



Official Report (Hansard)

Monday 22 April 2024
Volume 158, No 1

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Northern Ireland Assembly

Monday 22 April 2024

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

Members observed two minutes' silence.

Members' Statements

Mr Speaker: As Members are aware, we do not take any points of order or interventions during statements.

Children with Additional Needs

Mrs Dillon: I speak today about the challenges that face parents of children with additional needs. On Friday, Michelle O'Neill and I met two highly skilled and experienced nurses, one of whom is a specialist transplant nurse, who are struggling to stay in the workplace because they do not have childcare for their children with additional needs. That is unacceptable. We need to see work between Health and Education to ensure that we have a childcare strategy, with a particular focus on children with additional needs. We have said that that is a priority for the Executive, and we need to ensure that the focus is on that. We urgently need to see more support for parents of children and young people with additional needs. There is a lack of childcare provision, appropriate school places and support mechanisms. We know that some of our social work teams are operating at 50% capacity. Those are the people who are in place to support those families. They are mothers, fathers, parents and caregivers who want to go out to work and provide for their families, but they are being prevented from doing so because there is not adequate childcare provision, particularly for children with additional needs.

It is an unacceptable situation, and we need to ensure that it is addressed as a matter of urgency. Those families have to fight for everything that they get for their children and young people and for the most basic of rights for them. We need to support them to ensure that that does not remain the case.

Portadown Football Club

Mr Buckley: Portadown was a happy place in which to reside this weekend, not just because of the good weather. It was great to see Portadown Football Club crowned champions of the 2023-24 Northern Ireland Football League (NIFL) Championship and secure promotion back to its rightful place in the Irish Premiership. It has been a long journey, following a couple of difficult years for the club, and I pay tribute to the team and its board of directors. Anyone who is associated with the football club knows how much work goes on in the background and how many long, hard hours it takes to ensure that the team is sent out with its best foot forward.

I congratulate the coaching team, particularly the manager, Portadown's own Niall Currie. As a former postman, he is no stranger to the streets of Portadown. He has definitely fulfilled what was probably a childhood dream, which was to bring Portadown, his local club, back to the Irish Premiership. We congratulate the team on its achievement and look forward to working with it as it progresses. Portadown Football Club has some lofty ambitions, with plans for new stands and training facilities at the club. I look forward to continuing my work with it.

Behind every successful football club is a raft of volunteers. I think not only of the stewards, albeit they do a very important job, but of those who look after turnstiles or are involved in grass cutting. Those volunteers put their heart and soul into the local team, which is at the heart of the local community. Portadown has ambitious plans for the future, and I look forward to supporting those plans.

An interesting thing is that mid-Ulster and, in particular, Upper Bann have become real hotbeds of football activity, with the potential for a derby match every other game, with Loughgall, the Annagh, if, hopefully, it can secure promotion, Glenavon and Portadown all vying to win against each other. It would certainly be something good for fans to experience. We wish them all well. Well done to Portadown on securing promotion to the Irish Premiership. Come on, the Ports.

Road Safety

Mr McReynolds: I rise as an East Belfast MLA and a member of the Infrastructure Committee to highlight the issue of road safety in Northern Ireland. Members will be fully aware of the issue in the North and South of the island, given the historical data on collisions, casualties and fatalities. In 2023, 71 people lost their life on Northern Ireland's roads, compared with 55 deaths in 2022 and 50 in 2021. We are now in April, and there have already been close to 20 deaths. Behind each death is a family and a community in mourning. Over the weekend, we had a fatal crash in Ballycastle, and the PSNI had to issue a statement after two separate road traffic collisions involving R drivers.

Evidence shows that more than 95% of road deaths are due to human error, careless or inattentive driving or inappropriate speed for the road or conditions, with drink- and drug-driving accounting for the majority of deaths and serious incidents. Since becoming an MLA, I have attended remembrance events at the Assembly, and vigils as well, most recently on the steps of Stormont with MLAs and campaigners calling for vital improvements to the A1.

As one of the many new MLAs who experienced the lull in this place from May 2022, it has been so motivating and inspiring to feel the energy in Stormont since its restoration in February. Stormont is key to addressing road safety issues in Northern Ireland. I was reminded recently that 2012 had the highest spend on road safety advertisements and that we did not have one death on our roads in that year. I was astonished to learn that, in recent years, those advertisements have been cut owing to financial pressures.

I am aware that the Minister has published the 'Draft Road Safety Strategy for Northern Ireland to 2030', but we can all do so much more. I recently met the charity Road Safe NI and others on the matter, and I have arranged a meeting in the Assembly on 1 May to facilitate a round-table discussion for MLAs to hear from Road Safe NI about its expertise on road safety — the causes of accidents, the challenges and the solutions — and about how we can help effect real change, given that road safety touches every constituency in Northern Ireland. The meeting will be at 2.00 pm on that date. MLAs from all parties are more than welcome to join me there. I look forward to seeing Members at what promises to be a positive discussion to tackle a major issue.

EU Regulations

Dr Aiken: First of all, I thank everybody in the Assembly who passed on their condolences to my family on the recent death of my father-in-law. I thank everybody for that and for their good wishes.

I want to talk about what may sound like two rather arcane regulations: (EU) 2024/573 and (EU) 2024/590. Both regulations were laid before the Windsor Framework Democratic Scrutiny Committee last week. What is peculiar about them is that they were both delivered late to the Committee. First, they were delivered in such a way that, even if we had wished to, we could not have called for an inquiry into them, and, secondly, because of the rules and regulations set out in the Windsor framework, we could not have utilised the Stormont brake, even if there were a situation where those regulations had a significant impact on Northern Ireland. That is not acceptable.

