confirm that all agencies have been contacted at this point?

**Mr Swann:** I thank the Member for his point. The Member asked about which agencies are left. We have been engaging with Community Pharmacy NI, the British Dental Association (BDA), Optometry NI, the British Medical Association (BMA) and a number of the major care home and domiciliary care providers. We are doing a small pilot exercise on the documentation that we intend to use. We hope to get feedback by the end of this week from the sectors and groups with which we have initially engaged to make sure that the documentation is workable for them and provides us with the information that we need.

**Mr McGrath:** I appreciate that absolutely everything has to be done correctly and by the book, but that announcement was made back in January. Staff who have been promised the £500 are contacting MLAs almost weekly. Today, we do not even have a date for when that payment will be made. Can the Minister please give us some indication of when it will be made? I know that many in my constituency were hoping to have it for Christmas.

**Mr Swann:** As I said in the initial answer, it is proving more challenging than we initially thought, especially for the independent sector, because of the large number of employers. We need to make sure, as the Member indicated, that that public money is spent in an accountable and auditable way. It is taking longer than we had initially anticipated for employees in that sector of the workforce. When we announced the payment for the first tranche, there were subsequent requests to make sure that it was not taxable. We therefore went back to ask for more money, and the Executive provided that. A number of requests and checks were made by trade unions and other organisations to ensure that the payment would not have a knock-on effect on benefit payments for what is, essentially, a low-paid female workforce. All that took time, even before we got the initial payments out to the health and social care sector, and that was a very small employer base that we had to work

with. We are pushing as hard as we can to get the payments out as soon as possible. The Member has submitted a number of Assembly questions, and I assure him that the money is there for this. It is not the case that the payment is being deliberately delayed; we want that money to go out as well.

**Mr Nesbitt:** Will the Minister confirm that his officials with responsibility for other recipients of the payment, including primary care, pharmacy, dental and ophthalmology workers, are fully linked in and working to deliver the payment ASAP?

**Mr Swann:** I thank the Member for that question. As I said in my response to the original question, we are engaging on the issue. I met officials last week to make sure that they were fully plugged into everything that needed to be done to get the payments out. As I said in a previous statement, the payment is taxable, so we also need to know that any employer who receives the money makes sure that the majority of it, if not all, gets to those for whom it is meant and does not stay in the employer's bank account for longer than it has to.

**Ms Bradshaw:** Will the Minister confirm whether those who are working in independent hospitals and who were, for example, commissioned to deliver diagnostic or elective care surgery, will be eligible?

**Mr Swann:** I thank the Member. I think that that is covered in an FAQ on the special recognition payment that includes the eligibility criteria. As set out in the online FAQ, those who meet the qualifying criteria are eligible for the payment — in this case, one criterion is that at least one month's continual service in the independent sector in Northern Ireland between 17 March and 31 January is required. Former NI independent sector staff who retired in that period are eligible, providing that they meet the qualifying criteria.

When it comes to the specific work group that the Member asked about, we have to make sure that individuals working in that sector are not also trust employees, so that they receive only a single payment. I will get clarity for the Member on that cohort.

## **Dementia Diagnosis Appointments**

3. **Mr McGlone** asked the Minister of Health to outline his plans to address delays in dementia diagnosis appointments. (AQO 2609/17-22)

**Mr Swann:** I thank the Member for his question. Trusts have developed and implemented dementia services recovery plans. These have ensured continued access to a range of services during the COVID-19 pandemic, using technology and other innovative approaches to ensure that arrangements are in place to provide access to diagnostic condition management and support services for service users and carers.

As a direct result of the COVID-19 pandemic and the increased vulnerability of many in that patient cohort, there has been a reduction in the number of patient-facing memory clinics, which has had a direct and adverse impact on waiting times. Virtual clinics have been trialled for a subset of individuals, and that option is being kept under review.

The roll-out of the regional dementia care pathway will contribute significantly to raising standards across all trusts, and that includes addressing delays in dementia diagnosis. A regional steering group has been established to have oversight of implementation across all five trust areas and to ensure that there is consistency of approach and shared learning. That work is supported by a regional stakeholder reference group and integrated care partnership-led local implementation groups, which are multi-agency and include people who are living with dementia and their carers. The expectation is that the pathway will be rolled out across all areas, subject to the availability of the necessary funding, which, as the Member is aware, will be significant.

**Mr McGlone:** I thank the Minister for his answer. A reply to a question for written answer from my colleague Cara Hunter showed a great disparity in waiting times between trust areas. What can his Department do to rectify those big disparities between the various trusts?

**Mr Swann:** I thank the Member for that question. That is why I specifically mentioned the dementia care pathway, which is about making sure that there is continuity across all trust areas. That includes a regional steering group that will bring members from all trusts into one place so that they can learn from each other and ensure that consistency of approach. As I said, that work is also supported by our regional stakeholder reference group, which includes those with dementia, their carers and those with lived experience. We have been able to utilise that during the pandemic, but we have also seen how it can ensure a consistent approach across Northern Ireland, which, as the Member is well aware, is geographically a

very small footprint when it comes to those levels of services.

**Ms Ennis:** As we all know, dementia is an awfully cruel illness. As the Minister outlined, there are measures that can help. The regional dementia care pathway is one of those measures, but another is supporting those with dementia in the community. What can the Minister's Department do to support dementia-friendly communities?

**Mr Swann:** I thank the Member. She will know that the regional dementia strategy, which was developed as far back as 2011, addressed a wide range of issues, drawing on best practice here and elsewhere. That strategy made recommendations that were aimed at improving the services and support arrangements. To date, we have implemented a significant number of programmes to improve the services provided to, and the experience of, those living with dementia. Phase 1 of the Delivering Social Change dementia programme, Still Me, was launched in 2016. That programme included a package of dementia projects. At that point, there was funding of £6.25 million. My Department has previously provided funding to support the roll-out of actions from the Delivering Social Change dementia programme. Those included 10 dementia service improvement leads, 10 dementia navigators and 44 dementia companions. Work has already been done in the community, and the new strategy that we will bring forward is part of the reform of the adult social care strategy.

## **COVID-19: Booster Vaccination Programme**

4. **Mr Robinson** asked the Minister of Health to outline the timetable for the COVID-19 booster vaccination programme. (AQO 2610/17-22)

**Mr Swann:** I thank the Member for his question. The Joint Committee on Vaccination and Immunisation (JCVI) has advised that groups 1 to 9, which were prioritised in phase 1 of the COVID-19 vaccination programme, should be offered a booster dose of the COVID-19 vaccine. JCVI advice states that the COVID-19 booster vaccine dose should be offered no earlier than six months after completion of the primary vaccine course, which is the full two doses. The six-month interval between completing the primary course and getting the booster dose will drive the timeline for eligibility and delivery.



The health and social care trusts began booster vaccination programmes in care homes in the week commencing 20 September 2021. Trusts also began further vaccination of front-line health and social care staff in line with JCVI guidance. As of midday today, 29,836 booster doses have been delivered, as well as 4,123 third doses. GPs will shortly begin to call their patients who received their second dose six or more months ago, with 220 community pharmacies across Northern Ireland starting the booster programme for front-line healthcare staff who are not directly employed by a trust. It is hoped that the majority of eligible people will have received their booster by the end of the year.

**Mr Robinson:** I thank the Minister for his answer. Can he give me his assurance that a sufficient supply of booster vaccines will be available? Health professionals and constituents have expressed to me their concern that there may be a shortfall.

**Mr Swann:** I can assure the Member that there is no shortfall in the availability of booster doses of the vaccine. The criteria to which we are working may seem more stringent than the criteria that we first used, but that is because we are going back to the first nine priority groups rather than to the mass vaccination programmes that we have seen since. We are also working on a six-month timeline, so it is those small numbers of people who came forward in the initial vaccination programme who are now eligible for the third dose. I give the Member an assurance that we do not have concerns about the supply of vaccines for booster doses.

**Ms Armstrong:** Will the Minister confirm when 16- and 17-year-olds will be offered a second vaccine dose, given that that is clearly recommended for the delta variant? Parents tell me that that age cohort cannot access COVID certificates without a second dose.

**Mr Swann:** I thank the Member for that question. As she is aware, 16- and 17-year-olds have been offered the first dose. I encourage all those who are eligible for that to come forward. Of those who are eligible, 50% have come forward and received their first dose. JCVI is monitoring the implementation of the second dose. Once we receive guidance from JCVI on whether it is necessary to proceed with that and when it is necessary to do so, we will do that. Once those young people have received one dose, there should be no delay or challenge to their accessing proof of vaccination, but I will clarify that for the Member.

Many countries do not require that certification for under 18s, so it may be worth checking whether it is necessary.

**2.15 pm**

**Miss Reilly:** Minister, considering that the flu and COVID-19 vaccination programmes are happening at the same time, can you assure us that staffing requirements for those programmes will not take away from the delivery of GP services, which are already heavily under pressure?

**Mr Swann:** I welcome the Member to the House, and thank her for raising a critical point. Last year, in the roll-out of the flu vaccine programme, we saw a massive uptake. That was because of how GPs delivered it. We saw that again over the weekend, where GPs took over multistorey car parks to deliver up to 1,200 flu vaccines in one day and one sitting. We have seen a change in how it is approached, and we see those vast vaccination programmes rolling out at GP level as well.

I would like to have been in a place where we could deliver the flu vaccine and COVID booster at the same time. We could have used that efficiency. However, as I said in my answer to Mr Robinson, we are not in that place. We do not see large numbers coming forward for the booster dose. Therefore, we went ahead and started the flu vaccine programme because we are aware of the benefit that comes from it. I encourage anyone who is eligible for the COVID-19 booster, or their first or second dose, to come forward and get it. Anyone who is eligible for the flu vaccine should also make sure that they get it, because the criteria for that have also been expanded.

**Mr Chambers:** I welcome the continued and very important role that Community Pharmacy is playing in the booster programme. Is the Minister satisfied that, with so many community pharmacies engaged — there are over 200 — the booster remains very accessible right across Northern Ireland?

**Mr Swann:** I thank the Member for that specific point. As I said in my initial answer, over 220 community pharmacies have come forward to supply and deliver the COVID booster programme, and that is about half the community pharmacies in Northern Ireland. That makes the programme very accessible for the majority of people in Northern Ireland, who can go to their local community pharmacy and receive the booster dose.

Over the past 18 months, we have seen a real partnership approach between the Department and Community Pharmacy, with Community Pharmacy linking in with primary and secondary care and supporting them in what has been a very challenging time across the entire health family. I place on record my thanks to Community Pharmacy for the delivery of the next phase of our vaccination programme, namely the booster vaccine, and also for delivering the flu vaccination.

**Mrs Cameron:** Minister, can we have an update on the roll-out of the schools vaccination programme for the over-12s?

**Mr Swann:** I thank the Member for her question. The schools programme should commence within the next number of weeks. We have already commenced vaccination in special schools, in accordance with the criteria laid out by JCVI for those eligible and more vulnerable cohorts. That work is ongoing.

The 12- to 15-year-olds are able to receive vaccines because of the expanded advice given by JCVI, which was supplemented further by the advice that we received from all four Chief Medical Officers (CMO). As I previously advised, persons aged 12 to 15 with specific underlying health conditions that put them at risk were offered two doses of the Pfizer BNT162b2 vaccine. As the Member is aware, that original group included children with severe neuro-disabilities, Down's syndrome and underlying conditions. That age cohort has already started to be vaccinated.

Our main school programme commences within the next week, using our school vaccination teams. I encourage parents who have eligible children in that age group to make sure that they bring their children forward, complete the appropriate documentation and get their children vaccinated, in accordance with the CMO and JCVI guidance.

## Emergency Department Waiting Times

6. **Ms Ennis** asked the Minister of Health what steps he is taking to address waiting times in emergency departments. (AQO 2612/17-22)

**Mr Swann:** I thank the Member for her question. There is clear evidence that our unscheduled care system has been under increasing pressure over the past number of years. Those pressures are most clearly seen at our emergency departments, which act as bottlenecks for all patients who are unable to

access the care that they require. The significant challenges facing our elective care, cancer and mental health services are increasingly leading to patients presenting at emergency departments as their conditions worsen, and that leads to the need for urgent care. Many patients are also presenting with more advanced or complex needs, particularly those with chronic disease, and the impact of the pandemic, together with the wider systemic pressures that we are facing, has led to a situation where each of the major emergency departments across Northern Ireland is now operating significantly above capacity.

The Health and Social Care Board is working collaboratively with the Public Health Agency, the Northern Ireland Ambulance Service and the five provider trusts to improve waiting times at our emergency departments. That is done by enhancing flows through the system in order to facilitate timely discharge. An audit of our emergency departments' patient pathways will be conducted to better understand and address issues for patients.

My Department has undertaken a review of urgent and emergency care. That will be published shortly and will be taken forward in an elective care framework, and my Department is investing in what is already being done in the No More Silos action plan. The expansion of evidence-based ambulatory emergency care and rapid access services will also help to mitigate some of the pressures on urgent and emergency care that have been created by long elective care waiting times. Each of those initiatives will help to reduce waiting times by improving hospital capacity and flow and by developing services that enable patients to be discharged once medically fit. However, I reiterate that the issues that we are seeing in our emergency departments cannot be resolved by one-off non-recurrent funding. What is needed is recurrent investment over a number of years to bring forward meaningful change.

**Ms Ennis:** I thank the Minister for that response. Minister, in recent months, we have heard shocking accounts of lengthy waits and lack of seating and other resources in various emergency departments. Clearly, people who are waiting for lengthy periods to be seen need, at the very least, to have somewhere to sit, and they need to have access to refreshments. What steps has the Department taken to ensure that those who are waiting for lengthy times to be seen in emergency departments do not have to sit on the floor?

**Mr Swann:** I thank the Member for that point. Our patients who are waiting should not have to sit on the floor. It is unacceptable for them to have to do that, but we have challenges in that our waiting rooms in our emergency departments are still maintaining social-distancing measures, and the footprint is the same across all our health and social care facilities. That puts additional strains on the footprint that they are using. I am aware that a number of the hospitals where we have our main emergency departments have increased the size of their waiting areas by the utilisation of additional facilities. I am thinking of Altnagelvin in particular, where additional working capacity has been put in place to make sure that patients do not have to sit on the floor.

**Mr T Buchanan:** Minister, I have listened to information on a number of initiatives that are going forward on this issue. Is the Department doing any work with our GP surgeries to try to get them opened up so that we can get face-to-face appointments again with our GPs? A number of constituents who are in contact with our office say they cannot get a face-to-face appointment; therefore, they are going to A&E to be seen there. If we could get the GPs opened up again, that would help to free up the A&E departments.

**Mr Swann:** I thank the Member for that point. It is important that people can access GP services when they need to do so. GP practices are open and will continue to provide face-to-face appointments and alternative consultation options for patients as appropriate. Even prior to the COVID pandemic, primary care services were coming under increasing pressure. For the week of 8 October, the average number of patients presenting to primary care was 99 out of 1,000 of the population. So, nearly one in every 100 of the population of Northern Ireland was presenting to a GP to be seen or triaged. Considerable work is being done in our GP practices, and there are general practice "Telephone first" consultations. That allows patients to seek timely medical advice from their GP, and it is the GP who decides how best to meet the need of a patient. Where a face-to-face appointment is appropriate, that will be arranged.

The Member will be aware that I recently announced the investment of £5.5 million to support our GPs over what will be a challenging number of months. As I mentioned earlier with regard to Community Pharmacy, we have seen greater collaboration working between primary and secondary care. That is something that we should build and work on in order to deliver a

one-system health approach in Northern Ireland that serves all our patients.

**Mr Beggs:** It is also important that there is an effective GP out-of-hours service to prevent people from presenting at accident and emergency centres. Will the Minister provide an update on the efforts to stabilise our GP out-of-hours service?

**Mr Swann:** I thank the Member for his point, which highlights that it is one health service trying to support all patients, no matter where or how they present. I am aware of the continuing pressures faced by the GP out-of-hours service across Northern Ireland, with the demand and increase in difficulties in filling GP shifts. An effective out-of-hours service is a priority for my Department and me, and we continue to work closely with the Health and Social Care Board and the out-of-hours providers to address the current challenges. Service improvements continue to be introduced. They include an adjustment of the skill mix of clinicians; an increase in the levels of nurse triage provision; the employment of more nurse practitioners, paramedics and pharmacists; and an increase in flexibility in shift times.

My Department also continues to work closely with the Health and Social Care Board, out-of-hours providers and key stakeholders to address the current challenges in out-of-hours services across Northern Ireland, and to redesign out-of-hours services. That is aligned with No More Silos, the project that was taken forward on how to improve and fix our emergency departments and how and where people present to them. The aim is to have a more stable, sustainable and integrated service that will better meet the needs of the population. It includes the consideration of a regional model for the delivery of the service.

**Mr Durkan:** Despite the recent investment in Altnagelvin, which the Minister referred to in an earlier answer, its emergency department is not fit for purpose in this day and age. There is not sufficient space to deal with the volume of patients, or an adequate layout to deal with the vulnerability of patients. That is making life even more difficult for the great staff team there. Is the Minister aware of any further plans of the Department to invest more in the Altnagelvin emergency department?

**Mr Swann:** The Member will be well aware of my Department's financial pressures, not just in single-year resource budgeting but in the capital improvement that we need. We have had underinvestment in not only the resource

side but the capital side for more than the past 10 years. There is, therefore, a lot of work to be done across our footprint. I think that it was valued at £1.2 billion the last time that I looked, with £600 million of essential maintenance outstanding. That is before we get to some of the critical investment in our capital footprint that we need. The steps that we took in increasing the waiting area at Altnagelvin, more than a year ago, were necessary at that point. There is a continuing watching brief on what can be done with the resource that will be provided to make sure that we are delivering for patients, but we need a longer-term investment in not just our workforce but our capital structures.

**Mr Speaker:** I call Matthew O'Toole. The Member may not get a supplementary.

### Continuing Care Assessments

7. **Mr O'Toole** asked the Minister of Health for an update on the provision of continuing care assessments. (AQO 2613/17-22)

**Mr Swann:** I thank the Member for his question. I recognise that the subject of continuing healthcare continues to attract significant public interest in Northern Ireland and other jurisdictions. As Members will be aware, the policy of continuing healthcare was updated in February of this year, with the aim of creating a fairer system in which all individuals who need to avail themselves of residential or nursing home care services will be subject to the same charging policy. That followed a public consultation that was undertaken in 2017. The new policy of a single eligibility criteria question is the same criteria as has been adopted in Scotland. It is a clear benchmark by which to assess whether someone's principal needs can be met outside of a hospital setting, be that for social care or healthcare.

With regard to the provision of continuing healthcare assessments, circular care management provision of services and charging guidance was introduced on 11 March 2010. That outlined the responsibility of health and social care trusts to ensure that appropriate assessments of needs for individuals, including those with continuing healthcare needs, are carried out. In light of the new policy, it remains the responsibility of trusts, as outlined in the aforementioned circular, to ensure that assessments are carried out as appropriate.

**Mr Speaker:** Can we have a very brief supplementary question, please?

### 2.30 pm

**Mr O'Toole:** In February this year, the Minister said that the single eligibility question would be implemented. Has that being implemented? This is clearly one cause of the crisis on our wards. People are backed up and are not able to get home even when the care assessment says that that is where they should be.

**Mr Swann:** My Department has set up a working group with the key stakeholders to develop guidance to underpin that new policy. That will ensure that there is clear information available on how the new single eligibility question will operate. The group is made up of representatives from the trusts, the Health and Social Care Board, the Department of Health and stakeholder representation from Age NI. Work is progressing on the development of that guidance, with two meetings having taken place to date. I expect that working group to report in the coming weeks.

**Mr Speaker:** That ends the period for listed questions.

### Victims and Survivors Service: Funding

T2. **Mr T Buchanan** asked the Minister of Health for an update on the funding that will be made available to the Victims and Survivors Service (VSS) for the delivery of the comprehensive support services for victims and survivors of mother-and-baby homes, Magdalene laundries and workhouses in Northern Ireland for the duration of the investigation process and in the longer term, as recommended in the report that was published two weeks ago. (AQT 1702/17-22)

**Mr Swann:** I thank the Member for his point. Again, the Executive took forward a very emotive and important piece of work. I met the commissioning group that completed the report, with the First Minister and the deputy First Minister, on the evening of its publication. Their clear ask was for that work to be prioritised. A report from the cross-departmental working group will be brought to the Executive, as per the recommendations for next steps. I am aware that one of the working group's recommendations was for TEO to lead on the work to recognise that that is what the survivors of the homes deserve and because of the cross-cutting nature of the responsibilities across all Executive Departments. Also, the Executive of Northern Ireland will rightly play their part in acknowledging the hurt and pain

that was caused to those women and their children.

**Mr T Buchanan:** I thank the Minister for his response. Minister, can you give us any indication of the timeline for when the money will be available to deliver the services to those people?

**Mr Swann:** Again, the recommendation from the working group has to come to the Executive. It is TEO and Department of Health cross-departmental work that has been taken forward. One of the recommendations from the working group was that TEO should lead on the implementation of the acknowledgement to the victims and the women who were so badly treated. TEO will also bring forward the payments, as it did for the survivors of historical institutional abuse, so that there is that continuity of understanding and a recognition that they will be treated equitably and fairly, as has happened in other cases.

### **Bannview Medical Practice, Portadown**

T3. **Mrs D Kelly** asked the Minister of Health for an update on the Bannview medical practice in Portadown. (AQT 1703/17-22)

**Mr Swann:** I thank the Member, and I know that she has taken a keen interest in that issue in her constituency. I recognise that it has been an unsettling time for patients of Bannview, and it has been particularly difficult during the wider uncertainty created by the pandemic. I thank them for their patience and ongoing support for the practice and its staff as the Health and Social Care Board worked to secure a new contractor for the practice.

I am delighted that the GP Federation Support Unit, acting on behalf of GP federations across Northern Ireland, took over the contract from 1 September 2020 and now provides general medical services to the patients of the former Bannview medical practice. The practice is now known as the Beechwood family practice. This is the first time in Northern Ireland that general medical services have been provided by a GP federation. In August, the Health and Social Care Board and the GP Federation Support Unit wrote to patients of the former Bannview medical practice to make them aware of those new arrangements. The practice has a new medical team in place and a new practice manager in post. The Health and Social Care Board is arranging to meet the Beechwood family practice to ensure that it has the

appropriate support to ensure the success and ongoing delivery of that practice.

**Mrs D Kelly:** I thank the Minister for his keen interest in the practice. The situation has been a matter of controversy for over five years, but, under his tenure, at long last we have a solution. I am not optimistic about the answer to my question, but there are increasing accommodation needs in Portadown Health and Care Centre in general. With the return, hopefully, of GP face-to-face practice and with multidisciplinary teams being rolled out, that will become a greater problem. Is that at all in the Minister's plan over the next year or two?

**Mr Swann:** I do not have the capital works budget plan with me, but I will write to the Member about that. It is worth repeating that, regarding the new set-up, the GP Federation Support Unit has come forward and taken on the Bannview practice to make sure there is continuity of support for patients there. I will write to the Member with the detail of capital builds.

### **Tracheotomies: PHA Advice**

T4. **Mrs Dodds** asked the Minister of Health to outline the advice that the Public Health Agency has given to the Education Authority (EA) about tracheotomies, given that although people who are living with a tracheotomy can access public transport and travel on buses and trains across Northern Ireland, a young constituent of hers, who has severe health and learning difficulties, has been told by the EA that, because of her trach, it cannot transport her to school; and to state what it is that allows the EA to discriminate against her young constituent and deny her an education. (AQT 1704/17-22)

**Mr Swann:** I thank the Member for raising with me what is a sensitive issue. I do not have the answer with me, as it is a specific constituency matter. I will write to the Member or meet her to discuss what steps need to be taken to come to an equitable solution to ensure that her constituent is not discriminated against in accessing transport, be that transport through the education system or public transport. It is not an issue that has been raised with me before, but I thank the Member for bringing it to my attention.

**Mrs Dodds:** I have a question on another COVID-related issue. As you will know, Minister, there is a multiplicity of them in every constituency office. I had occasion to attend a family funeral at the weekend at which the undertaker in Lurgan approached me. He is

concerned at the massive mental health issues that are being built up in our community because loved ones cannot be at the bedside of those who are receiving end-of-life care. Access and visiting varies across trusts and across trust residential and care facilities. Will the Minister tell the House what he is doing to bring some resolution to the issue in order to allow families to have time with their loved ones at what is a very difficult and emotional time in their lives?

**Mr Swann:** Again, I thank the Member for her question. She will be aware that guidance went out from the Department to all trusts to make sure that a standardised approach was taken. I am aware that there has been some deviation from that. The Department's publication 'Visiting with Care — A Pathway' was effective from 7 May and is available on the Department's website. The pathway provides a staged approach to the restrictions that apply to visiting care homes and other facilities.

I will inform the Member and the House when I receive further advice on how residents with capacity may be facilitated and how people may be supported to visit other facilities. After receiving further advice from the Chief Nursing Officer, I have agreed to the implementation of the recommendation that we move to the next step in gradual easing, and that will take place from tomorrow, 20 October. The pathway will be reviewed again in mid-November. Our public health officials will further review the data and recommend further progress on the pathway, if that is merited. Furthermore, the potential for additional easements over the 2021 festive period for visiting will be considered.

### **Children: Consultant Waiting Times**

T5. **Mr McGrath** asked the Minister of Health whether he agrees that we are failing our children, given today's harrowing news about the number of young people who are waiting for a first appointment with a consultant. (AQT 1705/17-22)

**Mr Swann:** I agree with the Member that we are failing most of society in Northern Ireland when it comes to waiting lists. Today's report by the Northern Ireland Commissioner for Children and Young People (NICCY) — my officials engaged in its publication and production — was about highlighting, which it does, the challenges across the entirety of our health and social care system and how we let down a large number of patients. I have said this before from this place and in other places: more needs to be done. We need more recurrent investment,

and we need to support our existing staff. We are paying the price for 10 years of underfunding as well.

We will work with the Commissioner for Children and Young People on the recommendations that she has made, but a large amount of work is already being undertaken through different avenues to address some of the needs highlighted in her report.

**Mr McGrath:** The report and reports in the media refer to 24 young people who have been waiting for a year with a red-flag diagnosis of cancer. That must have been one of the most distressing times for parents, children and families. Will the Minister give an undertaking today or, at the latest, tomorrow that children with a red-flag case of suspected cancer will see a specialist in the next 24 to 48 hours?

**Mr Swann:** I thank the Member. I have asked all trusts to review those waiting times to ensure that what has been reported is accurate and to compare the timeline of information that may have been supplied to the commissioner with where we are today. The current information coming from at least one trust — the Belfast Trust — is that no children are waiting. However, I want to seek that reassurance from all other trusts as well.

On children's cancer services specifically, the current cancer strategy, which is out for consultation, has a large section on how we look after children with cancer. It looks not only at the number of children who present with cancer in Northern Ireland but at teenagers and young adults who are transitioning from children's services to adult services and how they are supported. I encourage the Member, his party and all who are concerned about this to get involved in the consultation response to make sure that the strategy is fit for purpose and meets the needs of everyone in Northern Ireland.

One of the first events that I attended as Minister was a public consultation on the development of the strategy. That was before it went out for consultation. The voice of young people was clear that day, and they said loudly and clearly that they felt that their voice was not in the consultation. That is why it is there now. They are an important cohort, and we have to support them. We have to support not just the children who are going through treatment or have received a diagnosis but their parents and those who care for them.

## PHA Equality and Monitoring Forms

T7. **Ms Armstrong** asked the Minister of Health whether he will review the PHA's equality and monitoring forms to ensure that they are efficient, given that she recently met Ards Community Network, which is delivering a programme on behalf of the PHA, and representatives told her that it had taken them 37 hours to fill in those forms online. (AQT 1707/17-22)

**Mr Swann:** I will ask the PHA to review those forms and how accessible they are. I am sure that the Member will be aware that some of those equality questionnaires are crucial to the monitoring and other work that the Department does to make sure that it meets its obligations. The PHA will be under the same obligations in relation to its duty of care. I am unaware of the specific forms that the Member refers to, but I will ask the PHA to see whether there is any way in which they can be simplified. Given the information being collected, I will not give a commitment that they can be.

**Ms Armstrong:** I will try to be quick. The forms ask for anecdotal evidence, which is what takes so long. Another problem is that the forms ask disabled people who are attending the development course how disabled they are. That is quite negative. Can that be reviewed and treated more positively?

**Mr Swann:** I thank the Member for that supplementary. There is a multitude of forms out there, as the Member is fully aware. Language is important, especially when we are dealing with applications from groups applying for challenging funding schemes. Equality questions should be appropriately phrased. I thank the Member for drawing my attention to that.

**Mr Speaker:** Time is up. I ask Members to take their ease for a moment or two.

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

2.45 pm

## Communities

1. **Mrs D Kelly** asked the Minister for Communities what steps have been taken to avoid delays in issuing this year's winter fuel payments. (AQO 2551/17-22)

**Ms Hargey (The Minister for Communities):** I apologise again for last week.

The Department for Work and Pensions administers the winter fuel payment scheme on behalf of my Department. Given the difficulties last year, I instructed my officials to seek the necessary assurances that there will be no reoccurrence of the delays experienced last year in issuing this year's payments. The delays experienced in issuing payments last year were linked to the new DWP IT system, which was used for the first time to make the winter fuel payments. DWP officials have advised that a number of enhancements have since been made to the system that will ensure that payments are made promptly to qualifying claimants. Most winter fuel payments will be paid automatically to qualifying claimants during November and December. All payments will be made by 14 January 2022.

**Mrs D Kelly:** I thank the Minister for that reassurance. Does she share my concern about the rising cost of fuel? Week in, week out, we see a rise of £30 and more. In light of rising fuel costs, has the Minister considered establishing a support scheme for particularly vulnerable people?

**Ms Hargey:** The Member will know that I introduced an additional heating payment scheme last year, at a cost of £45 million, under the COVID recovery moneys. As people will know, the £20 increase in universal credit has been removed, which will amount to a reduction of almost £110 million. In the midst of that reduction, the Westminster Government, ahead of the Tory party conference, announced funding of £500 million, but that effectively amounts to a Barnett consequential here of only around £14 million towards cost-of-living difficulties. Of course I will make the bid. The full amount of that money should, I feel, come to my Department in order to alleviate pressures over the winter period.

We are in discussion with the Utility Regulator and with those in the sector who support families to look at what we can do this winter to create additional supports. That is on top of the discretionary support schemes, the affordable warmth scheme and other schemes that we have for fuel poverty. We want to look at more, however, because of the sharp increases in fuel costs, the reduction in universal credit and other pressures.

**Ms Armstrong:** Minister, I am glad to hear that you are working on that. Given the pressure on homes as a result of the financial crisis, are you

working with the community and voluntary sector to ensure that oil clubs, for instance, are promoted to winter fuel payment recipients or that the Consumer Council's price checker comparison information is available offline — for example, in libraries?

**Ms Hargey:** We have been doing good work with the community and voluntary sector throughout the pandemic, and we continue to do so. I established the emergencies leadership group, which involves the sectors at grassroots and regional levels across the North. We continue to meet to look at those issues.

The community support programme provides funding to local councils and supports the independent advice sector, particularly those bodies who deal with debt advice and assist people with financial difficulties. In the past week, I increased the funding for the community support programme by £3 million. As I said, I will be making the bid for the full £14 million once it has been confirmed. We have not received confirmation on the amount yet from Westminster, but once we have that, I will make that bid. I am trying to devise a scheme that will enable me to roll out that money as quickly as possible.

**Mr Allen:** Has the Minister given consideration to establishing a Department-led fuel poverty task force made up of sector experts who could assist the Department in developing solutions to support those who are in fuel poverty and prevent many more from falling into fuel poverty?

**Ms Hargey:** There is a lot of work being done at the moment. There will not be the creation of a task force, because we already have groups in place. Obviously, we have the anti-poverty strategy co-design group, which is developing the strategy. We are also looking at the gender strategy and the impact of fuel poverty on women and children in particular. We will look at the recommendations from those strategies, which will be presented to the Executive for endorsement and implementation. We are also renewing the fuel poverty strategy, so we are engaging with a lot of stakeholders and groups. Of course, we are waiting for the Department for the Economy to complete its energy strategy to ensure that our strategies align.

I am more than willing to engage, and my officials have ongoing engagement with key sectors to look at these issues and bring schemes and policies forward, and they will continue to do that. Of course, if there are other

suggestions or gaps are identified in that work, I am more than happy to look at them.

**Ms P Bradley:** Minister, the need for insulation in our homes has been discussed several times. Without the work being done so that our homes have the necessary insulation, it does not matter how much money we give in payments for heating. It is not going to make a button of difference when homes are cold and damp.

**Ms Hargey:** No, it will not. That is why the Housing Executive is running an insulation scheme for its properties. Members will also be aware, from the housing statement last year, of the huge financial challenges that impact on the Housing Executive and its ability to even maintain the properties that it has. You will know, from the report by an external assessor, that we could lose half of our housing stock unless that investment challenge is dealt with. I have taken that on and given a commitment to the Chamber to present recommendations on a way forward before the end of this mandate.

Work is under way to get the Housing Executive onto a sustainable footing. We have done part of that by getting a corporation tax exemption for the Housing Executive, which will mean a saving that we can reinvest directly into those properties. Over £57 million has been saved over the last couple of years because the Housing Executive did not have to pay corporation tax. The money saved will go directly into repairs and upgrading properties.

Of course, we need to do more. Last week, I launched my climate action plan for the Department, looking at the huge challenge of retrofitting, not just the 96,000-odd social housing properties but the 800,000 homes across the North. So, we need to look at schemes, and I need to work with my Executive colleagues, particularly the Minister for the Economy and the Minister of Agriculture, Environment and Rural Affairs. We have groups looking at these issues, and the big issue will be the resourcing of retrofitting.

We are also running some pilot schemes, funded by the European regional development fund, in north Belfast, where there is a whole-house approach to retrofitting properties with insulation and new windows and doors. We will be able to give more information on the outworkings of those schemes. I visited some recently in the Ardoyne area, and they are excellent. I will be able to provide the Chamber with an assessment of the effectiveness of those schemes once they have been in place for a few months, particularly over the winter.



## Social Housing: West Tyrone

2. **Mr T Buchanan** asked the Minister for Communities what steps she is taking to address the need for social housing in West Tyrone. (AQO 2552/17-22)

**Ms Hargey:** In West Tyrone, 1,809 applicants are on the waiting list for the allocation of a social home. Of those, 1,105 are deemed to be in housing stress. Although 219 homes have been allocated over the past year, I am acutely aware that there is a shortage in the supply of homes, which needs to be addressed. I have set out an ambitious, long-term plan to increase the supply of new social homes. However, those plans will take time to come to fruition. Whilst I share the concerns about the numbers on the waiting list for a home, the projected outcomes of my plans are about ensuring that the supply of social homes meets the increasing demand.

I am aware that the Housing Executive's current projected need for the West Tyrone area is 560 new social homes between now and 2025. The Housing Executive is committed to working with the housing association sector to bring forward new social housing proposals to address the identified need. I am pleased to advise that 179 new social housing units are under construction in the West Tyrone area. I am aware that several further schemes are being proposed, which, although subject to change, are planned to be delivered over the next few years.

**Mr T Buchanan:** I thank the Minister for her response. Minister, you spelt out the need for social housing that there really is in West Tyrone. Unless the Department is prepared to make that a priority over four, five or six years, it will be addressed only very slowly. Will you make it a priority to get social housing built and up and running in West Tyrone for the people who really need it?

**Ms Hargey:** It is a priority. The housing statement in November last year showed the crisis point that we are at with public housing. There are huge investment challenges for the Housing Executive in just maintaining the existing stock that we just talked about. It is also about giving the Housing Executive the ability to build homes again, along with housing associations. We are in the middle of that work. We are working through the options for revitalisation.

It is about unlocking the ability to build more homes and to be more ambitious with our programme. That will need an increase in

investment. I am glad that, this year, I got the biggest increase in social housing capital investment than was received in the previous six or seven years. We have increased money this year to build more homes, and we are on target to do that, but we need to do more, given that over 42,000 people are on the waiting list. We cannot deal with that unless we deal with the fundamental problems around the revitalisation of the Housing Executive. That is what we are doing. We put out a call for evidence recently on housing supply strategy, making sure that there is a future supply of homes and looking at rural issues, planning constraints and infrastructure. I am working with the Minister for Infrastructure and councils through their local development plans to address any public land in particular that is being prioritised. We will also look at longer-term infrastructural needs, such as waste water and sewerage infrastructure, and at making sure that plans in Infrastructure and my Department align in order to ensure that we build more homes.

I agree that the issue should be prioritised. I call on all parties in the Chamber today to support housing as a key outcome of the Programme for Government. I know that housing associations and the sector have called for that. I hope that all parties in the Chamber support me in that call to make it a reality.

**Mr Storey:** Minister, it is a pity that, when I was Minister in 2014 and 2015, your party did not have the same attitude to prioritising housing. Your party resisted changes to the financial arrangements that would have unlocked billions of pounds to invest in housing. Where did the Damascus road experience take place? Was it in Connolly House? Is it because there is an election pending and you now have to cover your tracks because nothing has been done to provide good-quality homes for the people of Northern Ireland?

**Ms Hargey:** I have been a housing activist and a community activist for my whole life. I have campaigned on the streets for houses. I have gone to court. I fought against the council on which I sat — Belfast City Council — for the rights of people to have a home in a development of six houses that it proposed. That is now the biggest inner-city housing development in Belfast in recent years, with almost 100 homes being built. I know the importance of building homes. My party has fought for housing for a long time, and we continue to be at the forefront of doing so. I do not need to be reminded of my activism or the need for support for social housing.

Changes need to be made, but it is about trying to keep as close as possible to what the Housing Executive was founded for over 50 years ago: to ensure that housing is made available on the basis of need and, so that there is no discrimination, equality. It was about a public body building public homes for the greater public good. That is where my focus will be in the time ahead. I have led on the biggest transformation of the Housing Executive since its foundation 50 years ago. I will bring those proposals before the Executive by the end of this mandate if people do not bring down the Executive before that.

**3.00 pm**

**Mr Storey:** No change then.

**Mr Deputy Speaker (Mr Beggs):** Order. If Members still wish to ask a question, I encourage them to continue to rise in their place to demonstrate that to me.

**Miss Reilly:** The Minister will know that one of the biggest challenges that workers and families face is getting the keys to a new home. As a new MLA for West Belfast, the delivery of modern and affordable homes is one of my priorities.

The Minister has been clear that an important part of her overall housing plans is the revitalisation of the Housing Executive. Can she tell us how that work is coming along?

**Ms Hargey:** That work is progressing. Last year, in my absence, Carál Ní Chuilín gave a housing statement when she was the Minister. That set out the future of the Housing Executive and the revitalisation agenda. I recently went out for a call for evidence on the housing supply strategy. I will go out to consultation on that draft strategy towards the end of this year. The strategy will look at issues such as infrastructure, planning conditions and working with councils. Initially, it will look at public land, but it will also look at other pieces of land to ensure that there is a supply of homes.

As I said, the revitalisation work is well under way. There is a joint programme board with officials from my Department and the Housing Executive. I meet the chair and chief executive of the Housing Executive monthly to oversee the progress of the plan, and I have regular meetings with my officials to discuss its implementation. I will bring proposals to the Executive on a way forward by the end of this financial year.

We are looking at an intermediate rent model. That is about looking at the diversity of housing that is available across the board and ensuring that we offer people more choice. Of course, we are also looking at homeownership initiatives and increasing shared ownership schemes. That is why I invested more in co-ownership this year. I want to develop schemes such as that to give people the opportunity to get their foot on the ladder and own their own homes and to make sure that that is affordable.

This work is ongoing. As I said, I will present proposals to the Executive before the end of this mandate. That will allow that vital work to be taken forward in the next mandate.

### **Holylands Strategic Partnership Group**

3. **Mr O'Toole** asked the Minister for Communities for an update on the work programme priorities of the strategic partnership group for the Holylands. (AQO 2553/17-22)

**Ms Hargey:** The strategic partnership group for the lower Ormeau and wider university area has met twice, on 26 July and 6 September, and agreed its terms of reference. The group is considering an intervention proposal that was tabled by Belfast City Council. That proposal sets out three main objectives to improve the area, with a focus on antisocial behaviour, community engagement and cohesion and environmental enhancement.

In considering that proposal, the strategic partnership is looking at shared objectives. I am working with partners, particularly the Infrastructure and Justice Ministers, who also sit on the strategic partnership group, to propose and agree a shared vision. That will inform the action that is required in the short, medium and long term, with a clear action plan being produced as soon as possible. A cornerstone of that work is consultation and engagement with residents. We hope to agree a way forward for those plans at our next meeting, which will take place before Halloween.

I completely understand the frustration of residents. I will continue to press for action on the ground that could make a difference to their lives. A few weeks ago, I visited the area in the early hours of the morning. When you visit, particularly at that time, you see at first hand the issues that are impacting on residents from all backgrounds and make-ups in that area. Those issues will require longer-term solutions.

There are no quick fixes to some of them, but we need to get an action plan that everybody can see and sign up to and that is driven at an Executive level. The longer-term solutions can only be worked in tandem with residents, landlords, agencies and central and local government stakeholders. I welcome the commitment from the Minister for Infrastructure and the Minister of Justice, as well as the PSNI and the universities —

**Mr Deputy Speaker (Mr Beggs):** The Minister's time is up.

**Ms Hargey:** — to work alongside me on that approach.

**Mr O'Toole:** The strategic partnership group was announced on 16 March, which, purely coincidentally, was the eve of St Patrick's Day. Six months on, as you have acknowledged, we do not yet have a clear work programme or set of strategic priorities. I agree with you that this is complex stuff, but I also agree with you that this is really serious for the residents, and it has gone far beyond simple horseplay or good times —

**Mr Deputy Speaker (Mr Beggs):** Will the Member come to his question?

**Mr O'Toole:** — for students. Will you look at the Private Tenancies Bill that you have before the Assembly to explore whether there are potential amendments to that Bill that could get to the heart of one of the core problems, which is the density and mismanagement of HMO properties in the Holylands?

**Ms Hargey:** I need to work collectively with my colleagues in Justice and Infrastructure on all those issues, and that is what I am doing. Belfast City Council has sent a proposal, and I met the chief executive of the council yesterday on that proposal. I will need agreement from my ministerial colleagues to bring that proposal forward and look at the resourcing around it. I think that that will make a difference. The fact that we have come together in a partnership across government to have a real focus on this has been a good thing, but I completely understand and agree that we need a clear action plan. Residents need to see action, and they need to know that, even if there is going to be legislative change, it may take a number of years, but at least they will see in black and white that action will be taken.

On the housing issue, we are going to take a particular look at the changes that we need to make, and we will need to look at the human

rights consequences of all that. We do not have time to do that within the existing Housing (Amendment) Bill, and I have already given my reasons for that. We want to look at things such as letting agents, the regulation and oversight of landlords and the density in the area. We will not have time to do it in the existing Bill because all that preparatory work needs to be done first, but we are starting that work through the strategic partnership group now, pulling in the key people to look at issues around housing, antisocial behaviour, cohesion and building a sense of community. Hopefully, over the next couple of months, we will be able to give more detail and flesh to the bones of that action plan.

**Ms Bradshaw:** I wonder about the chasm between the cost per week of student accommodation and the lovely new private accommodation that is coming up. The reason why a lot of kids are still there is because there is such a big difference in price. Have you spoken to Belfast City Council or any other providers around the redevelopment of brownfield sites, as we are seeing around Ulster University in the other part of Belfast? I think that that could be part of the difficulty in getting those kids into more secure accommodation.

**Ms Hargey:** One of the areas that we want to look at is a focused subgroup as part of the partnership group looking at housing more broadly in that area. That would include student housing. The universities manage and own some housing schemes that have come forward. A lot of other schemes are owned by private sector investors. There is obviously an issue. We do not know all the reasons for it, but there has been an increase in students going into purpose-built accommodation this year. That could be as a result of the pandemic and parents wanting them to be placed there, but it could also be an issue around affordability. We are going to scope out why that is not the first option for many of the students who then choose to live in the Holylands, so we want to do that assessment. We want to engage with students and their unions to look at those issues. Belfast City Council will be involved in that, along with the existing providers in Belfast that manage accommodation. That will be part of the work as we progress, as well as looking at any policy or legislative changes that would enhance that.

**Ms Brogan:** Will the Minister outline the role that Belfast City Council is playing in addressing the issues around the Holylands?

**Ms Hargey:** Obviously, the strategic partnership group will focus on the longer-term strategic issues. It will also be a mechanism by which council and the inter-agency group at local level can refer issues that they cannot resolve that may need finance, policy or legislative change. Belfast City Council's chief executive is a member of the strategic partnership group. They run a group at council level that looks at day-to-day operations for the Holylands and preparatory planning for key dates in the year, such as St Patrick's Day, freshers' week and Halloween. They coordinate that activity with other agencies to ensure that mitigations and plans are put in place. They have also led on such work as the Buchanan report, which was done to look at the longer-term strategic impact, and, of course, have a role in community planning now as well.

We work closely with Belfast City Council. It is a key partner on the strategic partnership group. It will continue to do the day-to-day operations for the Holylands and lower Ormeau Road area, and will start to then feed up the more strategic difficulties or challenges to the strategic partnership group for us to look at the longer-term issues.

## **PIP: Application and Award Timescale**

4. **Mr Clarke** asked the Minister for Communities what is the average timescale from receipt of application to a decision for personal independence payments (PIP). (AQO 2554/17-22)

**Ms Hargey:** The most recently published PIP statistics, which cover the period from June 2016 to the end of May 2021, show that the average timescale from claim registration until a decision is made is 13 weeks. The average time reported is calculated from the point of the initial claim registration, and includes the time that is taken for the claimant to return the PIP form issued following registration, the assessment process and the decision by the Department. Depending on the circumstances, some claims are processed significantly quicker than that, such as in cases where the special rules for terminally ill people apply, where the clearance time is two weeks. All processes are kept under constant review.

**Mr Clarke:** The Minister will accept that the organisation that runs PIP has come under much public criticism about the timings and, indeed, how it has treated some people. She referred to the 13 weeks in her statistics. Although my question did not refer to appeals,

the Minister will probably know from her briefing that appeals run into many months. Given that many of those people are in a vulnerable state and depend on that income, what is the Minister doing to try to address that and reduce the time that those people have to wait to get their payments?

**Ms Hargey:** The 13 weeks relates to the process of applying for PIP, and all that. My answer did not deal with appeals. If we took your question up wrongly, we will clarify that. We have had the NIPSO report and others that have been done around the whole PIP process. I am working on the implementation of the recommendations that came out of that. From August 2021, I have taken the audit function of PIP back in-house to really look at how we manage the contract around it. I have made a policy decision to bring all PIP assessments in-house. However, again, I need Executive approval for the financial uplift that I would need to do that.

A big reason for delay is the availability of health evidence on somebody's condition. In the longer term, we are trying to work with the Department of Health. We have looked at the Scottish model and others where they have a new approach that is based on health trusts; it is trusts that carry out initial assessments. That information would then be fed directly into the Department through a data-sharing process. We are beginning to look at that. However, because of the pandemic, there have, obviously, been delays in trying to bring that forward in Health. That work will continue in the time ahead. We will continue to keep that under review and make changes where we can. The longer-term objective is to bring those assessments back in-house and to end the privatisation of assessments.

**Mr Newton:** The Minister is well aware that many people have made an application, been turned down on the scoring system and have then made an appeal.

Many who have physical injuries or mental health issues are in dire circumstances, and they have had no indication from the Department —

**Mr Deputy Speaker (Mr Beggs):** Will the Member come to a question? We are running out of time.

**Mr Newton:** — of when their appeal will be heard. There is a dire lack of communication between the appeals service and —

**Mr Deputy Speaker (Mr Beggs):** Will the Member come to a question?

**Mr Newton:** — the appellant.

**3.15 pm**

**Ms Hargey:** There has been a backlog of appeals. Not all of that is owing to the pandemic, but a lot of it has been, because face-to-face assessments and appeals stopped, and they are only gradually reopening. We are trying to put additional resources into dealing with the backlog, but, fundamentally, the longer-term issue with appeals and assessments is the real-time availability of medical evidence. When you look at appeals, you see that decisions are overturned at a high rate, with mandatory reconsideration and then an appeal. That is because new medical evidence is presented at that stage. We need to find a way of front-loading that in the system so that there is no need to go to appeal. Once it gets to that late point, the system has already failed in some way.

We are looking at an in-house model. That is the best way to go forward. We are also working with the Department of Health. That is where the health professionals are, particularly the consultants and doctors who treat people with those conditions. The more quickly we can get access to people's medical files from their health professionals, the more quickly we can make an assessment and a decision. We are trying to move to that model. Health, of course, has to do a piece of work, and one of its big challenges is condensing all the Health and Social Care systems in one database or on one platform. That will take a while, but we continue to work with the Health Minister to bring that forward as quickly as possible.

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

## Social Housing

T1. **Ms P Bradley** asked the Minister for Communities whether, given the extra £15 million due to the increased costs for new housing, which the Minister mentioned and which was in a statement, any extra money has been put into the existing housing stock, as one of her constituents has been waiting since May to get the keys for something she had agreed to and has now been told that it will be after Christmas before she can move in. (AQT 1661/17-22)

**Ms Hargey:** Additional money was put into the Housing Executive budget and reserves in-year. I do not have all the details and figures with me. Changes are also being made in respect of corporation tax, and that money will be clawed back and put directly into the Housing Executive. Some of the delays are because of contractual issues in procurement, and those have had a knock-on effect. From a departmental point of view, the Housing Executive has had an increase in its budget: it is allowed to put the money that is going into its reserves directly into the maintenance of properties. I will send the exact figures to the Member.

**Ms P Bradley:** I thank the Minister for her answer. When we talk about health, we often hear about a postcode lottery, but we also have a postcode lottery in housing. I recently received figures for north Belfast. There are figures for "Belfast" and for "Newtownabbey 1", and people who live in Newtownabbey 1 wait twice as long for anything to do with rehousing. What can the Minister do to address the disparity not only across the country but within one constituency where housing can be so very different?

**Ms Hargey:** First, the big issue is the supply of housing and making sure that we have a supply chain. We are looking at that in the housing strategy. There is another issue, and, when I came into the Department and looked at the housing development programme, I saw north Belfast as being a prime example of it: north Belfast is the area with the highest number of people on the list waiting for a home; but, when you look at the housing development programme, you see that areas with half the need got double the number of homes built in them.

Some would say that places such as north Belfast had issues with the availability of land, infrastructure and planning, but that is not good enough. One of the issues that I am looking at, which was listed in the housing statement, is reintroducing ring-fencing. That means looking at the housing development programme and ring-fencing the areas of highest need, including north Belfast, Foyle and west Belfast, to see whether we can have a focused, targeted piece of work in those areas. We want to increase the supply of homes across the board as well.

We also need to look at the housing sale schemes. Every year, on average, for every 1,800 homes that we build, we lose almost 500 through the right-to-buy scheme. I want to go out to consultation about that, and I am waiting

for Executive approval to do that. I want to know what public opinion is on these areas. We need to look at bringing forward a number of the factors that were addressed in the housing statement: ring-fencing; the housing supply strategy, which we will consult on later this year; and the need to be more ambitious through increased capital investment in order to build more social housing in the time ahead.

### **Social Housing: Investment**

T2. **Mr Boylan** asked the Minister for Communities, after welcoming the recent announcement of funding to ensure stability in the social housing sector, whether she can outline the benefits arising from that investment. (AQT 1662/17-22)

**Ms Hargey:** That investment is crucial. We have had a lot of engagement with contractors, social housing associations and the Housing Executive on the increasing costs. It is no secret that that is affecting all capital programmes across the board. The huge increase in the cost of materials after a contract is given has been a challenge. We wanted to meet that challenge to ensure that the housing programme can still go ahead and that we can deliver on target. That funding is vital and has been broadly welcomed by the sector. I know that it followed a similar announcement by the Finance Minister on investments in capital infrastructure and de-risking those investments. Obviously, housing is a priority, so I am glad that we were able to create that fund to allow those contracted works to continue.

**Mr Boylan:** I thank the Minister for her intervention on the issue. Given the volatile cost of building materials, it is important that we keep building houses where they are needed. Can she give us an update on her overall housing plan?

**Ms Hargey:** I covered some of that in a previous answer. We will look to introduce ring-fencing again to the social housing development programme; to focus on building more homes in those areas of highest need; and to deal with the Housing Executive's investment challenge. It is critical that we get the Housing Executive building again as soon as possible, as well as investing in its existing stock. We do not want to run the risk of it losing half of that stock because we did not deal with the challenge.

This year, I got increased capital budget investment from the Executive for more social homes. Alongside the housing supply strategy,

which will look at the needs and start to determine how many homes we need to build over the next decade, there will have to be a commitment to provide an increased capital programme in order to match that need. I will raise the issue of the budget for that with Executive colleagues.

### **Housing Executive: Workforce**

T3. **Mr T Buchanan** asked the Minister for Communities to inform the House of the steps that she is taking to address the gross disparity in the community make-up of the Housing Executive workforce in the offices in the western area, with particular reference to the offices in Enniskillen, Omagh and Londonderry. (AQT 1663/17-22)

**Ms Hargey:** I am not sure what you are referring to. When you say "make-up", do you mean people's background, or what? The Housing Executive, like any public authority, works to equality regulations and guidelines in its recruitment policies. We ensure that it adheres strongly to those. We have ongoing engagement with the Equality Commission and the Human Rights Commission. If you want to talk about something more specific that I am not aware of, I am more than happy to address that directly with you.

**Mr T Buchanan:** I will certainly write to the Minister on the issue. I have been pressing the Housing Executive's chief executive for a number of years on the religious disparity in the workforce, especially in the grants offices in those three areas. Rather than getting better, it has got worse as the years have gone by. In light of that, does the Minister agree that, in the western area, the Housing Executive is no longer an equal opportunities employer?

**Ms Hargey:** The Housing Executive is an equal opportunities employer. It has excelled in the job of recruitment. It adheres to the law on recruitment matters. If there is a particular issue that you need to address with me, that is fine. Staff in all our offices are there to deliver a public service — delivering houses — for everybody, no matter from which background or walk of life they come. That is the commitment and the ethos of the Housing Executive and why it was established: to ensure that there was not discrimination in housing and to take the politics out of housing. I will defend the Housing Executive in that regard in the time ahead. If you have specifics, then get in touch and we will come back to you directly.

## Social Housing: Points Allocation System

T4. **Ms Bunting** asked the Minister for Communities for an update on the review of the housing points allocation system. (AQT 1664/17-22)

**Ms Hargey:** A consultation and a review were carried out into the points system, and 18 of the review's recommendations were agreed to and brought forward. Work is ongoing with the Housing Executive on the implementation of those recommendations. There are systems, including IT systems and all of that, that need to change. That implementation work will be done over the next two to three years, and the first phase should be completed by March 2022. As I say, it will take a further two years after that to complete all of the work. That will ensure that we can fully implement the 18 recommendations.

The other two outstanding recommendations that have not been brought forward at this time deal with, for example, intimidation points. Some concerns were raised about the recommendations that were being proposed, particularly around domestic and gender-based violence. We have asked the Housing Executive to reassess that and to engage on it. I am waiting for options and proposals to come back to me for my consideration. We will be able to update the House further once we have that information back.

**Ms Bunting:** I thank the Minister for that information. I accept what she is saying about the intimidation points; it is a very difficult area. Without question, however, there are people who abuse that system. What does she intend to do to put a stop to people abusing the system in circumstances where they claim that they are being intimidated?

**Ms Hargey:** The big thing is that a lot of people who have been intimidated feel that we should not be taking away the right to claim points for intimidation because they are going through that traumatic experience. Unfortunately, intimidation happens; it should not, but it does. We still need to look at what provision we can make, and we are looking at other options at the moment, outside of the recommendation to just remove the points. We know that organisations, particularly in the women's sector, raised concerns that domestic violence was not being considered. They feel that it should be, and I agree with that.

We also need to look at the robustness of the evidence and the information, and we need to make sure that there is greater oversight of that. That is part of the scoping work that the Housing Executive is doing as well. I am more than happy for the Member to engage with my officials directly on that matter. Once I come forward with recommendations, I will be happy to communicate them directly to the Member and the Assembly.

## Universal Credit

T5. **Ms S Bradley** asked the Minister for Communities, who will be aware that the cost of living is rising dramatically and that those living on universal credit are being forced into hardship, whether she can give an update on the £20 that was taken off UC recipients and describe the mechanism that will be used to give the money back to those recipients. (AQT 1665/17-22)

**Ms Hargey:** The Tory cut to the universal credit uplift is disgraceful, particularly in the midst of a pandemic and as we enter into the winter months as well. When the money was given, there was already recognition that the basic rate was not enough. I believe that the Tories are ideologically wedded to eroding the welfare state as it exists. That said, I am glad that I got support from all Executive Ministers and all parties around the table in lobbying and writing to the British Government. I also worked with my counterparts in Scotland and Wales, calling for the uplift to be retained. Almost £110 million pounds will come out of the local economy here and out of people's pockets. That will increase to almost £200 million if you consider all the legacy benefits that would, eventually, transfer to universal credit.

A huge amount of money will be lost, which will obviously put people into greater hardship at a time of increased fuel costs, the rising cost of living, as you say, issues pertaining to Brexit and the winter months.

### 3.30 pm

We are continuing to lobby for it to be reinstated. I made a bid in the monitoring round, but I was also clear that you cannot cover it for just six months. You cannot just provide it until March and create another deadline. If you are going to cover it, you need to look at resourcing it going into the next financial year and beyond. To do that will take a huge commitment. Almost £200 million will need to be found from existing budgets. That will be part of the conversation.

The focus at the minute is, rightly, on the British Government. They removed it, and they dictate the finances for it. We are continuing to apply pressure, and, in the intervening period, we will continue to try to support people.

**Mr Deputy Speaker (Mr Beggs):** The Minister's two minutes are up.

**Ms Hargey:** We have the discretionary fund and all that and, indeed, the debt advisers who can give advice and support.

**Ms S Bradley:** Minister, you have given back to me what I put to you in the question. Ultimately, I am trying to ask: have you established a mechanism for paying that money? My SDLP colleagues have been calling for that for months, and I am yet to hear what actual mechanism will be put in place to make payments to those recipients. Has that happened or has it not?

**Ms Hargey:** We would need to build a new system, because the payments are made by Westminster. They are paid by the Department for Work and Pensions. We do not have the IT system to do it here. If we wanted to build our own IT system for social security, over £1 billion would have to be invested. We have built extra systems for the mitigations that we pay here that other parts of Britain do not get, but that is at a cost. To build an additional system would cost over £7 million, and, to do that, I need the agreement and approval of the Executive. There is no point in me building a system unless I get the approval to continue the payment. We are looking at plans to do that, but I have to get that approval in order to know that the finance will be there to make the payments.

**Mr Deputy Speaker (Mr Beggs):** That ends the period for questions to Ministers. I ask Members to take their ease for a few moments before we return to the debate on the stability of the institutions.

## Private Members' Business

### Stability of the Institutions and Referral to the Assembly and Executive Review Committee

*Debate resumed on amendments to motion:*

*That this Assembly affirms the importance of the stability of these institutions in order to deliver for the people of Northern Ireland; refers to the Assembly and Executive Review Committee under Standing Order 59(3)(b) consideration of the matter of replacing the current cross-community voting system, which is based on community designations, with a weighted majority system free from designations, to be used in place of cross-community voting in the circumstances specified in the Northern Ireland Act 1998 or when a reformed petition of concern is invoked; and agrees that the Committee should report on the outcome of this consideration to the Assembly before the end of this mandate. — [Ms Armstrong.]*

*Which amendments were:*

*No 1: Leave out all after "Northern Ireland;" and insert:*

*"recognises the growing numbers of people in our community who do not primarily identify as unionist or nationalist; acknowledges that the votes of those they elect are not currently treated equally within these institutions; further acknowledges that the system of designations perpetuates division, inequality, and instability; welcomes work initiated by the Assembly and Executive Review Committee to consider the matter of replacing the current cross-community voting system, which is based on community designations, with a weighted majority system free from designations, to be used in place of cross-community voting in the circumstances specified in the Northern Ireland Act 1998 or when a reformed petition of concern is invoked; calls on the Committee to report on the outcome of this consideration to the Assembly before the end of this mandate; and further calls on the UK Government to legislate to make provision for such alternative arrangements at the earliest opportunity." — [Ms Armstrong.]*

*No 2: Leave out all after "Northern Ireland;" and insert:*

*"notes the strong case for reviewing and supplementing designation-related voting, elections and appointments in the Northern*



*Ireland Assembly with additional measures commensurate with wide community support; refers to the Assembly and Executive Review Committee under Standing Order 59(3)(b) consideration of additional voting procedures that maintain the integrity of the Good Friday Agreement while establishing options for weighted majority voting beyond designations; further refers for consideration the restoration of joint election of the First Minister and deputy First Minister in line with the Good Friday Agreement; and agrees that the Committee should report on the outcome of this consideration to the Assembly before the end of this mandate." — [Mr McGrath.]*

**Mr O'Dowd:** Before I make my substantive remarks, I will let the House know that Sinn Féin will abstain on the two amendments and on the substantive motion.

Our party is up for dialogue about the institutions, about how things work and about some of the points that Kellie Armstrong raised on how her mandate is recognised. All that has to take place in an atmosphere where there is equality of opportunity for all in the Chamber and where previous long-standing agreements are honoured by all in the Chamber.

Looking at the political atmosphere in which we are currently working, our party has serious concerns about the trajectory and attitude of the two main unionist parties in particular — the Democratic Unionist Party and the Ulster Unionist Party — and about their views on sharing power with their nationalist and republican neighbours. That is the context in which any discussion or negotiation will take place. We do not want to give anyone the impression that we will allow our electorate to be discriminated against.

I heard Kellie's comments about the mandate of the Alliance Party, the Greens, People Before Profit and others, and how that is counted. I am deeply proud to be a nationalist and republican. I see it as a political philosophy that is forward thinking and inclusive, and that is about the future while conscious of the past. We want to see, in the Chamber and Executive, a working power-sharing institution that represents all the citizens of this part of the island.

As I have said in the Chamber before, I am proud to say that I share power with my Protestant, unionist, loyalist — and whatever other descriptions are out there — neighbours. When I was in the Executive, there were two Alliance Ministers. I am proud to say that I was in an Executive that had representation from all the major parties at that time. When we reach a

stage where somebody on the Benches opposite can stand and say, "I am proud to say that I share power with Sinn Féin, the SDLP, the Alliance Party or whoever else gets a mandate to be in the Executive", society will have taken a huge step forward. A huge step forward.

**Mr Humphrey:** I thank the Member for giving way. It is interesting that he talks about how he is proud to be a republican and that that is the way forward. The previous Member from his party to speak said that republicans have a progressive agenda. Do you understand how people on this side of the House, and the people whom we represent, feel when your progressive agenda includes your party promoting and glorifying terrorists and terrorism?

**Mr Deputy Speaker (Mr Beggs):** The Member will have an extra minute.

**Mr O'Dowd:** Power-sharing includes our having different understandings of the past. My experience of the British Army, the RUC, the UDR, and all that other paraphernalia that went around this state, is different from yours, but I accept that you have a right to honour that. You have a right to remember the past from your perspective. I thought that you were going to stand up and completely shock me by saying that your party is proud to share power with republicans, the SDLP and Alliance, but you did not.

**Ms Armstrong:** [*Inaudible.*]

**Mr O'Dowd:** Sorry, Kellie. Do you want to intervene?

**Ms Armstrong:** Yes. I would just like to say that this is exactly why this is happening. I respect all your political opinions. Why am I still a second-class citizen in cross-community voting in the House? Why can we not have equality?

**Mr O'Dowd:** Kellie, we must get to a position where we have equality. However, the Good Friday Agreement, at that point in time, was about bringing to an end a conflict between the two main traditions on the island, nationalism and unionism. You can shake your head all you want, but that is what the conflict was. Have things evolved? Are we in an Ireland of transition? Yes, without a doubt. We are in an Ireland of transition where there are many different views. That makes this a much richer place, and it makes the Assembly richer and

more diverse. That has to be recognised as we go into the future.

You must also recognise that we currently have the Democratic Unionist Party and the Ulster Unionist Party refusing to say whether, under the current agreement, if Sinn Féin were the largest party after the next election, they would nominate a deputy First Minister. They cannot say it. How can we move forward and change in that circumstance? Let me make this clear: if Sinn Féin is the largest party after the next election, we will nominate Michelle O'Neill as First Minister. If Sinn Féin is the second-largest party, we will nominate Michelle O'Neill as deputy First Minister, regardless of who is the largest party. If we do not have enough votes to take seats in the Executive, we will be in the Chamber, operating the structures of the Good Friday Agreement and seeking change. Kellie has talked about her mandate. We will not allow anybody to treat our electorate as second-class citizens.

The question for the future is: how do we ensure that no one in the Chamber feels that they are being treated as a second-class citizen. Until that equation is made —

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

**Mr O'Dowd:** — it will be difficult to progress from where we are now.

**Mrs D Kelly:** I will speak on behalf of the SDLP amendment, but I acknowledge the Alliance Party's amendment to its own motion, which goes some way to addressing many of our concerns. Many Members have already acknowledged that review provisions were, in fact, deliberately written into the agreement, both in overall terms and in relation to specific institutions or strands. The SDLP, during those negotiations and publicly during the 1998 referendum campaign, recognised that the provisions on designation and cross-community voting should and would be subject to review. We said then that we hoped that some of the necessary checks and balances might be biodegradable so that, as the environment changed, we could see agreement to have less reliance on what would be seen as more artificial containment of democratic decisions. The abuse of the petition of concern, which was never properly legislated for or operated as per the Good Friday Agreement's actual terms, and other examples have led to wider questions about the efficacy, appropriateness or, indeed, extent of cross-community voting thresholds or

even the system of designation on which these are counted.

As I have said, the SDLP is open to a review. Indeed, at Westminster, our MPs have tabled an amendment to what is known as the NDNA legislation. It was supported by the Alliance Party MP, Stephen Farry, and we are open to joint election being endorsed by one or more of parallel consent or qualified weighted majority — for example, 60% of those present and voting or two thirds of MLAs. If the Alliance Party can support that amendment to the British Government's legislation, I cannot understand why it cannot support that as a recommendation to the AER Committee, as outlined in our amendment.

Cross-community voting did not come out of nowhere. It came about as a result of intensive negotiations after a period of misrule by one party. The intention in the Good Friday Agreement was not only to prevent that from happening but to enshrine the rights of minorities, both now and into the future, whatever shape the jurisdiction —

**Ms Armstrong:** Will the Member give way?

**Mrs D Kelly:** OK.

**Ms Armstrong:** Can the Member confirm how she feels that cross-community voting that does not count my vote in the same way is protecting me as a minority in the House?

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

**Mrs D Kelly:** I want to move on to the Alliance Party's portrayal of itself as somehow being lesser citizens. In actual fact, Mr Deputy Speaker, you will recall that Mr O'Dowd did not respect our mandate when he said on 'The View' a number of years ago that the other parties did not matter outside of the two big parties, Sinn Féin and the DUP.

**Mr O'Dowd:** *[Interruption.]*

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

**Mr O'Dowd:** Will the Member take an intervention?

**Mrs D Kelly:** No, I will not take an intervention. That is a matter of record. He said that nobody else's mandate mattered but Sinn Féin and the

DUP's. As for the Alliance Party, it was happy —.

**Mr O'Dowd:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker (Mr Beggs):** I hope that it is a point of order.

**Mr O'Dowd:** It is a point of order. Is it in order for the House to be misled by the Member by statements that are not factual?

**Mr Deputy Speaker (Mr Beggs):** I have no way of knowing whether it is factual or not. Your point has been recorded in Hansard.

**Mrs D Kelly:** It is recorded on iPlayer and YouTube. I might be paraphrasing, but that was the gist of what Mr O'Dowd said. People were shocked that night, and there was quite a lot of response on social media to that.

I want to go back to Ms Armstrong's portrayal of the Alliance Party as being somehow less. Our mandate has been disrespected, and I think that the mandate of a lot of parties has been disrespected by the power struggle between Sinn Féin and the DUP, who look only to their own constituencies and not to the greater good. Of course, that was what the Good Friday Agreement was all about: we would end the tribalism and work together collaboratively for the common good. Seamus Mallon described what happened at St Andrews as the Balkanisation of the North, and we have seen that subsequently. Going back, the Alliance Party was happy to take the Justice Ministry when, arguably, the SDLP was entitled to a second Ministry at that time. I remember saying to the late Martin McGuinness that no nationalist need apply, and that still prevails in relation to the appointment of the Justice Minister.

Over recent years, the mandate of the Alliance Party has counted for much more than that of many other parties in the House. That is a matter of record.

### 3.45 pm

I move now to the race to be First Minister. We all know that it is a joint office with equal standing. One cannot move without the other, which, of course, is why there is such paralysis around the Executive table these days and no business coming to the Business Committee. There is paralysis and a mutual veto that Sinn Féin conceded to the DUP at St Andrews to

spare its blushes when going through the Lobby to vote for Martin McGuinness as deputy First Minister. Now, it has come back to bite the DUP, and it has done so quickly. The SDLP is up for a review.

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw her remarks to a close?

**Mrs D Kelly:** We are up for a review that is in the best interests of all and for having collaboration across Departments that is in the best interests of all.

**Mr Blair:** I support the Alliance Party motion and the Alliance Party amendment.

Recent elections have clearly demonstrated a heightened interest in a united community where everyone in Northern Ireland is treated equally, but the Assembly continues to represent institutionalised division through its binary and outdated designation system. Recent elections have also shown a significant increase in votes for parties whose members do not designate as unionist or nationalist. The 2017 election returned 11 such MLAs of the 90. That is factual.

**Mr Humphrey:** I am grateful to the Member for giving way. Will he clarify the Alliance Party's position? Its Members here designate as not being unionist or nationalist, but some members of his party have indicated, including recently in the media, that they would support a united Ireland. Some of them might even be close to where he is sitting.

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

**Mr Blair:** I can clarify my position. I have been asked many times over the years whether I am a unionist Alliance Party member or a nationalist Alliance Party member. The answer — clearly, firmly and proudly — is neither. That is the case today, and it will be the case going forward.

It is undemocratic that an effective veto power should continue for some parties — only some parties — in these circumstances. However, simply removing the petition of concern, for example, does not address the other issues, with the votes of unionists and nationalists counting twice while others count only once. That is why there needs to be a major reform of the voting system in the Assembly. It is untenable to persist with a mechanism that discriminates against up to 25% of voters. While it is tempting to consider minor tweaks,

which, by the way, also require a majority of others, it does not make an unfair system fairer. The obvious solution for mathematical simplicity and in the interests of fairness is to remove designations and require key votes in the Assembly to be passed by other means, perhaps a simple weighted majority of two thirds initially that could be reduced to 60% over time. There are alternatives. These are matters for proper and further discussion and subsequent agreement. Given the relative strengths of unionism, nationalism and others, it would ensure that key votes had a de facto cross-community majority while removing the veto from any single party.

I am hopeful that the work of the AERC, which was referenced by Mr McHugh, to commence and bring forward reports will progress at pace and that those reports can be made available to us as soon as possible. It would improve governance in Northern Ireland if those changes were made, and it would help us to steer away from recurring stalemate and stand-off. If we are serious about increasing participation in politics by those from a wider range of backgrounds, including those currently underrepresented, and about making local politics more diverse, we must stop treating those who are not traditional unionists or nationalists as second-class citizens without equal voice or equal vote. The reform of the institutions is a vital part of that. Recently, some have talked about taking themselves and us back to 1998. That will not work either, given how, at the start of the lifetime of the Assembly, others were forgotten about then also. If truth be told, the Assembly, in its early days, was not without times of deadlock. That is no longer acceptable. Until the designations are removed and our votes are counted equally, parties such as Alliance will continue to be disadvantaged, and so will the people of Northern Ireland who choose to vote for us.

**Mr Allister:** In opening the debate, Mrs Armstrong made a number of powerful points that would be hard to refute. She has a legitimate grievance about the fact that her designation is less equal than others. She is right when she says that the system perpetuates division. That, of course, is the outworking of the Belfast Agreement, for which the Alliance Party was a cheerleader. Whereas Mrs Armstrong said that mandatory coalition does not work, the sad thing about her motion and amendment is that they utterly avoid that issue. The gaping void in the motion and the amendment is any reference to mandatory coalition, a system that is inherently and congenitally incapable of working because it is based on a number of unworkable premises,

one of which is that you do not have to be agreed about anything in order to be in government. Hence it is no surprise that, in government, we see the dysfunctionality, the disagreement and the shambles that characterise these institutions.

Of course, the other fatal flaw in mandatory coalition is that it denies the electorate its most fundamental right: the right to change its Government. Yesterday, I quoted the late Tony Benn and his five democratic questions, the fifth of which was:

*"How do we get rid of you?"*

If you cannot get rid of the people who govern you, you do not live in a democratic system. That is the very essence of mandatory coalition: provided a party continues to hold a handful of Assembly seats, it is guaranteed, as of right, a place in government. The right to vote a party out of government is removed from the electorate. Across the world, people go to the polls more often than not inspired by the determination to vote a party out. In this country, we are denied that basic democratic right because of the iniquity of mandatory coalition. There will never be stability or a working system of government in these institutions as long as there is mandatory coalition, because it disincentivises the need to agree about anything. It fundamentally denies the electorate the right that should be the most cherished: the right to change its Government. You all sit here cocooned in the knowledge that, no matter how big a hames you make of government, provided you hang on to a handful of seats, you cannot be removed. What sort of farcical system is that?

Then we are surprised when some come to the House and weep crocodile tears about it not working, its dysfunctionality and the fact that it is falling apart. Of course it will fall apart; it is incapable of holding together. The only glue that holds it together is the self-interest of being in government in the sure and certain knowledge that you can never not be in government. If you build into that farce the fact that you can only have a Government if, at their top and heart, you have a party that does not even want Northern Ireland to exist, you arrive at the ultimate farce of why this system of government can never work, will never work, cannot bring good government and will continue to bring the dysfunctionality that is a shame on the system.

**Mr Carroll:** I support the Alliance motion and amendment.

It is clear that change is urgently required in this arena. We will support a report being completed that would initiate that process, not least because of the misuse of the petition of concern to intervene in legislation that does not target one community or the other but targets all communities, issues such as welfare reform and marriage equality, to name but two.

I probably have different policies, politics and views from the supporters of the motion about the record or ability of these institutions to deliver for the people here. Obviously, I am not part of the Executive. The Executive have not done anything near enough to deliver for people generally. I do not adhere to the school of thought that we must save the Executive at all costs, especially when it involves continuing to attack working-class people and minorities. The record of the Executive and therefore these institutions is not great, to put it mildly. Time and again they have been part of the problem in implementing austerity, enshrining inequality and, indeed, entrenching division.

While I might differ on politics from the proposer of the motion, I can certainly get behind its action points. They aim to alleviate the entrenched sectarianism that exists in the Chamber, where socialist, oppositional and minority voices such as mine are constantly squeezed out and forced to the sidelines because of the communalisation of politics in debates where my vote and those of others literally do not count. The enshrined communalisation of politics perpetuated by these institutions has helped to create a situation where sectarianism thrives and re-emerges in a context of —

**Mr O'Dowd:** Will the Member give way?

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

**Mr O'Dowd:** Is it not lazy rhetoric, in some ways, to refer to sectarianism in the Chamber? Do you honestly believe that the thousands of neighbours you have in west Belfast who vote Sinn Féin are sectarian?

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

**Mr Carroll:** I did not say that, so I do not know where the Member is getting that. The point that I am making to the Member, which he cannot answer, is this: why do my vote and the votes of the people who elect me, the Alliance Party, the Greens and others not matter in debates in the Chamber? He cannot answer that question, so

that is the question I would put back to him. Clearly, he has no answer to it.

**Mr O'Dowd:** [*Inaudible.*]

**Mr Carroll:** No, I have given way.

With regard to inequality, there are now more peace walls separating working-class areas than when the agreement was signed in 1998. The development of class politics based on unity as opposed to division is constantly undermined by communal competition. It is ironic as well as farcical to think that a mechanism such as the petition of concern, which was apparently set up to prevent sectarianism discrimination, has in reality helped to entrench sectarianism and discrimination. Worse still, perhaps, is the way in which that mechanism has been used to block progress on issues of rights and well-being for people from all communities. Clearly, that is wrong. There are many examples of that, and it adds insult to injury that votes on those issues were not considered from parties that do not designate as "nationalist" or "unionist" — a point to be emphasised for Mr O'Dowd. That is inherently undemocratic. The reality, however, is that that mechanism does not prevent sectarianism discrimination; it entrenches it. I do not know where else in the world only people with a certain political designation would be allowed to have a vote on LGBTQ+ rights or austerity cuts. In that sense, people from all communities have been let down.

I reiterate the view that tinkering with voting systems will not bring stability to this place. The petition of concern has not been used since the Executive reformed in 2020, yet levels of political stability are on the floor, with daily threats to bring the institutions down. There was dog-whistle support for mobilisations on the streets that led to riots, with some in the highest offices giving them a nod and a wink.

What we really need is a new kind of politics, one that rejects the communal and sectarian framework and tries to reach out across the divide on the basis of unity. We need a vision based on unity — fighting not one another but to challenge poverty, inequality and marginalisation — unity over division in order to build a better society for people, their health and our planet. That is what I am up for in the period ahead.

I want to talk briefly about the hypocrisy of those who are waging a somewhat pathetic fight over the First Minister position. The truth is that the First Minister and deputy First Minister positions have no real legal difference. The

DUP has been happy to share power with Sinn Féin for years while implementing austerity with them as partners in government. Now, however, faced with a sustained crisis in unionism, they revert to what they know best: beating the communal drum and heightening tensions. They have been doing it for months, and much of the commentary from the DUP and some in the UUP about the First Minister position is simply another example of the chronic opportunism and insecurity that is a result of the crisis facing unionism.

Working-class people on the Shankill Road, in Tiger's Bay and in every other working-class area in our constituencies deserve much better.

**4.00 pm**

**Mr Deputy Speaker (Mr Beggs):** I call on Mr Mark Durkan to make a winding-up speech on amendment No 2. You have up to five minutes.

**Mr Durkan:** We live in a place, whatever people choose to call it, that has transformed over the last two decades, but that transformation is nowhere near to the extent that it is not recognisable. There is much that remains unchanged. Our institutional arrangements were designed to facilitate peace. They brought our citizens some semblance of stability after decades of bloodshed. As part of a carefully sculpted framework, they recognised the need to incentivise cooperation and accountability. That said, the arrangements were not and, certainly now, are not without imperfection.

In the negotiations and publicly during the 1998 referendum campaign, the SDLP recognised that the provisions on designation and cross-community voting should and would be subject to review. Flexibilities were deliberately written in, and those solutions were never meant to be permanent. However, while it may be premature to deviate from that framework just now, it is important that we discuss the stability or, rather, the instability of the institutions and strive to improve.

Ms Armstrong conveyed her and her party's frustration at being less equal than others in here. I understand her and anyone's desire to challenge and want to change that. However, I saw a wee tweet from Alliance members doing the rounds earlier that suggested that, far from being displeased or dissatisfied about the politics of us-uns and them-uns, they are almost trying to create a new us-uns and them-uns, where all of us-uns are those with any view on

the constitutional question, regardless of what that view is.

**Ms Armstrong:** Will the Member give way?

**Mr Durkan:** Certainly.

**Ms Armstrong:** When the Member says that there are us-uns and them-uns and portrays Alliance as being on the outside, we are on the outside, because we do not have the same vote as you. I am a lesser person, and my vote counts for less when a cross-community vote happens here. Is that not correct?

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

**Mr Durkan:** As the Member acknowledged in the amendment to her own motion, work is being done on that by the AERC. It has been accepted and is viewed as needing to be changed. I have accepted it. I stated clearly today that you are right to challenge it, and we need to change it.

**Ms Armstrong:** [*Inaudible.*]

**Mr Durkan:** No, I think that Alliance in particular is content to play the role of victim and has done so with aplomb, so I congratulate the Member on that.

In relation to the SDLP amendment, the civil rights movement challenged one-party rule or misrule that was compounded by a loaded voting system that denied due representation to others. Yet the outworkings of the St Andrews Agreement results in leadership that, arguably, is not truly representative of those in the Chamber, never mind the wider population, and it presents a thread of instability that hangs like the sword of Damocles over not just us but all.

We now know that unequal power can be granted to one party, selected by the St Andrews Agreement algorithm, to freeze or even crash institutions. Evidently, that does not count or respect people's vote or other parties' mandates in keeping with spirit of one person, one vote. We tabled our amendment to spell out that democratic reality. In supporting the Alliance amendment, we recognise the full picture of the problems that now threaten not only democratic credibility but stability. We accept that direction for change is needed; however, that does not begin with the abandonment of the Good Friday Agreement features before alternatives are agreed.

Prior to the St Andrews Agreement, the First Ministers' appointment was to be achieved through parallel consent. Yes, that is First Ministers, plural, as Mr Carroll reminded us that we have two First Ministers in a joint office, which seems to have been lost on some for some time and others more recently — I think it escaped Mr McHugh's attention earlier. The SDLP wants to see a return to that methodology or, as mentioned earlier, at least a review to identify alternatives. We are open to a joint election being endorsed by parallel consent, qualified weighted majority or a two-thirds majority MLA vote. Mrs Kelly pointed out that the SDLP recently expressed that desire at Westminster in an amendment to the so-called NDNA Bill, which was supported by Alliance. As such, it should be supported as an AERC recommendation for British Government legislation.

Our amendment acknowledges that there are problems that need to be addressed. The most recent state of paralysis, three years of inaction, served only to frustrate, to deepen our health and housing crises and to inflict more Tory austerity on our citizens. Put simply, it achieved only further suffering in our communities. Our aim is to support the AERC in the exploration of this issue and to contribute to greater cohesion and stability, which the motion seeks. We concur that the mechanisms that were once intended as safeguards, such as the petition of concern, have become tools of abuse, holding parties to ransom rather than facilitating inclusion.

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

**Mr Durkan:** The time will come when we can remove the ugly scaffolding. Sadly, that time is not now. This place is a work in progress. To paraphrase Heaney, we may let the scaffolds fall when we are confident that we have built our wall.

**Mr Deputy Speaker (Mr Beggs):** I call Andrew Muir to make a winding-up speech on the motion and amendment No 1. The Member has 10 minutes.

**Mr Muir:** Thank you very much, Mr Deputy Speaker. In winding on the motion and the amendment, I will seek to do two things: one is to make our case for the motion and amendment, and the other is to reflect on the debate, which was, in my view, good-natured until a short while ago.

The voting designations and the structures within the Northern Ireland Assembly are based on a society that was very different from the one in which we live today. Let us recall what life was like, back in 1998. 'Titanic' was released in the cinemas; Google was founded; Britney Spears issued her debut single; Geri left the Spice Girls; and, most importantly for me, there were very few legal protections for LGBT people in Northern Ireland. There were no civil partnerships, never mind equal marriage. There was no equal age of consent. It was a very different society and a different time in Northern Ireland.

I supported the Good Friday Agreement, and I still do. I was proud to campaign for it, and I was glad to see the yes vote having such a high majority. There were certain aspects of the Good Friday Agreement that all of us supported; on others, we had concerns. Some of us were on the other side of the debate, and we argued those points. Seeing Section 75 included in the Good Friday Agreement was a monumental change for me, as a gay man living in Derry in 1998. Public policy was changing to embed equality of opportunity in the public sphere. It was the first time that that had come on the horizon, and I had hope for the future. I realise that the institutions that were established reflected the time and the peace process that we were living in. I remember the Troubles and issues that occurred, probably a year before that.

*(Mr Speaker in the Chair)*

However, the rules of the Good Friday Agreement and of these institutions have not been updated to reflect the new, modern society. It is not just Northern Ireland that has these issues. I remember visiting Sarajevo about three years ago and meeting LGBT organisations in Bosnia and Herzegovina. As a result of being a post-conflict society, they live with the same structures, which very much embed division and inhibit decision-making. They are a community that wants to be heard and to have institutions that reflect the modern society that is evolving in Bosnia and Herzegovina. I want us to do that today. If not today, when? We need change.

It seems to me that, in many aspects of this place, the institutions have been stuck in analogue and are yet to move to digital, while the rest of society has. The reality is that not all votes are treated equally in the Chamber. Yes, votes on this motion will count equally, but when there are cross-community votes, for example on the Budget or when a petition of concern is tabled, my vote does not count the

same as others', because cross-community consent is required for those things to pass. That is not right.

The system also ingrains deadlock and perpetrates division. We have to look only at how the institutions work to see that: the process of getting something onto the Executive agenda to get things through is very slow. People outside are frustrated with that. They want government to deliver for them. The thing that sticks with me is from when my colleague Stephen Farry was elected as MP for North Down. On being installed as an MLA, which was a great privilege, the first thing that I was asked to do was designate. You are not asked to do that in any other job. Normally, you are asked your name, you get your staff pass and you get shown around the building, but here you have to put down whether you are nationalist, unionist or other.

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

**Mr Muir:** Yes, no problem.

**Mr Humphrey:** Those of us who sit on these Benches are very proud to be unionists, and those on the other side claim to be republicans or nationalists. Do you not understand the confusion that there is for some of us when you come in here and do not align as unionist or nationalist, but out there your members in the public domain — the Member for Strangford Ms Armstrong can shake her head all she likes — declare themselves as being in support of a united Ireland? Some members of your party have done that recently.

**Ms Armstrong:** On a point of order, Mr Speaker.

**Mr Speaker:** With respect, it is not a point of order. Arguably it is a point of debate, but it is not a point of order.

**Mr Muir:** I thank the Member for his intervention. I understand the point that he is making. Many people in society in Northern Ireland identify as many different things: unionist, nationalist, republican, loyalist, gay, Northern Irish or whatever. That is fine, and it is really important that people are able to have those identities and freely express them. The issue is that, when you are elected by the people and come in here, there is a legal requirement for you to designate and for the voting system to be based on those identities. That is the issue that we have with how the Chamber works and how every single person's vote does not count fairly and equally within it.

The amendment that we tabled acknowledges that the AERC is dealing with the matter. We received a letter from the Committee at the end of last week. It is important that that work is done by the end of the mandate and that change is delivered. We also think — this speaks to the amendment — that the UK Government should legislate on this issue. There is little point in the AERC debating the issue and the House potentially coming to a consensus on it, but then no progress. People want to see action on this.

That brings me to summarising some elements of the debate. Opening the debate, Kellie Armstrong said that we cannot be kicking the can down the road. If kicking the can down the road was an event at the Olympic Games, the Northern Ireland Assembly would win it. We need to be able to complete this work by the end of the mandate and give decisive leadership on it. As outlined by Kellie, where there is a will there is a way. We can do things here. We can change things.

I will not be able to go through all of the Members' contributions, as the debate was extensive. Paul Frew, in his contribution, made the case for reform. I agree with him that there is a need for reform, and one clear area of reform is in relation to the St Andrews Agreement. We are living with a situation where, day by day, there is a debate about who will hold the posts of First Minister and deputy First Minister, when in reality it is a joint office. We have been clear, as a party, that the posts should both be referred to as joint First Ministers. The St Andrews Agreement unpicked some elements of the Good Friday Agreement, and we are now living with the consequences of that.

I will speak to some elements of what the SDLP referred to in its amendment in terms of going back to the factory settings of the Good Friday Agreement. I do not want to go back in Northern Ireland, I want to go forward. That is very clear, so when I see comments about wanting us to go back to 1998, I do not want to go there. It was not a great place, to be honest. I want us to go forward.

**Mr Durkan:** Geri was still in the Spice Girls.

**Mr Allister:** The other Gerry was still in the IRA.

**Mrs D Kelly:** You were still in the SDLP.

**Mr Muir:** OK.



**Mr Speaker:** Proceed, Mr Muir.

**Mr Muir:** Thank you. It is funny how debates sometimes turn to the Spice Girls, but maybe it would be better if they did that a bit more often in this place.

The changes to the process for the election of the First Minister that were made in the St Andrews Agreement were done purely for electoral benefit. We need to be able to address that, because we cannot continue with the constant instability in our institutions. We are very clear in the Alliance Party that we want the First Minister and the deputy First Minister — joint First Ministers, more like — to be elected beyond the designation system, and, strangely enough, there is some consensus emerging. We do not agree with mandatory coalition: we support a voluntary coalition and also collective responsibility, which is an element that has been lacking in these institutions.

A comment made about the institutions was that Governments need to be held to account and be able to be held accountable. Obviously, there has to be consideration in the AERC on the issue of designations. I understand that they are considering the election of FM and DFM, but there also has to be consideration in due course of mandatory coalition and the benefits of voluntary coalition.

**4.15 pm**

Robbie Butler, who is not in the Chamber at the moment, wanted examples of how others are not treated equally. Since these institutions came back in January 2020, 11 cross-community votes have been held in the Chamber. Most were on Budget Bills, because that is a requirement. When those votes occur, my colleagues and I vote, but our votes do not count unless cross-community consent is achieved. That is not right. It is important that those votes are counted.

John O'Dowd made a point about equality and power-sharing. We can have all the structures that we want, and we can, as a result of the motion, reform all of the structures here. I strongly make the case for that, because we need good, fit-for-purpose structures. However, we also need to come to those structures in the spirit of partnership, power-sharing and respect. We can have negotiation processes, different deals and all the rest of it, but we need to come to the Chamber in the spirit of wanting to treat each other equally and being able to work together. That is crucial. I make that point alongside what we propose today.

Dolores Kelly from the SDLP made a point about the Minister of Justice. In 2011, when that post was up for election, it was part of the d'Hondt mechanism, and there was a cross-community vote to elect the Justice Minister. It is for the House to decide the way forward on that, but that was a process that we agreed in the Assembly.

I have already covered Jim's support for voluntary coalition and the need for us to consider a way forward in that regard.

Lastly, I will touch on some of the points that Gerry Carroll made. Some may see this as an Alliance Party —

**Mr Speaker:** The Member's time is almost up.

**Mr Muir:** — issue, but it also affects other parties. I urge Members to consider the amendment and the motion today.

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

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

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

*Resolved:*

*That this Assembly affirms the importance of the stability of these institutions in order to deliver for the people of Northern Ireland; recognises the growing numbers of people in our community who do not primarily identify as unionist or nationalist; acknowledges that the votes of those they elect are not currently treated equally within these institutions; further acknowledges that the system of designations perpetuates division, inequality, and instability; welcomes work initiated by the Assembly and Executive Review Committee to consider the matter of replacing the current cross-community voting system, which is based on community designations, with a weighted majority system free from designations, to be used in place of cross-community voting in the circumstances specified in the Northern Ireland Act 1998 or when a reformed petition of concern is invoked; calls on the Committee to report on the outcome of this consideration to the Assembly before the end of this mandate; and further calls on the UK Government to legislate to make provision for such alternative arrangements at the earliest opportunity.*

**Mr Speaker:** Will Members take their ease for a moment, please?

## **Planning Guidance: Impact on Rural Communities**

**Ms Sheerin:** I beg to move

*That this Assembly acknowledges that the planning system must be sustainable while also working for our rural communities; notes with concern the recent publication by the Department for Infrastructure of planning advice note (PAN) 'Implementation of Strategic Planning Policy on Development in the Countryside'; further notes the concerns expressed by the Ulster Farmers' Union regarding the new planning guidance; recognises that the new guidance could have a significant negative impact for many people hoping to live in the countryside; and calls on the Minister for Infrastructure to withdraw, immediately, the planning advice note and to engage meaningfully with local councils regarding the very real concerns of people in our rural communities.*

**Mr Speaker:** The Business Committee has agreed to allow up to one and a half hours for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Ms Sheerin:** I should say that we tabled the motion a number of weeks ago in a bid to encourage the Minister to listen to our concerns, which reflected the huge amount of anguish and stress that her PAN had caused in our rural communities across the North. On Friday evening, I was, of course, delighted to hear that she had made the right call and rescinded the advice note. At the outset, I sincerely thank the Minister for that change of heart, because her prior insistence that the note would not change anything was deeply concerning, coming as it did in direct contradiction to the feedback that we had received from planning agents, planning committee members and senior planners across the North.

As soon as the PAN was issued in the summer and the ramifications of what it would mean for those who were attempting to build homes in their communities become clear, our Sinn Féin team sprang into action. In Mid Ulster, the constituency that I represent, Councillor Sean McPeake took the lead for us. As a member of the planning committee in Mid Ulster District Council, he called for a special one-item

meeting, out of which came a cross-party letter calling for the Minister to rescind the note.

I cannot overstate the amount of communication that I have received about this one issue. As we all know, rural housing is in short supply. We do not have enough social or affordable housing in our rural communities, and, oftentimes, people pay extortionate rents that they cannot afford on houses that they would rather not live in. Saving for a mortgage deposit is a massive burden on many of our hard-working young people, and the cost of short-term renting lengthens the time that it takes to buy or build a home that they want to spend forever in.

I am 29. I am at the age when random nights out rarely happen, but they have been replaced with a full schedule of baby showers, hen parties, weddings and house-warming parties. Many of my closest friends are in the process of building their own homes, or have built them, and I have seen at first hand the stress that that incurs. Before they have even had the first fight with their partner about where best to put a wall socket or which colour of kitchen cupboard will date soonest, they have to go through the planning process. That means months and months of waiting, perhaps redrawn plans, conversations with architects and DFI Roads staff and a new understanding of the word "splay".

Having been involved in constituency work and activism for years, I have been aware of those issues for some time. I have frequently taken part in site meetings with would-be homeowners, who are stressed to the max trying to find a suitable spot for their forever homes while working out solutions to problems between their idea of a house and the planning policy to which planners and councillors strictly adhere. The PAN would have added an immeasurable burden to an already difficult, expensive and stressful process.

**Mr McGuigan:** I thank the Member for giving way. She represents Mid Ulster, which is a rural constituency that is similar to mine in North Antrim. She made an excellent point about the difficulties and stresses that are faced, particularly by young people, who are seeking planning permission. My constituents face the same obstacles that she is pointing out, and I see the impact that that can sometimes have on the sustainability of rural constituencies, with the withdrawal of rural services and the threat of closure of rural schools, resulting in the unsustainability of rural communities.

Does the Member agree with me that, had this planning advice notice been implemented, it would have compounded those difficulties? In my constituency, it would have compounded them even further because of the waste water infrastructure restrictions —

**Mr Speaker:** Will the Member bring his intervention to a close? *[Laughter.]*

**Mr McGuigan:** — that are reducing planning opportunities in at least seven towns and villages in North Antrim.

**Ms Sheerin:** I thank the Member for his intervention. *[Laughter.]* I agree with him on the point that he raised, and I have worked with constituents who have the same problems with waste water. It is something that we deal with all the time.

When you refer to the doubling down in barriers that this note would have led to, the change that would have been implemented around dwelling houses built in connection with farms is one of the biggest problems that it posed. The new requirement was going to mean that, in most instances, the only place that would satisfy the guidance would have been in the actual yard. As somebody who is from a farm and is familiar with the realities of any working yard and how much that fluctuates over the year between lambing, calving, saving fodder and all the other seasonal tasks that must be completed, I know that the impracticalities of that need not be spelled out.

Furthermore, as pointed out by the Ulster Farmers' Union, the hazards on a farmyard are many, and it would be incredibly dangerous to expect a family to dwell within the yard. We can probably all think of examples of tragedies that have happened as a result of an incident with slurry, livestock or heavy machinery, and, as tractors and yards get bigger, those risks only increase.

On top of that, it is almost impossible to get any lender to offer a mortgage for a new building within the confines of a working farm, meaning that the guidance was totally unworkable for farming families. That would have had far-reaching and obvious implications for our rural economies in that it was removing the viability of family farms going forward, preventing people's ability to live close to their livelihood and, therefore, acting as a barrier to young people carrying on the farm.

Some 100,000 people are employed in agriculture across the North. If you prevent

them from having homes, how will that be maintained? It is not just active farmers that would have been impacted on by the guidance. The change to the definition of buildings that would constitute an infill and the tightening of criteria around clusters would have ruled out many of the homes that we see dotted around our countryside.

Our planning policy needs to be sustainable, environmentally friendly and in line with the natural Irish landscape that we occupy. Sinn Féin is clear on that. It also needs to deliver homes for rural dwellers. People from small countryside communities should have the option of building a forever home and raising a family, if that is what they wish to do, in the community that they come from.

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

Every single week, without fail, I am contacted by at least one family, but usually several, about care packages. A total breakdown in the delivery of community care and the rising costs of childcare have colluded to create a situation where daughters and sons are picking up the slack when it comes to care for elderly or sick parents. Grannies and grandas are babysitting a couple of days a week. Pick-ups and drop-offs are being done by whoever is available. If people cannot build homes near their families, that ad hoc arrangement becomes impossible, ultimately adding further strain to the health and social care system.

Aside from the practicalities from a necessary care perspective, we all know the importance of human connections and how beneficial conversation and relationships are for people's mental health. Rural isolation, on the other hand, is a massive barrier to emotional well-being. If people can have family members living nearby who are able to drop in for a cup of tea of an evening without formal plans, or, as we would say in south Derry, "Call in on your céilí", their mental health will naturally be stronger.

If COVID-19 has brought us one positive, it is the introduction of widespread working from home and flexible working arrangements. For many rural dwellers, the ability to work from home meant the escape from a two- or three-hour daily commute, extra time with family, more daylight hours to enjoy, more opportunities for exercise and, overall, better standards of living. It has also made many think that living near to their home place, as opposed to living somewhere that they would rather not be just for the sake of their work, would be a better choice for life.

As remote working becomes the norm, and there are fewer requirements to be in city office spaces, we need to ensure that people have the option of building where they would like to live. So, I am relieved to hear that the Minister has listened to our voices and is going to consult with councils and planning officials about any change to guidance, which is what was missing from the first attempt of the PAN.

I encourage open and honest feedback on planning issues to make sure that planning is working for rural dwellers. I commend the motion to the House.

**4.30 pm**

**Mr Buckley:** To say that this is a bizarre debate would be an understatement. I think that it is the first one I have been to where we have achieved the outcome before we have debated the motion. Having said that, I agree with and support the sentiment of the motion. There is undoubtedly an element of embarrassment on the part of the Department on the issue, because, despite continual calls to rescind the PAN, we were told by the Minister and officials that it could not happen. Nonetheless, I welcome the fact that there has been a change in thought, because the issue has caused great hassle not only to Committee members across parties but to councils and constituents. I welcome the change in policy. It is now an important moment to step back and see what we can do to ensure sustainable development in the countryside.

The work that has been done on the motion and on its subject — the PAN — is an example of strong cross-party working in Committee. The Committee sought from the very beginning to engage, gather evidence from relevant stakeholders and scrutinise, and both the Minister and planning officials appeared before the Committee. The Committee carried out its duty thoroughly when approaching the matter, and, on Wednesday past, it also supported a motion to rescind the planning note.

It is important, however, that we in the House recognise the body of evidence there was against the PAN. Ms Sheerin mentioned some of it. There was strong representation from our councils on the issue, particularly Mid Ulster District Council. Armagh City, Banbridge and Craigavon Borough Council said that the PAN

*"not only clarifies and re-emphasises the extent of policy provisions but represents a change to existing policy on the grounds that it introduces new material*

*considerations for planning authorities in their assessment of development proposals".*

That type of representation was a running theme throughout many of the councils' responses to the Committee's call for their experiences. This is what troubled me most: while we were hearing from officials and, indeed, the Minister that there was no policy change, clearly, the interpretation by councils was that that change had occurred. It had occurred with CTY 8 of Planning Policy Statement (PPS) 21. No one can point us to a situation where, as the Minister and officials say, there was no change. CTY 8 makes no distinction between different types of buildings yet the PAN attempts to exclude from the term "building" certain types of building, and that, evidently, is a change. The Committee had considerable concern about that. I am glad that, following representations from those organisations, we have been able collectively to find a desirable outcome.

It was not just the councils. There was strong representation from the Ulster Farmers' Union on the effect that it would have on young people and their mortgages and, indeed, on the impact it would have on farming families who wanted to stay in the rural landscape and their local area. We also received a strong representation from the Rural Community Network.

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

**Mr Buckley:** I will give way, yes.

**Mrs Erskine:** Does the Member agree that that would have caused huge stress to farmers and their families and that, in turn, it would have meant increased mental health issues in rural communities, which would have a knock-on impact on our health service?

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

**Mr Buckley:** I thank the Member for her intervention. She is absolutely right: there is no doubt that there is a psychological impact on people who cannot develop and live on the farms they have grown up on or cannot even stay local and have rural connectivity. The Member represents a very rural constituency, so she will know full well the benefits of being able to help on a family farm or be near elderly relatives. That policy would, in effect, have had a great impact on that.

We received some interesting statistics and information from the Rural Community Network that showed that, over the past five years, there has been little change in trends and uplift in the number of applicants under the policy. That begged this question from the Committee: why have the PAN in the first place?

One of the things in the Committee evidence that I found most alarming was that the last stakeholder engagement — there was no public consultation on that PAN — was carried out in 2016, five and a half years ago. I did not find that acceptable. If we look at the past five and a half years, we see that so much has changed in the realm of planning. Councils have taken on planning powers to a degree, but their experiences were not taken into consideration. That concerned me, as Committee Chair, and other members. If we are to look at rural planning policy, there needs to be in-depth stakeholder consultation. I welcome the Minister's statement on Friday evening that the Department now intends to undertake that stakeholder engagement, whether it be with local authorities or other stakeholders, to ensure that we get a sustainable policy that helps rural dwellers and takes into consideration their needs and aspirations. I support the motion.

**Ms Hunter:** I welcome the opportunity to speak in my first week as a member of the Infrastructure Committee.

I welcome the decision by our Minister to instruct her officials to remove the planning advice note on development in the countryside. She has listened carefully to rural voices and, in particular, to her SDLP colleagues who represent rural communities. Many in our rural communities understand that the planning note was well intentioned and was simply to help provide councils with certainty and clarity on the current strategic planning policy statement (SPPS). I have heard clearly from the Minister and her officials that there is no change in policy. That notwithstanding, I welcome the Minister's recognition that rural communities felt that the PAN added confusion rather than clarity.

Concerns were raised, and Members across the Chamber acted. They will undoubtedly be grateful that those concerns have been not only heard but accepted and acted on. It shows the leadership and integrity with which the Minister for Infrastructure works in her Department. She does so with professionalism and political maturity, as we have seen on so many occasions. As one member of the public commented online, the Minister's action showed

depth of character and a willingness to listen. Government in partnership, government that listens and government that cares about rural communities is the type of government that citizens deserve. I am pleased that our Minister has not shied away from hard decisions or fair governance; instead, she has stepped up today, as she always has.

**Mr Beggs:** I declare an interest as the owner of 25 acres of agricultural land and farm buildings, and I provide assistance on my mum and dad's farm.

I reinforce the view that we need to ensure that we have sustainable development in the countryside. What does that mean? It means that we have to protect the natural environment but get a balance by allowing rural communities — schools, churches and the entire community — to be maintained. There is a balance in all of that.

The decision of the Minister to withdraw the planning advice note of August prior to the debate indicates that she has been listening. I thank her for that; perhaps she has recognised the concern in the community. Some of the difficulties have perhaps been caused by how some interpreted the legislation and guidance. Nevertheless, in bringing about changes, it is important that there is dialogue, understanding and consultation. I was not aware of that happening. It is helpful if it happens before any changes are made. In particular, if someone applied for planning permission in their area under the previous understanding, they will have invested in architects and site assessments and surveys. A sudden change would potentially leave all that lost.

PPS 21 was developed to balance the need for new homes in the countryside with ending unregulated development in some areas, where you could see a new home in almost every field. It is important that there is a balance. I noted, in the advice given to the Committee, an interesting graph from the Rural Community Network that seemed to indicate that there has been a fairly stable number of planning applications over the last five years. It is estimated that there have been just over 3,500 per year. I wish to know what the problem is and whether the Minister is aware of that. It is important that there is discussion of this. It appears that there has been a stable number of planning applications over the last five-year period.

**Mr Durkan:** I thank the Member for giving way. I am sorry that I do not have the document to

which he refers in front of me. He has given the number of planning applications. Along with that, is there a number for the planning approvals?

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

**Mr Beggs:** Sorry, my mistake. That was the number of planning approvals. There have been just over 3,500 planning approvals each year.

It is important to get an understanding of the problem and why it arose. I am aware that, under previous planning regulations, there were huge variations between council areas. I have picked up from colleagues that there are differences in how councils have interpreted even the existing policy. If that is an issue, it would be good to learn of it. It would be much better if issues were shared with everyone so that we could have a greater understanding of what was happening.

In preparation for today's discussion, I had a look at the planning advice note that was drawn up. I notice that there was reference in it to an:

*"Emerging Issues Paper — Development in the Countryside".*

There is a web link, but that did not work for me. I do not know whether the items have been removed. Again, if there are issues there, I wish to know what they are. It is important that we all understand and get the balance the right between the need to sustain communities and the need to protect the natural environment.

We have all seen in the past some rural roads developed to the point where they almost look like streetscapes. There has to be balance. There is a need for that, but yet there is also a need for flexibility. In particular, as others mentioned, it is important that there is flexibility on genuine health and safety issues such as slurry tanks and middens. Those should be taken into consideration so that those applying for sites are not forced to look at sites adjacent to them. If there are not suitable sites, there is a need to be flexible going forward. Again, there was provision for that in the past, and I hope that there will be provision for flexibility going forward. Equally, a site serviced via a busy farmyard is a practical health and safety issue. New homes may mean new families and young people, so it is important that sites that do not have those risk factors can be identified for those who wish to live in the countryside.

I suspect that the issue will come back again. I particularly highlight the issue of climate change. Many advocate speedy movement towards climate change legislation. I suspect that this will be one of the areas affected by that, because of the effect of building additional houses in the countryside and the effect of the additional transport required to build those houses. I suspect that that will be an issue going forward. It would be helpful if the Minister and officials briefed us all on that so that Members can understand that there will be balance in everything that they do going forward, be it building houses in the countryside or seeking climate change legislation.

**Mr Muir:** I wish to cover a lot in the next five minutes, so I will try to rush through this. A lot has changed since the motion was tabled, given the Minister's statement on Friday evening that:

*"Regrettably, rather than bringing certainty and clarity, as was its intention, the PAN seems to have created confusion and uncertainty"*

in this case. It is regrettable that we are in the situation that we are in today, but hopefully the debate can be constructive in shaping the way forward. The Alliance Party comes to the debate as a clear supporter of PPS 21, as other parties were when it was brought forward. It is important that the SPPS be upheld, and all it takes is a trip round Donegal to see why.

Whilst actions are being taken in relation to that situation and the "bungalow blight", as it has been called, in Donegal, it is, unfortunately, in my view, too late.

#### 4.45 pm

Planning and associated area plans, policies and restrictions are in place for the right reasons: to protect the environment. PPS 21 was brought forward in the context of PPS 14, and political consensus was reached on PPS 21. You can read the debate in Hansard. My analysis, and other analysis that you can see, is that there have been concerns about how PPS 21 has been implemented over the last number of years. However, today, I come to the Assembly to make it clear that the evidence base and the case for action should have been more clearly outlined by the Department. Correspondence from the Rural Community Network in my file states that it:

*"would question why the Department has issued this guidance at this time and would*

*be interested to hear further explanation from the Department on the timing of the release of this PAN."*

The Department needs to learn lessons about making the case for change and why the planning advice notice was issued. The way in which we have reached this situation today, with the withdrawal of the PAN on Friday, has, in my view, undermined the case for PPS 21. A letter from the Minister on 24 September stated that, while the PAN had been issued:

*"Ultimately the interpretation, relevance and weight to be accorded to all material planning considerations, including this advice, will be a matter for each planning authority to determine in any individual case."*

I am clear that the Department, by issuing a PAN but then issuing that note, demonstrates a conflict in its desire to be able to deal with the issues around this. Let me be clear: we will come back to this. There is a clear issue with how PPS 21 is being interpreted by district councils, so another planning advice notice will be needed. Hopefully, however, the lessons that can be learned about what happened in this case can shape how we go forward.

**Mr Buckley:** I thank the Member for giving way. On that point, does he recognise that the overwhelming body of evidence that was received by the Infrastructure Committee, with the exception of evidence from Belfast City Council, the geographical location of which meant that it was dealing with very few applicants in that regard, was negative about the PAN's release? Does he agree that it will be important to have adequate consultations with rural councils to ensure that we have an informed rural and sustainable policy going forward?

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

**Mr Muir:** Yes. *[Laughter.]* The planning function in the Department needs to change. There are systemic faults in Northern Ireland's planning system. In the first quarter of 2021-22, the average processing time for major applications was 53.6 weeks, compared with a target of 30 weeks. Some regionally significant applications have been waiting for over 10 years for a determination. Hagan Homes recently announced that it is pulling out of Northern Ireland because of the delays in our planning system.

I hope that the review of the Planning Act (Northern Ireland) 2011 will deliver action and that the forthcoming Northern Ireland Audit Office report will be a useful contribution. However, change is required. Frankly, planning issues and the reform of the planning function need to be a higher priority. Concerns were raised about the PAN, and it is important that they are noted and given an airing here today, particularly about the financing of new homes and the clause on health and safety.

On 1 June 2010, when issuing PPS 21, the then Minister of the Environment, Edwin Poots, came to this place, and Hansard records him as saying:

*"I revised the policy to allow for an alternative site to be used where it can be demonstrated that there are health and safety issues or that the applicant has genuine plans for business expansion." — [Official Report (Hansard), Bound Volume 52, p133, col 2].*

That is on the record.

So, there are clear issues with the PAN and the confusion that it caused. However, Members also need to understand the context, and we need to grasp the reasons why the PAN was issued. That the case for change was not made adequately enough is a key issue of concern. We may have this debate today, and we may criticise the Minister, but, however good that may feel, it will not resolve an awful lot. Perhaps we will learn lessons, but we will have to come back and address the same issue. If we do not, future generations will not forgive us: this was a planning process that was meant to safeguard the environment.

**Mr Boylan:** Beidh mé ag labhairt i bhfabhar an rúin. I speak in favour of the motion. I welcome the debate. To be fair, I am glad that Mr Muir came out with what he came out with, because he opened the debate up to where we are at, which is that there needs to be a broader discussion about rural planning. I want to concentrate on the PAN today, because that is the subject of the debate, but I agree on the need for a broader discussion. I listened to Mr Muir.

Mr McGlone and Mrs Kelly were there when we debated PPS 21. My recollection of what the Member said and of what happened are two totally different things. Her starting point was PPS 14, which was a poor starting point for bringing forward a rural planning policy. I want to give some detail about that, because it is vital.

When it comes to PPS 21 and the SPPS, there are a number of caveats in the policy that facilitate single dwellings in the countryside. If you ask anybody in the countryside, they will say that it is very difficult to get planning permission in the countryside. They have been saying that to us for a number of years. I accept some of the arguments around evidence in relation to the PAN. If a number of houses were being built in the countryside and we were overwhelmed by that, I would accept the debate being brought to the Floor. We had a good debate in Committee the other day.

I want to get back to the PAN. The PAN attacks three elements of the policy: CTY 2a, which is clustering; CTY 8, which is gap and infill; and CTY 10, which is farming and "Dwellings on Farms". That is what the PAN attacks. Fair play to the Member who moved the motion on behalf of the party for outlining the interpretation of every one of those things. I am not arguing that it is the case that they did not change the policy. This is about a change of direction.

We cannot be in this situation, having transferred planning powers to local authorities five or six years ago and giving them the autonomy to make decisions. I accept that there are provisions in the 2011 Act that relate to the Department having to adhere to guidance, if it brings guidance forward, but, in most cases, the councillors, planners, architects, the Ulster Farmers' Union, the Rural Community Network, applicants and all those people are on the front line and at the coalface of all this. They deal with these people day and daily. If you are saying to me that there should not be a wee bit of flexibility because planning policy is down to subjectivity and interpretation, and you are saying to me — I forgot to say at the start that I welcome the Minister withdrawing the PAN. I think that there is a broader discussion to be had, however. Whether or not I agree with Mr Muir that we will bring forward another PAN is a slightly different issue, but I will not fall out with the Member today.

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

**Mr Boylan:** Certainly.

**Mr Beggs:** Does the Member accept that a climate change Bill, whether that is the Climate Change Bill or the Climate Change (No. 2) Bill, will have a bearing on everything that happens in Northern Ireland, including on where homes are built?

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

**Mr Boylan:** Well, Mr Beggs, I would prefer to speak about the PAN, because that is the most important thing.

What we are saying is that this is not an urban versus rural issue. I do not want to get into that. If you look at those caveats, we are talking about infill sites. We are not talking about open countryside or rural remainder into big green open fields. If that were the case and we looked at a local development plan, you would take four or five acres of ground on the edge of a town and build out. We cannot even afford the suit or all the infrastructure that people are crying out about over the last number of weeks.

You can get into the broader debate about it, but I am saying that, when you look at the caveats, we had a debate about farm dwellings that could not be built beside middens or anything else. The mortgage company would not allow them, so there was a wee bit of flexibility about where they were built. That is what happened with single farm dwellings. That was the flexibility.

We cannot say that we will transfer powers to the councils and then, all of a sudden, say to the councils, "No, folks, you have got it wrong for five years, so on you go in a different direction". We have to work with councils. I would appreciate the Minister coming down and having —.

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

**Mr Boylan:** Yes.

**Mr McAleer:** Does the Member believe that an effective rural planning policy is important for the vibrancy of our towns, villages and rural communities?

**Mr Boylan:** Absolutely. This is about the sustainability of rural communities. That is the first thing that PPS 21, 'Sustainable Development in the Countryside' says. Let us not turn this into an urban versus rural issue. These people contribute to rural communities, to the GAA and to everything associated with rural communities.

I hope that the Minister takes the time to engage, and no doubt the Committee has a responsibility to engage as well. After five years of councils and planners dealing with it at the coalface, let us have a broad discussion of the issue.

**Mr Irwin:** I welcome the opportunity to contribute to the debate. It is an issue that is



widely discussed in rural communities, local councils and among those assisting in planning applications, including elected representatives, consultants and architects.

The intervention by the Minister, through the planning advice note, has not been well received in a number of council planning committees. In Armagh, Banbridge and Craigavon Borough Council, there have been a number of discussions. The general opinion expressed in committee has been against the Minister's intervention, which is seen as unhelpful and has, in effect, created a new policy, despite Minister Mallon stating that it is merely reinforcement of an existing policy. I do not conclude that that is the case, and even senior planners state that it amounts to a change in policy and it has affected their consideration of applications currently in the system.

The fact that, over the weekend, the PAN was retracted is, of course, welcome, and the immediate effect of that retraction, from my perspective, was that I received an update that a constituent's application, which had been due to be refused under the criteria of the planning advice notice, would now be approved. That was the impact of this planning advice note. It is simply not good enough that the Minister sowed this much confusion in the first instance in issuing the advice note. Minister Mallon urged that it was not a change in policy, but my experience is that it was very much that, as my involvement with that application this week has shown. My constituent's plans were in disarray following the Minister's issue of the PAN. Indeed, one case officer told me that, before the note was issued by the Minister, the application was clearly to be approved.

What this means for all the other decisions taken across the Province in line with the PAN remains to be seen. It will be up to council planning departments and committees to deal with the aftermath, an entirely avoidable situation, of course.

Building in the countryside is already rigid in policy. There is little opportunity, and it is difficult for someone who wants to remain in the countryside to meet the requirements. We must always be mindful of the need to sustain rural communities rather than limit opportunities for rural dwellers and the rural economy.

Instead of issuing what was monumentally unhelpful advice, the Minister would, I feel, be best employed in dealing with existing policy shortfalls, such as the fact that policy CTY 10, for a house on a farm, will not show latitude in

house placement. Many farming families have been put in difficult situations as planners have insisted that a house has to be located to cluster with existing farm buildings. That has meant that mortgage providers will not lend money where they would view the house as unsellable if, for instance, it has shared access.

I have represented constituents who have been able to demonstrate a much better site close by, that is much less visible to the surrounding countryside. However, the planners will not countenance such an option, as it does not sit within the existing policy. I do not understand why the Minister does not focus on those situations and provide advice notes to planners that enable them to respond sensibly to applications in such circumstances. Where a much better site exists close to the farm, it will allow a young family to access financial aid through a mortgage in order to build their home and sustain the rural economy.

Withdrawing the PAN was the right decision, and, hopefully, in the future, the Minister can regain focus on sustaining our agricultural industry, rural infrastructure and the wider rural community. I have said for some time that changes were needed in the policy on housing on farms and even planners have stated that it would be better if the policy allowed a decision to be taken on a suitable site on a farm, rather than being forced to place a house beside farm buildings.

These are the issues that the Minister must begin to address.

**5.00 pm**

**Mr Deputy Speaker (Mr McGlone):** Members, as this is Deborah Erskine's first opportunity to speak as a private Member, I remind the House that it is convention that a maiden speech be made without interruption. You are very welcome indeed, Deborah.

**Mrs Erskine:** Thank you, Mr Deputy Speaker. I will make my maiden speech with a great sense of pride in representing Fermanagh and South Tyrone. Before I speak on the subject in the Order Paper, Mr Deputy Speaker, I ask that you give me some latitude to pay tribute to my predecessor. It may surprise some to hear me say this, but my standing here today is tinged with some sadness because it means that the Rt Hon Arlene Foster is not and that the House has lost one of its greatest Members. However, I pay tribute to and thank my party leader, Sir Jeffrey Donaldson, for the opportunity to serve

my great constituency of Fermanagh and South Tyrone.

Arlene is someone whom I will forever hold in the highest esteem. She was not only my boss but a friend and a friend to many across the Province, and I thank her for the encouragement that she has given to me in my political career thus far and for the vision that she has for Northern Ireland and its place in the Union. Arlene and the people of Fermanagh and South Tyrone are the reason why I stand here today, and I join my constituents in Fermanagh and South Tyrone in thanking her for her service and for the dedication that she has given to Northern Ireland, its people and the Union. Furthermore, I thank the Members of the Assembly for their welcome and support in the past few days. You have certainly made my days in the Assembly that little bit less daunting, and I thank you for that.

On the matter before us this afternoon, I acknowledge that the Minister rescinded the planning advice note that was handed to councils in August. However, that came after mounting pressure against the Minister, who did not recognise until now the impact that the note would have on rural constituencies such as Fermanagh and South Tyrone. The note that her Department issued on 2 August brought deep worry and deep concern to my rural constituents. I want to be a voice for my rural community, and I will use my time in Stormont to make a difference for my constituents.

I represent the most westerly and most rural constituency in Northern Ireland. If it had been progressed, the note would have displaced many people from our rural areas. In the short time I have been an MLA, I have had many people contact me who were concerned about what the policy would mean for those future generations who had hoped to live on the family farm. Similar to my colleague Mr Irwin, I spoke to one constituent yesterday who told me that, if the note had not been rescinded, their son would have been unable to build his house and establish a life close to the family farm.

We already know the danger that working on a farm can present. Imagine working on a farm during lambing season and being called during the night, making a 40-minute one-way trip to your farm because you could not build in the countryside. Indeed, it could have been worse. The successor to the farm may have had to move away entirely, spelling the end of the family farm. Think for a minute about the deeper and wider implications that that would have on rural schools, businesses and the local economy in the west. Many Assembly

colleagues might deem those as minimal impacts to progress legislation, but the consequences of proceeding would have severely damaged family networks and access to support.

I speak to rural constituents, and I know that they already find it extremely challenging to gain planning permission on farms in the countryside. To have removed all flexibility for local planners to interpret certain criteria would have resulted in a further blow to rural development. Huge concerns were voiced at the Minister's initial decision. It is very clear that the position of the planning advice note was untenable. Although the Infrastructure Committee, the Ulster Farmers' Union, the Rural Community Network and other representative bodies all noticed that, it took until Friday for the Minister to act, and I pay tribute to the Committee for its work on the matter, as the stress caused to rural families was immense.

Our rural communities matter. The way of life in rural areas does not deserve to be threatened. I trust that the Minister will work with me and other rural voices in Fermanagh and South Tyrone before, potentially, bringing forward further disastrous policies for my constituency.

**Mrs D Kelly:** As my colleague Cara Hunter said at the outset, we acknowledge the leadership that has been shown by the Minister, because, as you know, Mr Deputy Speaker, we raised concerns about the planning advice note. Of course, it came about as a consequence of PPS 14, which was introduced by Conor Murphy when he was Regional Development Minister. It created a blanket ban on all new houses in rural areas and there was a massive outcry. It was picked up by Arlene Foster, who then led on PPS 14, which, of course, in June 2010, led on to PPS 21, which was the responsibility of Edwin Poots. The interpretations that have brought us to where we are on rural planning have very much a cross-party genesis. Our Minister sought to address the different interpretations across council areas.

Members, including the Member who moved the motion, are right to acknowledge the lack of social housing in rural areas. However, the last time that I looked, that was the responsibility of Deirdre Hargey. I understand that there are still many spaces in development plans across our villages and rural areas on which social and affordable housing could be built.

For over 17 years, I had the honour of representing a largely rural district electoral

area (DEA). I, unashamedly, used whatever interpretation — loose interpretation — that I could and fought back against planners to ensure that the people whom I represented had the chance to build a home close to their family so that they could send their children to the school that they went to, be there to care for parents or grandparents and help to sustain the sporting and church organisations in rural areas. At the time, even of PPS 21, which was fairly rigid in its application, environmental campaigners said that it was not good enough. There is a balance to be struck. That is the eternal argument, and it is in even sharper focus now due to climate change and the needs of rural communities. The two should not be losers. We should be able to create a win-win.

Some Members acknowledged the fact that the planning application process is slow. I think that Mr Boylan said that. That goes back to the transfer of functions from this place to councils, when responsibility went to councils but the resources did not. In more recent years, we saw the voluntary exit scheme, under which many experienced planners left. The same happened in DFI Roads. I was surprised and shocked at how many people with whom I had built relationships over many years left those sections under the voluntary exit scheme. It is a challenge. In a period of austerity, it is a challenge to get enough officers. However, it is the responsibility of councils to employ planning officials and to speed up the process.

The biggest difficulty that we are faced with in the Upper Bann constituency — I have referred to it before — is the area plan, area 1 and area 2. Development in some areas is being held back under the area plan. Of course, the area plan is also a responsibility of local councils, not the Department. There is much work to be done across planning. It does not fall at the Minister's door. It falls very much to our colleagues across all the councils. It also falls to Finance and what money it gives to councils from rates to allow them to employ more planners to get caught up, because we know the importance of the construction industry to the economy here in Northern Ireland.

I will finish by acknowledging the leadership shown by our Minister. It took a judicial review to amend PPS 14 and introduce PPS 21. Without doubt, there is work to be done.

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

**Mrs D Kelly:** We want to be part of the conversation going forward on how best to marry the challenges posed by climate change and the sustainability of rural communities.

Sorry, I was on a train of thought there and I could not give way.

**Mr Robinson:** First and foremost, I congratulate my colleague Deborah on her excellent maiden speech.

**Some Members:** Hear, hear.

**Mr Robinson:** The number of concerns about the negative impact of this planning advice note is clear to me due to the number of conversations and phone calls I and my office have received. It is very apparent that rural dwellers, architects, farmers and others are united in their concern about how this planning advice note has impacted rural communities. As there is no change to PPS 21, why was the planning advice note issued in the first place? Minister, I suggest that there needs to be a fresh consultation carried out with all the interested people before a PAN is issued.

Paragraph 12 of the note emphasises that everything has to be resolved in line with the SPPS. That is why the PAN should not have been issued in the first place. I firmly believe that there needs to be a positive and sensible approach to development in the countryside. Therefore, it is important that the policy meets the requirements. There can be no doubt that rural planning applications must be treated sensitively. There should be a positive and beneficial policy that will help people who wish to live and work in the countryside while offering the protection of the environment that is also required.

My conversations with a range of interested parties have led me to believe that the current policy, reinforced by the PAN, has almost demonised rural building. People who wish or need to live in the countryside should be assisted when possible. The refusal mindset should change, and a positive approach to applicants should be developed. To achieve that, we need a new consultation.

Minister, I am glad that the PAN has been withdrawn and common sense has prevailed so that rural dwellers can be assured of a more positive future. I also commend the Infrastructure Committee, led by my colleague Mr Buckley, for bringing this planning issue to a satisfactory conclusion.

**Mr Deputy Speaker (Mr McGlone):** I call the Minister to respond. The Minister will have up to 15 minutes.

**Ms Mallon (The Minister for Infrastructure):**

First of all, I thank the Members who proposed the motion and everyone who has contributed to today's debate.

Planning and the specific issue of development in the countryside has been and continues to be — as we heard today — the subject of healthy debate and discussion. Engagement on this planning issue, and on planning generally, is to be encouraged, and I very much welcome today's debate. All Members spoke about the SPPS at the heart of this, and it is important that we take a moment to reflect on its origin. The existing strategic planning policy on development in the countryside is contained in the strategic planning policy statement. You will be aware that the SPPS was published on 28 September 2015, following extensive engagement during its preparation. That included a public consultation, Assembly and Committee scrutiny and agreement from the Executive Committee prior to publication in its final form. As Ms Sheerin and others have pointed out, the important aim of the SPPS is to manage development in the countryside in a manner that strikes a balance between protection of the environment from inappropriate development and supporting and sustaining rural communities.

We have also heard from Mr Muir, Mr Boylan, Mr Irwin and Mr Robinson that there are differing views on what that means and how best to achieve it. Subject to acceptable proposals in appropriate locations, the current SPPS offers considerable opportunities for farming families and other people wishing to live in the countryside.

It does that by providing for replacement dwellings, the conversion and reuse of non-residential buildings and dwellings, new dwellings within an existing cluster, infill dwellings, social and affordable housing schemes, dwellings to meet compelling personal or domestic circumstances, dwellings on farms and dwellings for non-agricultural business enterprise.

**5.15 pm**

Following publication of the SPPS, the Department issued a call for evidence in March 2016 to help to inform the scope of a potential review of strategic planning policy on development in the countryside. That attracted responses from a wide range of interests, including local government, environmental groups, business and industry, residents' groups, professional bodies and individuals.

In March 2017, the Department procured independent consultants to undertake research and provide an updated evidential context to inform the best strategic planning policy approach for development in the countryside. The research involved focused stakeholder engagement, including seminars with council planning managers, professional institutions and environmental interest groups. It also included individual meetings with relevant organisations, including the chairs of planning committees and other local political representatives, the Northern Ireland Housing Executive, the Construction Employers Federation, the Department of Agriculture, Environment and Rural Affairs, the Rural Community Network and the Ulster Farmers' Union.

That preparatory work and engagement helped to inform the decision on the preferred way forward for strategic planning policy on development in the countryside. On balance, I decided not to commence a review of this policy area. That is because I am satisfied that the current policy approach provided for by the SPPS remains appropriate, robust and fit for purpose for the two-tier planning system.

Mr Beggs, and Mr Robinson in particular, asked for the reason for the issuing of the PAN. The PAN that was issued on 2 August was to provide clarification on the correct meaning and intended application of the SPPS countryside policy and to assist planning authorities in making decisions and bringing forward development plans. The PAN did not add to or change existing policy, and its advice was consistent with the fundamental regional approach to cluster, consolidate and group new development with existing buildings.

Unfortunately, the PAN, rather than bringing clarity and certainty, as was the intention, created confusion and uncertainty. Having listened carefully to and reflected on all the concerns expressed since it issued, I decided to withdraw the PAN in order to restore clarity to the situation.

I respectfully disagree with Mr Muir that the current SPPS has been undermined. I firmly believe that the SPPS provides and should continue to provide opportunities for sustainable development in the countryside in general, including for farming families, as Mrs Erskine eloquently outlined, and other rural dwellers, striking a balance between supporting and sustaining rural communities and protecting the countryside from inappropriate development.

All stakeholders in the planning system have an important role in achieving this objective in the long-term public interest. However, Mr Muir is right: there is an important onus on local planning authorities to take all possible steps to ensure that, in the taking of decisions and the making of plans, they properly and faithfully take account of the SPPS overall. Similarly, in planning appeals and in the independent examination of local development plans, the Planning Appeals Commission has an equally important responsibility.

I assure Members that I am fully committed to ensuring that my Department and the wider planning system continue to play their part in managing growth in order to achieve appropriate and sustainable patterns of development in the countryside that contribute to a vibrant rural community and economy. As for the future of strategic planning policy for development in the countryside, I am satisfied that the current policy approach remains fit for purpose and that it should work effectively under the two-tier planning system.

As I said, I firmly believe that the SPPS provides and should continue to provide opportunities for farming families and other rural dwellers and for sustainable development in the countryside in general. We come back to the fundamental point: striking a balance between supporting and sustaining rural communities and protecting the countryside from inappropriate development.

Members asked what the next steps will be and highlighted the importance of continuing to engage with councils and our other stakeholders and partners. I will now take stock of the concerns raised and undertake further engagement and analysis with my officials on that important policy area to include consideration of current and emerging issues such as the emerging climate change Bills and our green recovery from the pandemic.

I remain committed to ensuring that strategic planning policy for development in the countryside is fit for purpose going forward. I am grateful to Members and others, particularly those from our rural communities, who raised their concerns. I value our rural communities. I want to see vibrant rural communities and sustainable development. I said to those who expressed their views that I would listen; I have listened, and I acted.

**Mr Deputy Speaker (Mr McGlone):** Glaoim ar Declan McAleer chun deireadh a chur leis an díospóireacht ar an rún. I now call Declan

McAleer to make a winding-up speech on the debate.

**Mr McAleer:** Deich mbomaite? Ten minutes?

**Mr Deputy Speaker (Mr McGlone):** Deich mbomaite.

**Mr McAleer:** Deich mbomaite. Go raibh maith agat. I came into the debate as Mr Buckley was speaking. He referred to the health benefits of planning and building in the countryside and to the fact that it has been five and a half years since the previous consultation on rural planning policy. Another one is needed soon.

Broadcasting brought Cara Hunter in, who welcomed the removal of the PAN. She emphasised the fact that there was no policy change and that the Minister had taken on board Members' views and made the appropriate changes. Roy Beggs emphasised the importance of the need for sustainable development in the countryside. He thanked the Minister for listening and for removing the PAN, and he emphasised the need for dialogue and consultation. He also cited the RCN statistics on planning approvals over the past number of years. He highlighted the fact that there may be differences in interpretation of planning policy among councils and that a flexible approach was needed. He also highlighted the pending climate change legislation.

Andrew Muir said that Alliance supports PPS 21, and he pointed to Donegal as an example of where there is "bungalow blight" that it is too late to fix and suggested that we do not want to go down that road. He said that the policies protect the environment and that the Department should have consulted on the case for action more clearly. He made the case that the planning advice will be revisited and that the way in which councils interpret PPS 21 will become a big issue. He said that a change in planning policy is required.

Cathal Boylan said that there was a need for broader discussion on rural planning. He went back to PPS 14 and PPS 21, highlighting some of the challenges that people experienced in relation to planning. He said that councillors and rural groups were on the front line of those decisions, and he welcomed the withdrawal of the PAN. He said that it was not a rural versus urban issue.

William Irwin said that the PAN has not been very well received across councils and that it has created confusion. He said that there is already a very rigid rural planning policy and

that appropriate planning was important for the rural economy. He mentioned the issue that the UFU had highlighted about mortgage implications and the fact that houses can be seen as unsellable if people are forced to build on the farmyard.

I want to acknowledge Deborah Erskine's maiden speech. I remember Deborah as a young journalist in Omagh a few years ago. It is great to see her in the Chamber today, and I congratulate her on her maiden speech. Deborah acknowledged the rescinding of the PAN and believed that the Minister did not fully take on board the potential impact of the PAN and that it had caused a lot of concerns. She talked about the importance of appropriate planning policy for future generations to keep them on the farm and the wider implications for rural communities.

Dolores Kelly said that the PAN was a consequence of PPS 14 and PPS 21. She said that there were different interpretations across councils, and she also spoke about the need for social housing in rural areas and the importance of getting a balance in relation to sustainable rural communities. She highlighted the challenge for councils, as the appropriate resources did not go to councils when the planning powers were transferred, and the voluntary exit scheme had resulted in the haemorrhaging of a lot of seasoned and experienced planners. She also highlighted a local area planning issue.

George Robinson said that he had heard many concerns from his constituents regarding the impact of the PAN. He questioned why it was issued in the first place, and he said that there should have been consultation before any such decision was made. He said that sensible and sensitive decisions must be made about planning in the countryside and that there was a need for consultation. He commended the work of the Infrastructure Committee in highlighting the issue.

Minister Mallon responded to the debate and said that it had been a healthy one, which she welcomed. She mentioned that the SPPS was published in 2015 to manage development in the countryside and to protect the environment while sustaining communities. She said there was a call for evidence in 2016 and that further research was carried out in 2017 to inform the development of the strategic planning policy. The Minister is satisfied that the SPPS is fit for purpose.

She made the point that she issued the PAN to clarify the implementation of PPS 21 and that,

in fact, it was not a policy change. She recognised, however, that it had caused confusion and had not provided the clarity intended, so she withdrew it. She stated that she was committed to having a vibrant rural economy and rural communities and that it was important to strike a balance between protecting the countryside and encouraging development.

Looking ahead, the Minister said that she will look at the potential implications of a climate change Act and the green growth strategy, and she again emphasised her commitment to having vibrant rural communities.

That was a summary of some of the main points of the debate. I will make a few points before concluding. There definitely seems to have been a clear rejection, in the House and amongst rural organisations and representatives, of the PAN. It was clear that it would inhibit planning on farms, infill sites and rural settlements. I raised the matter a couple of weeks ago at Question Time, and the Minister made the point, at the time, that the PAN was guidance rather than a policy change. That is a fair enough point. However, paragraph 2 of the PAN says:

*"Sections 8 and 9 of the 2011 Act require a council to take account of ... any policy or advice contained in guidance issued by the Department".*

We do not want unregulated planning or "bungalow blight" in the country. We want to achieve a balance between protecting the countryside and enabling people and their families to live there. People and families provide the vibrancy — the heartbeat — of rural communities.

I made the point a couple of weeks ago that, in the vast majority of cases, it is young couples who want to start their life in the country. In most cases, they want to build beside their home place. They may be farming people, perhaps with aging parents; they want to start a new life there and support their parents, as they age, on the farm. Rural representatives will know the kind of people I am talking about; we have all met them on sites.

We need people to live in the countryside. We need them to sustain our schools and services and to give that heartbeat to our rural communities, which are under a lot of pressure with Brexit, a lack of broadband connectivity and other issues.

Whilst the Minister may feel that the SPPS is fit for purpose, which is a fair enough point, under PPS 21, there is one plan every 10 years. Many families in the country, especially farming families, may have four, five or six siblings in the house. Being granted one planning permission every 10 years is extremely challenging, so it is important that there are other opportunities, such as infill sites and renovations and that personal circumstances are considered. They are very difficult to get. It is important that flexibility remains on infill sites, clusters and building on the farm. It is a debate for another day, but certain aspects of PPS 21 need to be revisited.

I am glad that the Minister has rescinded the guidance. Like other Members, I commend that decision. I stress the importance of consulting local councillors, councils and wider rural community organisations in particular. They are at the forefront and were the first to raise the concern that we have reflected in the debate. It is important that local stakeholders, councils and other representatives in the wider community are consulted in the event of any guidance or policy being issued in the future.

*Question put and agreed to.*

*Resolved:*

*That this Assembly acknowledges that the planning system must be sustainable while also working for our rural communities; notes with concern the recent publication by the Department for Infrastructure of planning advice note (PAN) 'Implementation of Strategic Planning Policy on Development in the Countryside'; further notes the concerns expressed by the Ulster Farmers' Union regarding the new planning guidance; recognises that the new guidance could have a significant negative impact for many people hoping to live in the countryside; and calls on the Minister for Infrastructure to withdraw, immediately, the planning advice note and to engage meaningfully with local councils regarding the very real concerns of people in our rural communities.*

**5.30 pm**

**Mr Deputy Speaker (Mr McGlone):** The next item on the Order Paper is the Adjournment. *[Interruption.]* Oh, sorry. I ask Members to take their ease before we move to the next item.

*(Mr Speaker in the Chair)*

*Motion made:*

*That the Assembly do now adjourn. — [Mr Speaker.]*

## Adjournment

### Social Housing: East Belfast

**Mr Speaker:** In conjunction with the Business Committee, I have given leave to Joanne Bunting to raise social housing need in East Belfast. The proposer of the topic for the Adjournment debate will have 15 minutes.

**Ms Bunting:** I appreciate the opportunity to bring forward this topic for the Adjournment debate, because it is a subject that is of great import in my constituency of East Belfast. At the outset, I pay tribute to Carole and Gary and their staff for their sterling work and their approach to addressing the housing problems that we bring to them. Would that the Housing Executive had a few more like them. I am also grateful to the Minister for Communities for her attendance this evening, and I look forward to hearing what she has to say on the subject.

Day in, day out, my office is contacted by constituents seeking housing support, as individuals, families and those with disabilities continue to struggle with their housing situation. Housing is by far the biggest issue in my caseload. My staff and I hear in detail about the way in which individuals are expected to live in accommodation that does not fit or address their needs, how families are forced to live apart or in cramped conditions and how people sofa surf between family members and friends. We hear from those who will endure almost anything to avoid having to go to a hostel with their children or, in the worst-case scenario, who simply have nowhere to turn and end up living in their cars or on the streets.

Simply put, East Belfast has a housing crisis. There are far from enough social and affordable homes to meet the growing demand and need, and there still are not enough homes being built to come close to alleviating the problem, which will only worsen as the tower block strategy is implemented.

What is at the root of the housing crisis in East Belfast? Ultimately, it boils down to a lack of affordable housing and a legacy of Housing Executive stock being sold off and not replaced in similar numbers. However, there are multiple factors contributing to the lack of affordable housing, which, in turn, increase the need for

social housing. House prices are rising, making it increasingly difficult for people to afford home ownership. People are being priced out. East Belfast is one of the most expensive places in which to buy. Many of the homes that are being built are beyond the reach of a considerable number of people, as the escalating costs of building are being passed on to the consumer. East Belfast is in demand, and demand increases the asking price: that is the market.

More people than ever are renting privately, but private rentals can be expensive and unstable, resulting in the constant worry of eviction and, sometimes, relatively short-term tenancy agreements. Furthermore, there are private landlords who will not accept tenants who are in receipt of housing benefit, thus adding to the number of obstacles for some to overcome. Homelessness is on the rise. Many people are being forced out of their homes altogether. Those individuals might have to wait a considerable amount of time for suitable accommodation, and, in the meantime, have nowhere to go.

Infrastructure is at capacity, and planning is slow. East Belfast is already considerably built-up, so there is limited space on which to build. Most development opportunities of late have been in Dundonald, where several new private housing developments have been established. However, many of those could not be classed as affordable homes. Although there are several other significant planning applications in the system — again, in Dundonald — the water service advises that the area is at around 95% capacity, which impacts on planning decisions and time frames for building. Frankly, the roads are no better. Getting through Dundonald at rush hour is not a pretty picture. You might say, "Use public transport. Get on the Glider", but even the park-and-ride is full. Planning and infrastructure are not the Minister's problem, but they exacerbate the housing issue and the demand for social housing, which she must address.

East Belfast is a superb place to live. Most of us in the Chamber would say that it is God's own country. In all seriousness, it really is a great place to live, work, visit and raise a family. It is safe. It has great schools and beautiful restaurants, cafes and takeaways. You are in the city, but only ever minutes away from parks and the country. The city centre is easily and quickly accessible. There are reasonably decent transport links. There are greenways. There are plenty of local and varied shops. It has a strong culture of close-knit communities, active churches and community groups, many sporting clubs, and a hospital. Of course people

want to live there; why would they not? That has always been the case in East Belfast, so, naturally, it continues to be a housing hotspot, with soaring waiting lists.

In response to questions for written answer, the Minister advised me that there are currently 2,572 applicants on the waiting list, of whom 1,667 are in housing stress. However, the annual allocations amount to only 451. Those statistics alone clearly show that the need for increased quality social housing is pressing. Although the Minister has already committed to ensuring that more social homes are built and allocated where they are needed, and that ring-fencing of the social housing budget will be reintroduced to ensure that those areas of acute housing need are prioritised, additional action must be taken to achieve suitable social housing — "suitable" being the operative word. I will outline to her some of the difficulties that are faced by those seeking social housing in East Belfast.

Naturally, people have an affinity with the areas in which they grew up. Most of us want to be surrounded by family and loved ones for additional security and family support. However, because of a lack of available homes, people who grew up in the area are having to move further afield to different areas of choice just to have a chance of being housed and, in so doing, are losing out on that family support network. I know from my own office that that is the case for most young single mothers who do not drive and, therefore, struggle with not being able to live close to their support network. They can be on a waiting list for a significant amount of time in order to receive an offer in an area that they require.

More often than not, people have to adjust their area of choice to afford them a better opportunity of actually being housed. It follows that, in settled communities, there is high demand but low turnover, and so the chances of being housed are extremely slim. Therefore, people opt for somewhere else because there is more movement, but that is not necessarily where they want to be. That can result in a somewhat distorted perception of where the demand actually is, which, consequently, skews where social housing is built. From an applicant's point of view, there is no point in, essentially, wasting your first preference on an area where there is no turnover, high points are required and the offers are negligible.

We also have a dearth of four-bed properties in East Belfast. Again, in a recent answer to a question for written answer, the Minister advised that there are only 187 four-bed



properties in East Belfast. Compare that to West Belfast, where there are 547. Larger families are not catered for in my constituency and, as a result, people often have to move out of the east. Families with this requirement who are determined to stay in the east end up being told to change their housing needs to a three-bed property in order to receive an offer faster. That is all well and good, but they then have to live in overcrowded and unsuitable conditions. Therefore, the choice is to wait interminably for a four-bed property that may never come or be cramped.

The other advice that is often offered in order to get a four-bed property is that families should consider private rentals. However, that is not an answer for most people because of the reasons that I mentioned earlier, including financial pressures. Again, people who chose to cite a three-bed property rather than the four-bed that they need to ensure that they have a better chance of being homed skew the figures for what is actually needed.

We then have the flats that have been allowed to reach such a state of disrepair that some are now uninhabitable, while the decision on their future renovation has been repeatedly delayed. Properties need to be maintained regularly. The Tullycarnet situation is one such example. The Minister will be only too familiar with the Kings Road flats. I have raised them with her in the past, and she will have received the photos that I sent her showing how Housing Executive tenants are expected to live in horrendous conditions in what are now deemed "the flats from hell". The tender prices came in too high, so it was retendered. The spec was lowered, but the costs rose in the interim, so the tenders came in too high again. In the meantime, tenants were moved to other places, numerous flats were left empty, the damp got worse and the costs grew. The decision-making process has taken so long that everybody is still in limbo and the condition of the flats has degenerated to the point where some are irretrievable. I know that work has been undertaken to address some of that, but decisions should be taken before flats reach that standard. They should remain habitable until the end.

I have raised the housing points allocation system with the Minister previously, not least during today's Question Time. Whilst I understand that the use of intimidation points will be retained for those who need them, there have been occasions where the intimidation points system has been abused so that tenants can move from place to place, going to the top of the list each time. That prolongs the situation for other, sometimes vulnerable, applicants who

may have been at the top of the list for a particular area until the very last minute. We all have constituents in dire need who have lost out on homes in that way. Nobody objects to allocation for true intimidation, but we all object to those who abuse the system.

That leads me to my next point. There is a lack of sanctions for those tenants who misbehave and are simply moved from one place to another, causing mayhem wherever they go. That, too, has an impact on need, demand and availability. Often, they are housed before others as the result of a threat, but they can also have such an impact on an area that nobody wants to be housed there. Only the most desperate will go there, and those who reject the offer are left with a strike on their records. An area can get a bad reputation because of a few tenants who make all the rest miserable through wilful bad behaviour. However, the executive has no real sanctions and must jump through many hoops to be allowed to act at all. All of that takes its toll on waiting lists and requests for transfers.

That leads me to the position for the over-55s. After a recent question for written answer, the Minister advised that, whilst housing associations have designated stock for over-55s in East Belfast, the Housing Executive has none. As we age, we feel increasingly vulnerable and many of our ageing population live in fear due to antisocial behaviour in some areas. Designated and specifically designed services for the over-55s are intended to promote quality of life and help older people to maintain an independent lifestyle in an environment that breaks down the barriers of social isolation and promotes overall well-being. From experience, I know that many tenants over the age of 55 on a waiting list will not accept a flat for fear that there will be noise or antisocial behaviour, and they worry that they will regret their decision to move. I trust that the Minister will take that on board and commit to providing accommodation in safe zones. That is a key objective in actively encouraging residents to maintain their independence as they age.

#### 5.45 pm

In the short term, the Department for Communities has approved the demolition of two tower blocks in East Belfast, namely Clarawood House and Kilbroney House. The process will take time because some residents own their flat, but numerous others will need to be rehoused, and the waiting lists in East Belfast are already extensive and oversubscribed. Furthermore, the majority of

those who will be displaced want to remain in the area. However, that will be impossible if no properties are available. It is unlikely that the number of properties built on the footprints will cover the number of people displaced.

Another factor for consideration is properties for those with disabilities. Many individuals with mobility issues currently reside in unsuitable accommodation and are either on the waiting list for transfer or are waiting for adaptations to be carried out to their property to make it accessible and safe. Those individuals are desperate to regain some semblance of independence, yet their housing situation has not been conducive to meeting their needs. The creation of improved and accessible social housing must remain a key objective.

East Belfast needs quality, affordable homes and more social housing, of that there is no doubt. We need modern, energy-efficient, future-proof properties in locations that suit true need and true demand. That includes properties for our elderly, our disabled population, our over-55s and larger families. I trust that the other East Belfast MLAs in the House will agree that East Belfast is in desperate need of social housing for our constituents, who deserve the best. I have written to the Minister to ascertain what work is being done to identify additional sites for social housing and what action is being taken to address the shortage of available homes in East Belfast. Tonight, I reiterate that East Belfast has a housing crisis. Therefore, I implore the Minister to move forward quickly with the sites already identified for social housing. I ask her to assess whether current housing stock maximises the potential of the land on which it sits and to ensure that the accommodation designed for each potential site is suitable and truly reflects the demand. I request that, for the good of our constituents in East Belfast, she take on board the points that we all raise here this evening.

**Mr Speaker:** I advise Members that they have up to eight minutes.

**Mr Allen:** I start by thanking the Member for securing tonight's important Adjournment debate, and I apologise to her for not being in the House at the outset of her remarks. She raises a broad range of important points, none of which I disagree with. No doubt, I will touch on many of those as I lay out my remarks.

Across Northern Ireland, 45,000 individuals and families are on our housing waiting lists. Behind that figure are individuals and families living in housing stress and in conditions that none of us

would accept. Tonight, I will go home to my family in the knowledge that many constituents do not have that opportunity. Many constituents have to rely on the goodwill of family and friends. Often, their relationships with those providing accommodation for them are pushed to the limit.

As the Member mentioned, in East Belfast, 2,500 individuals and families are on the waiting list. The Minister has acknowledged that Northern Ireland is in the midst of a housing crisis. There is no denying that. We all acknowledge that, but what our constituents want to hear and need to know is this: what are we going to do to address that? What will we do to help them to get affordable social housing so that they can live with their families in homes that are located in the community where they grew up?

As the Member pointed out, East Belfast is a superb place to live. I am from East Belfast. I am East Belfast. When I have travelled the world over, I have told people that I am a proud East Belfast man. I am proud of the community that I come from. I do not believe that it is acceptable that we have constituents who are being forced to move out of the area in which they grew up and where they have been all their lives. That is a result of our lack of homebuilding.

Some 15 or 20 years ago, a number of housing charities called on this Government to build in excess of the number of social homes that we build now. At the current rate of housebuilding, I estimate that it would take something like 20 years to address the housing crisis. I pose this question to the Minister and her Department: what is their assessment of how long it will take to address the housing crisis that Northern Ireland faces?

I also highlight the fact that 45,000 people are on our housing waiting lists. Is that a true reflection of housing need? I would argue that it is not, and I will tell the House why. Recently, the answer to a question that I tabled to the Minister revealed that, in the past five years, 28,000 people had been taken off our housing waiting lists due to no reply to a renewal reminder. Over that same period, only 7,000 people reapplied. Where did the other 21,000 individuals and families go? Did they simply give up on a housing system that did not deliver for them? I am sure that we can all relate to having constituents come into our offices to say that they have given up or that they have gone to the private rented sector, where rents are unaffordable. We often talk in the House about the cost of living. The costs of heating and

energy are a brutal reality for many people. When they are faced with paying rents in excess of £600 or £700 and have to top up their universal credit housing payment with social security benefits, it is unaffordable. People are being forced to choose between heating and eating. Is that acceptable? It really is not. I do not believe that it is.

There is also the work that seems to have been in the system for an age: the public land registry. I have asked repeatedly for updates on that from the Minister's colleague the Minister of Finance. I know that it is an intense piece of work. However, there are various pieces of public land. I have tabled questions to all Ministers across Departments. That has revealed that there are countless pieces of land across Northern Ireland that could be leveraged and used to build and support social housing.

Other problems, such as those regarding the sewerage and water infrastructure, must be addressed to enable building and increase capacity. There are also problems in our planning system, whereby applications are not going through the system anywhere near quickly enough. It is important that applications go through the process of due diligence and that individuals have an opportunity to feed into it. It is absolutely important. However, it is also vital that any undue delays are weeded out of the system.

East Belfast is a thriving community — absolutely. However, communities are broken apart when individuals are forced to move out of the area. I want to pose other questions to the Minister. Can she provide any further updates on her housing transformation plan? The interim Minister highlighted ambitions plans for transformation of the Housing Executive, but, again, what will be the unintended consequences of that? By separating the Housing Executive's two components, will we create a super-housing association that will compete with existing housing associations and drive up land prices? There are also issues with the cost of materials. The Minister has rightly put a further injection of finance into addressing that, but will that have any knock-on impact on housebuilding?

There is also the housing selection scheme. Earlier, in response to a Member's question, the Minister highlighted the fact that it would take three years for the 18 recommendations to be fully implemented. We can tinker around the edges — they are important changes; I am not knocking that — but the fact is that, as many of my constituents have highlighted to me, points make prizes. What they mean by that is that

one point can be the difference between them being offered a home or not. We really need to address that.

I am committed. I am up for the challenge. I will work with the Minister and other Members across East Belfast to do what we can. I believe that we are united in that joint approach. Northern Ireland is in the midst of a housing crisis. We all need to step up to the mark to address it.

**Mr Newton:** I, too, thank the Member for securing the debate on what is an important issue. I pay tribute to Housing Executive staff in the Dundonald office and, indeed, the central Belfast office, who do a sterling job and often go beyond the requirements of their job. They are a dedicated team.

Some time ago, I posed a question to the Minister about the number of social housing development programmes in Belfast. She responded by telling me that the current social housing development programme had a gross figure of 2,215 units to be built in 2021-22, and, indeed, that there were —

**Mr Speaker:** Could the Member move closer to the microphone, please? It is hard to pick up your voice for Hansard.

**Mr Newton:** Thank you, Mr Speaker. I am sorry about that.

The Minister said that there were 2,215 proposed new social development units for 2021-22 and that 4,291 social units were under construction. I then asked the Minister for a breakdown, and the figures sent to me indicated how the numbers broke down between North, West, South and East Belfast. When I analysed the figures, I found that, taking the number of units under construction and proposed for construction together, the allocation for East Belfast is 12%. For South Belfast, it is 15%. For North Belfast, it is 31%, and for West Belfast, it is 55%.

We all know the importance of good housing. I will quote Shelter, which says that:

*"A safe, secure and affordable home is fundamental to a child's well-being and life chances. The foundation and stability provided by a decent home, whether it's a council house, privately rented or owned, are essential to a child's upbringing."*

Of the family, it says:

*"Families can wait months or even years for better quality affordable housing."*

Mr Allen made Shelter's point that:

*"Housing costs are a daily, weekly, monthly pressure and for some families there is no choice but to sacrifice essentials in order to protect their children from homelessness."*

Families are left staying in what can only be described as poor-quality, cramped and inadequate temporary accommodation until they find an assigned place to live. For parents, a great stigma can be attached to becoming homeless. Homeless parents are likely to be struggling financially and therefore find it difficult to afford rent, heating, food, clothes and school uniforms or trips. Too often, parents must settle — everyone who is a public representative in East Belfast will have noticed, witnessed or have evidence of it — for substandard accommodation, as they have few options and feel that they must plump for an opportunity before it disappears.

What is the impact of that on children's life and education? Putting them under pressure, it can blight their entire childhood. With no affordable housing, children living in temporary accommodation, who are considered to be homeless, can miss many days of the school year, causing them to be more likely to struggle with their education and academic achievements. Furthermore, children may have to move schools, leaving behind support networks, pets, friends and close family for their rehousing. East Belfast is a close-knit community, and children seek the family support that has been referred to. The removal of a child from one educational setting to another can inhibit their ability to achieve.

Inadequate housing also has an impact on communities. The importance of good housing, says Shelter, is instrumental in a community's economic, social and opportunistic drive. Good housing can attract individuals in job roles that are considered to be key, such as teachers, nurses, police, firefighters and so on. Key service providers would be attracted to areas rife with good housing, including affordable housing. That attraction would provide a great economic and opportunistic drive for communities.

Reference has been made to the unique situation that we are looking at with the demolition of Kilbroney House and the Clarawood flats, as confirmed by the Minister. The demolition of those East Belfast flats adds to the growing need for housing in the east of

the city. Demolition of the two tower blocks was approved.

## 6.00 pm

I have to pay tribute to the Northern Ireland Housing Executive for realising that there was a need — it might have needed a bit of prompting, but there was not much of that — to set up good communications systems. However, the demolition of the tower blocks raises concerns about compensation for those who own their flat, and those who want to remain in the area have no knowledge at this stage of whether the footprint of the demolished flats will be redeveloped. I know that it is an ever-changing situation, but the last figures that I saw indicated that about 100 people live in those flats, and they will be decanted to 100 dwellings that are not available.

In Belfast alone, a total of 10,800 people are in severe need of housing. It has been found that the number of applicants in housing stress had risen from 7,000 in 2016 to 8,143 in 2020. Indeed, the need for social housing is imperative and can be achieved only when the budgets are there. The total budget for spend on social housing in East Belfast in the past five years stands at £31 million. Yet, in the past two years, the level of funding has reached only £9 million. The total spend on housing in East Belfast —

**Mr Speaker:** The Member has 15 seconds.

**Mr Newton:** — is inadequate.

**Mr Lyttle:** I welcome the opportunity to speak on the need for improved social and affordable housing provision in my constituency of East Belfast. I thank the Member for securing the debate today. When we consider the extent of the housing crisis in Northern Ireland, the waiting lists and the financial crisis in education, we find it hard to believe that anyone would ever think that it is acceptable for the House and our Executive not to be in place to work together on those issues.

Housing is a human right. It affords people human dignity. It is essential for an adequate standard of living and for community cohesion. A Northern Ireland and an East Belfast in which everyone has adequate housing must be a key outcome achieved by the Assembly. Ensuring that everyone in Northern Ireland has access to a good-quality home is an Alliance Party priority. A safe, high-quality home is essential to health, life opportunities and security.

The Alliance Party's 'A Green New Deal' calls for an ambitious plan for social and affordable housing, including retrofitting social housing with "renewable energy sources and insulation"; prioritising energy-efficient measures that will provide low-cost and free insulation and home heating; ensuring that housing standards provide for sustainable and well-built homes; developing a land register to ensure that sites suitable for housing are identified; and developing an empty homes strategy to bring derelict and unused properties back into stock.

Alliance also supports the New Decade, New Approach proposal to include housing as a specific Programme for Government priority. Measures to address the housing stress that exists for many people must also be included. Specifically, there should be investment in and targets for new social and affordable homes and a reduction in the maintenance backlog for Housing Executive properties. We also support the proposed legislation to reclassify housing associations in order to enable them to build new social and affordable homes in East Belfast.

As an Alliance MLA for East Belfast since 2010, housing has been the single biggest issue on which my constituency team and I work for constituents. I have seen a number of positive examples of social and affordable housing development, including shared neighbourhood programmes and the inclusion of social and affordable housing in the planned flagship Sirocco Works development in our constituency. However, like other Members, I have experienced many examples of inadequate housing conditions, unacceptable waiting lists and housing maintenance stress across the constituency. One of the worst examples that comes to mind was the collapse of a ceiling in the home of a lone woman pensioner. That was a completely unacceptable situation for anyone to find their home in. There are examples of unacceptable damp conditions and other living conditions that we have to improve in our community.

I welcome the Minister's attendance at the debate. As other Members have done, I seek updates in relation to the particular need in the Kings Road flats at Tullycarnet, the relocation of tenants from Kilbroney House and Clarawood House and the Housing Executive's external wall insulation programme that is scheduled for residents in Wandsworth.

**Mr Newton:** I thank the Member for giving way. It was remiss of me not to mention two other areas — perhaps the Minister will address them in her response — the first being the Clarawood

maisonettes, which I understand are under an economic appraisal. My information is that that is likely to lead to demolition. The Minister will not be surprised when I mention the Knocknagoney Avenue flats and maisonettes. I understand that she has been in receipt of a proposal from NIHE for 12 months now. We need a decision. In both cases, there is inadequate housing, and both cases provide sites for redevelopment and the provision of other social housing.

**Mr Speaker:** The Member has an extra minute.

**Mr Lyttle:** I thank the Member for the intervention. That is important and, hopefully, we can get an update from the Minister in relation to those specific schemes.

As other Members have said, we have in excess of 2,500 people waiting for accommodation in East Belfast, over 1,000 of whom are in housing stress. That will take a comprehensive social housing development programme, including for East Belfast. Hopefully, the Minister can tell us more about that programme today.

I have also helped with the outcomes of heinous sectarian and racist intimidation in our social housing stock. The active promotion and delivery of shared and mixed housing is needed to build a more united community.

As other Members have mentioned, East Belfast is a fantastic place in which to make your home. However, there is an urgent need for us all to work together in order to deliver the social and affordable homes that are needed. EastSide Learning Partnership is a great model of cooperation that we, as MLAs in East Belfast, could look to in order to help us to take collective action in response to the housing challenge in East Belfast. We could consider the formation of an EastSide housing partnership to ensure that we work together to deliver the quality social and affordable housing that the people of East Belfast need and deserve.

**Mr O'Toole:** I thank the Member who brought the topic for debate. I am obviously not an East Belfast MLA, but I am a Belfast MLA who represents a neighbouring constituency. Many of the issues that we are discussing are as relevant to South Belfast as they are to East Belfast, but there are particular issues in East Belfast. As someone who lives very close to the South and East Belfast border and cares very much about how we deal with the social housing crisis that we face across Belfast, I am

glad that we are having the debate. Indeed, Kilbroney House at Cregagh, which, as has been discussed, is being demolished, is just across the road from South Belfast. It is on the border of the two constituencies.

There is a real social housing problem in the east of the city, as there is in the rest of Belfast. We sometimes want to put these things in a league table. The truth is that we have acute need across the city. However, there are issues in East Belfast that we need to pay particular attention to. Joanne Bunting, rightly, raised the particular issue in East Belfast of disabled access and access to properties that are adapted for people with disability needs. I have discussed that issue with council colleagues who sit in the east of the city.

Before I go on to talk about some of the more East Belfast-specific and Belfast-specific issues, it is worth reflecting on where we are in general. We face a social housing crisis in this city and across the entire region. There is a New Decade, New Approach commitment to prioritise that issue. The Minister's successor and predecessor, Ms Ní Chuilín, made a commitment to have a transformational plan for that. I welcome that intention, but it would be good to hear more about how that is progressing and about how the Minister envisages embedding it in the new Programme for Government, which we assume will be signed off next year, so long as we are all spared by the electors and have stable and functioning institutions next year, to mainstream it and deliver it for people in East Belfast and across Northern Ireland.

In East Belfast, there is the particular challenge of rising house prices. As Ms Bunting said, it is a popular part of the city in which to live and, like South Belfast, which is the constituency that I represent, it has many thriving neighbourhoods. That also leads to the issue of gentrification, as it is sometimes called, which is a two-edged sword. Gentrification can mean investment in an area and opportunity for people, but it can also create very acute challenges for established working-class communities because of the increase in the value of property. That is not just property to buy, but property in the private rented sector. That is a real challenge for communities in East Belfast and South Belfast, as well as in the north and the west of the city. There are particular issues that have been discussed.

We need to see greater investment in delivering the housing stock in East Belfast. Particular areas have been talked about, such as the

Kings Road flats and other places. It is also worth saying that —.

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

**Mr O'Toole:** Yes, of course I will give way.

**Mr Newton:** Does the Member recognise that part of what the Housing Executive regards as east Belfast is in fact, in parliamentary terms, in South Belfast? That is the area around London Road, Ravenhill Road and My Lady's Road, where the housing is not of good quality. Much of it is in private-landlord, rented-out quality. Does the Member agree that that is within his constituency, but that it impacts on East Belfast, and that therefore, as has been suggested, there would be merit in an East Belfast working group and, in that part of the city, a South Belfast working group to address the issue?

**Mr O'Toole:** I completely agree with that point. As the Member said, there is overlap. For statistical purposes, South Belfast and East Belfast are very often gathered together by the Housing Executive. That is the way it does those things. There is an issue whereby the area that he talked about on the lower Ravenhill Road is dominated by a greater proportion of private rented accommodation. We also know that there are long-standing issues with the quality of housing in the private rented sector. Indeed, we talked about some of those problems earlier today during Question Time with the Minister for Communities.

I am glad that this debate has been brought to the House. There are particular issues that affect people in the east of the city. The east of the city is a great place in which to live. It would be good to hear from the Minister about how the overall transformational plan is going. It is worth acknowledging that there are particularly acute challenges. I do not want to get into the debate about need, relative areas of that place or getting into the league table. It is worth acknowledging, for the record, that the sheer volume of need, especially in the north of the city, presents very substantial challenges. That is not, however, to deny that there is very significant need and challenge in the east of the city. We should all be putting our shoulders to the wheel to address that.

What I am most interested in today is hearing and getting an understanding of what the overarching Executive approach is and about how the Minister is taking forward the transformational plan, as well as hearing what Programme for Government outcome she would like to see that will help us to get to the

heart of the acute challenge that we face across the region. There are more than 30,000 people in acute housing stress across the North. It would be good to understand the sort of outcome that she wants to see from the Programme for Government next year. It is for all of us to engage in delivering to address that, because it is a severe and acute challenge for people in East Belfast, across the city and, indeed, across Northern Ireland.

In conclusion, I welcome the fact that this debate has happened. People in East Belfast, as across the city, are entitled to a real and meaningful plan to address social housing need.

East Belfast is a great constituency and a great part of the world, but we need a plan to address the acute social need that we face.

It would be helpful to understand what is happening with the Sirocco Works — I do not know whether the Minister has an update with her — which is a major strategic development that has been looked at right up to the level of the Executive Office. I hope that the project will develop at speed because it could, hopefully, address a significant part of housing need, including that in the Short Strand.

I will conclude my remarks there and welcome the fact that we have had this debate.

**6.15 pm**

**Mr Speaker:** I thank all Members for their contributions. I call the Minister for Communities, Deirdre Hargey, to respond to the debate. The Minister has up to 17 minutes to do so, if she so chooses.

**Ms Hargey (The Minister for Communities):** I thank Joanne for securing this important Adjournment debate, and I thank everyone who has contributed. East Belfast is a lovely place. I live in the Markets, just across the river from the east. Many agencies think that the Markets are in East Belfast. I always say that it is the river that divides us but the bridge that brings us together.

In the last couple of weeks, I was out in the lower Ravenhill with Joanne's party colleague Christopher Stafford. We met community organisations and looked at the issue of housing infrastructure. The Department for Infrastructure was represented on that walkabout as well. I have said that I am more than happy to continue that engagement with the community to look at its issues.

The issues in that part of East Belfast are the same as those where I live. They are the same as those in the north of the city and in Derry, Foyle and other parts of the North. It is important to point out that I acknowledge that there is a housing crisis, and it exists not just in East Belfast but across the North. We are in the midst of a housing crisis, and we have serious difficulties. The Assembly, the Executive and I, as Minister, need to overcome those difficulties over the next decade, and we need to look at short-, medium- and long-term plans for how to get there.

Partly, this crisis is because of decades of underinvestment. Even before the Assembly was created, on the back of the Good Friday Agreement, there was underinvestment. Over the period since, the crisis has built. We can see that reflected in the recent waiting list. As of March this year, 44,985 people were on the list, and some 30,926 of those were in housing stress. As to the extent of the predicament that we are in, the figures speak for themselves.

As I said in the Chamber previously, there is also a crisis in existing Housing Executive stock, as was touched on when we discussed insulation and other issues. The Savills report of 2019 concluded that, if we do not fundamentally deal with the investment challenges of the Housing Executive, half of its remaining stock of over 96,000 homes could be lost to public housing because it cannot afford to maintain them.

I completely understand that these are the issues that Members pick up in their constituency offices. I pick up the same issues of poor housing conditions in my office too. That is because the money to invest in the fundamental work that must be done is not there. That is part of the challenge.

The main thrust of last year's housing statement was that we need to deal with the fundamental challenge of getting the Housing Executive onto a firm financial footing, allowing it to borrow, to invest in those properties and to bring the existing housing stock up to date so that people can live in homes that are fit for purpose, not just now but taking into account the challenges of climate change. We must ensure that we build new homes as well, and the Housing Executive, along with the housing associations, must be able to do that.

My focus for that agenda of change is to keep what is good about the Housing Executive as a public housing body. We need to ensure that it remains public and that the sense of it as a public body is retained, both in its landlord

function and as a regional housing authority. As I said at Question Time, the Housing Executive and the Department have set up a panel to look at how we can do that.

Within the confines of the legislation and the parameters set by Westminster, how can we get the Housing Executive into a position where it can borrow and yet retain its status of a public body? Those are some of the challenges that we are trying to work through. We are working with experts on the legislation and the finances around it, and we are engaging with Westminster because, obviously, that is where some of the restrictions, I suppose, around these things come from.

**Mr Allen:** Will the Minister give way?

**Ms Hargey:** Yes.

**Mr Allen:** Minister, you mention keeping the good and important aspects of the Housing Executive and also retaining that public body element. Has there been any scoping of the impact of the ONS's reclassification of housing associations, which we saw in 2016, on whether there will be any implications for the Housing Executive retaining that public body element?

**Ms Hargey:** That is part of what we are looking at, Andy. I want to keep the Housing Executive as a public body but for it to have the ability to borrow. Obviously, there is a difficulty at the moment, and we need to allow it to have the ability to borrow in order to invest in the stock or we will not have half of the stock. That is just the reality. That is not to scare people, but that is the assessment of Savills. We are updating that assessment, and I do not think that the situation will get better. It will probably present a worse picture rather than an improved one, so we need to fundamentally deal with this issue.

The programme board is set up, and there is a commitment from me that I will present this way forward to the Executive before the end of this mandate, and work is under way. I cannot give all the details now because all those types of issues are still being looked at. Part of that is looking at the trajectory of rent, and it also involves looking at an analysis of making sure that it is affordable and that people do not fall into debt and an affordability crisis. That is some of the analysis that is being carried out on those issues.

We are also looking at the housing supply strategy.

**Mr Newton:** I thank the Minister for giving way. The Minister has made the point about debt, affordability and so on. I feel certain that she knows this already, but I think that it is worth reiterating. East Belfast has two neighbourhood renewal areas. One of those includes Short Strand, lower Newtownards Road, Albertbridge Road, Albertbridge/Beersbridge Road, the Mount, Woodstock Road and lower Ravenhill Road. The other neighbourhood renewable area, at the other end of the constituency, is Tullycarnet. On the matter of debt and affordability, 11% of the population in Northern Ireland claim housing benefit while in those areas it is 20%.

**Ms Hargey:** There is a huge issue, and you see that in the private rented sector as well. Not all those tenants are in social housing. Going back to your point, Andy, the waiting list is not reflective of the real need and the issues out there. We know that, and we are trying to look at how we can ensure that the waiting list actually reflects the real need. We know that there are particular problems with that in rural areas as well, and we are working with the Rural Community Network and others on the latent demand tests, for example. Are there other ways that we can look at that need? It is also about encouraging people who need a home to make sure that they are registered and that they stay on the register. I totally recognise all those issues and am trying to look at solutions to bring forward.

I am committed from the outset to building more social housing, and, indeed, social housing is at the core of my programme and what I am doing in the time ahead. Last year, 2,403 social housing units were started. That was the highest figure in 10 years. During the same period, 1,318 social homes were completed, exceeding the target of 1,200. In each one of those houses is a person and a family, and we know fundamentally that they need a home. In the past five years, 393 new social starts have commenced in the East Belfast constituency, and 421 social housing units have been completed. Currently, 79 social housing units are under construction, and, in the current three-year housing development programme that takes us up to 2024, a further 381 housing units are planned in the constituency. The bidding for the programme is done on a three-year cycle.

I completely recognise that, on average, around 1,900 homes, as part of the social housing development programme, are not enough. We need to be more ambitious and to increase the number of homes. We need increased capital investment around that, and we also need the



ability to build the homes. It is OK saying that we have the money in place, but is the infrastructure in place? Do we have the builders to take forward a programme of that scale?

The other area that we need to look at is the right to buy. It was touched on. A few decades ago, the Housing Executive had over 240,000 homes in its stock; we now have fewer than 100,000. That in itself — the loss of that stock — tells you why there is a housing crisis. Those houses are not being turned over into more homes. For every 1,900 homes, on average, that we develop in a year, we lose almost 500 through that scheme. It is a popular scheme, but we need to look at the options. I have proposed a consultation, but, again, that has not been approved by the Executive. I want to consult on what the options could be.

**Mr Allen:** Will the Minister give way?

**Ms Hargey:** Yes.

**Mr Allen:** I understand the point that the Minister makes on the right-to-buy scheme, but does she accept that many of the individuals who avail themselves of the right-to-buy scheme have no intention of moving from what is often the family home? On another point, the Member who proposed the Adjournment debate mentioned the skewed assessment of housing needs in areas. Will the Minister give an overview of the current process to determine housing need and tell us whether there will be a review of it? There is a problem there.

**Ms Hargey:** Many people still live in the home that they bought through the right-to-buy scheme, and many properties are sold off and end up in the private rented sector. Obviously, they are still housing people. We know that there are more families with children in the private rented sector than in the social sector, so we need to look at housing holistically. That is what we are trying to do through the housing supply strategy, this term's legislation around the private rented sector and the legislation in the next term. We need to look at all of those issues.

The points system is one part of the piece on housing need. We are trying to ensure that people on the list are retained on it and we identify that need. I also want to look at ring-fencing and reintroducing it into the housing development programme. We need to look at that in the context of how we replenish the stock that is being lost from the social housing provision, because it is not being recirculated to those on the housing waiting lists who need it.

We also need to offer options on co-ownership and for those who want to rent properties, and we need to look at an intermediate rent. Obviously, we are bringing forward proposals on those issues.

I have already told the House that I believe the targets for social housing are too low and that, unless we do something radical about the targets, the waiting lists will get worse rather than better. The continuation of building quality homes and creating stock for individuals and families is also a priority. To that end, I increased the budget this year. The Executive agreed to the investment of an additional £26 million. We need to grow that further. I call on Executive parties to support my call and that of the housing sector to have a dedicated outcome for housing in the Programme for Government, because that would put a focus on housing and state that it is a fundamental right. It must also be recognised that housing is an issue not just for the Department for Communities. Issues across government around land assembly, planning and infrastructure lead to a home being built. That is what we need to look at in the time ahead.

I am working with housing associations and have been encouraging them to identify land that is available for housing. On behalf of the executive, I am also conducting an exercise to identify surplus land that could be used for housing developments. Councils will play a critical role in that, particularly around the local development plans. On the one hand, with private development, I will be encouraging and saying that they should allocate a percentage to social and affordable housing and that that should be fit for purpose. I will also be identifying public land that they own. I cannot remember who mentioned the cataloguing of all public land. There is a difficulty in that not everybody keeps records. There are paper copies, and they will have to be transferred. That will take time. That has slowed down some of that work. We are trying to identify public land for public housing. That is something that I am working on with the executive in the time ahead.

### 6.30 pm

Members mentioned other issues, and I will come back to some of them. The demolition of Housing Executive tower blocks is not just an issue for East Belfast. It is, perhaps, an opportunity. Where there is housing need and the blocks need to be demolished, they will be replaced by modern, energy-efficient warm homes. My Department has already approved the demolition of Clarawood House and

Kilbroney House. Once they are cleared, that will create an opportunity for the sites to be redeveloped in a manner that suits the needs on the ground at that time. I fully appreciate that people have been born and bred in and around those blocks and live in that community. The Housing Executive has assured me that it will deal sensitively and sympathetically with tenants.

I completely understand the issues that have been raised. I live in the Market, which is an inner-city working-class area that is just like many communities in East Belfast that feel the pressure of development and the lack of available land. I come from a family of seven siblings, and three of my siblings had to leave that area and go to the north of the city for private rented accommodation and to purchase a home because they could not get one in the community in which we live. I am acutely aware of that. The issue is not just about building houses. We want to build communities and ensure that they are sustainable, thriving, have cohesion —

**Mr Speaker:** The Minister has a minute left.

**Ms Hargey:** — and can overcome all the issues in challenging sectarianism and racism where they raise their heads.

I touched on housing allocations. We have established the project team for that. We are implementing a number of the proposals, and work on those will be under way by March of next year. We are continuing to do the rest of the work. I am in consultation and am engaging with the Infrastructure Minister on how we can bring forward schemes and align what Infrastructure is doing with our housing programme in the time ahead.

As I touched on, we are doing the housing supply strategy. I hope that will go out to consultation at the end of this year. The strategy will take us up to 2037. It will have three-year action plans for delivery over that period. The strategy will give more definitive information, Andy, about the number of homes that we think that we will build over that period. I do not want to say anything until the strategy has been produced. However, I will come back to you on that.

On the private rentals —.

**Mr Speaker:** The Minister's time is up.

**Ms Hargey:** OK. I should say that I will formally reply to Members' questions in writing.

**Mr Newton:** Clarawood maisonettes and Knocknagoney.

**Ms Hargey:** Sorry?

**Mr Newton:** Clarawood maisonettes and Knocknagoney.

**Mr Speaker:** You are free to continue your conversation elsewhere for the rest of the evening if you wish. *[Laughter.]*

*Adjourned at 6.33 pm.*

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