The fact that they came late from the Cabinet Office, which produced an explanation and what I would call a rather limited apology, is, again, not acceptable. We on the Windsor Framework Democratic Scrutiny Committee have tight timelines in which to deal with such regulations when they arrive. We have five days to look at them from when they first arrive, and there is a timeline of two months that starts to run down fairly rapidly.

When we look at where we are, we see that there is no method of redress if anybody gets it wrong. All Members should, rightly, be concerned about where we are in this situation. I call on Steve Baker, the Minister of State for Northern Ireland, and the EU-UK Joint Committee to address the issue urgently. We should be in a situation where we are able to have redress and are not stuck with strict timelines that even our Cabinet Office cannot comply with.

Stardust Inquests

Ms Ferguson: I send my support and solidarity to the families of the Stardust tragedy of 1981. My thoughts are with the survivors and the families of those who lost their lives in that tragedy. They have campaigned tirelessly for over 40 years for truth and justice. The determination and desire that those people have shown has been nothing short of inspirational. Last week's verdict confirmed what survivors and families have always known.

It has been a long and heartbreaking road. They have overcome so much, including the obstacles put in front of them. They had to fight until 2019 to get a second inquest, and they had to continue to fight the state every day until that inquest started. They had to fight to ensure that the resources were in place so that every family could participate in the inquest and get access to justice. They had to fight for jurors to have their income protected and to be selected in a transparent way, as they would in the court system. For that remarkable resilience and resolve, we salute them. The 48 young lives that were taken on the night of the Stardust tragedy will be for ever missed by those who love them the most. Now each family has the comfort of knowing the truth of that night and why their loved one died.

Tomorrow, the Taoiseach will make a full state apology to the victims, the victims' families and the survivors. It is vital that that apology address the failures of Governments, not just in the aftermath of the tragedy 43 years ago but every day since. In conclusion, I send my love and solitary to all those families and the survivors.

Childcare Costs

Mr O'Toole: Saturday was a beautiful, sunny day in Belfast, and it was a day of activism for many families, particularly young families, who are struggling with the unbearable costs of childcare in Northern Ireland. As we in the Chamber know, because we have talked about and debated it several times, Northern Ireland is far behind neighbouring jurisdictions in providing support for working parents with the now crippling cost of childcare.

Saturday's march was organised by Melted Parents NI, a group that probably all of us in the Chamber have now been in touch with. I pay a particular tribute to Melted Parents, which did an incredible job of organising not just Saturday's march but a whole programme of activism, policy engagement and outreach to put this right at the top of the agenda for the incoming Assembly and Executive.

On Saturday, we saw working families, many of whom had probably never been on a political march in their life, going along — thankfully, it was a sunny day — and many of them brought their children.

They put on their signs how much childcare is costing them. In many cases, it is costing people on average incomes, sometimes lower than average incomes, thousands upon

thousands of pounds per month. It is simply unbearable.

12.15 pm

Unlike in England and Wales, where 30 hours of free childcare a week is provided, here, for four-year-olds, there is the equivalent of two and a half hours a day, which, in many cases, does not reduce childcare bills at all because of the timings that providers use. It is important to say that many providers are serious about this. The childcare workforce in Northern Ireland is extraordinary. They do an extraordinary job looking after our children. They are skilled professionals who deserve to be paid.

For the sake of our economy and the sake of working families, we need to get serious now about delivering an updated childcare strategy in Northern Ireland. The Executive parties said that they would make that a day 1 priority. Those words and, indeed, my words now are just that: words. They need to be followed up with specific plans that have legislative force and financial wherewithal. We, as a constructive Opposition, will always say that we recognise that Executive parties have difficult decisions to make and have to prioritise. However, this has to be a priority, because it is drowning ordinary working families with costs that they cannot afford and it is damaging our economy.

Following Saturday's march, we, as a constructive Opposition, will keep the pressure on for a properly funded programme of childcare reform that eases the burden on working families and allows them to raise their children, contribute to the economy and live without that huge and growing burden of stress.

Northern Ireland Children's Hospice: Funding

Mr Brett: I rise to raise my concern at the lack of progress in securing funding for the Northern Ireland Children's Hospice. As you are aware, Mr Speaker, in the House, the issue has been the subject of a question for urgent oral answer and of a public petition with over 1,500 signatures from across Northern Ireland and has been raised by the Chair and Deputy Chair of the Health Committee.

In a response in the House, the Minister of Health made it clear that he would use his best endeavours to ensure that the cuts would be reversed and that bed capacity would be increased at the Children's Hospice. Indeed, in a written reply to my question to the Minister of

Finance on 23 February, the Minister made it clear that she had written to the Health Minister requesting that he make a bid for additional funding for the Northern Ireland Children's Hospice. Like me, all reasonable people across Northern Ireland would have expected the Minister of Health to have made such a request. To my surprise, in a written answer from the Finance Minister on the 19th of this month, she confirmed that she had not received a request for additional funding for the Northern Ireland Children's Hospice from the Minister of Health. That is a completely intolerable situation.

The Minister has made it clear that he has priorities in other places, but, for me, as an MLA for North Belfast, the proud home of the Northern Ireland Children's Hospice, the Minister's focus on other issues should be secondary to this. We need to see the Health Minister urgently make the bid that the Finance Minister has asked for, so that the vulnerable people who receive care and support at the Children's Hospice can do so once again. They are some of the most vulnerable people in our society, and the failure of the Health Minister to make any real progress on the issue should be a matter of shame. I look forward to him rectifying that without further delay.

Barnardo's: 'Time 4 Me' Service

Mr Mathison: The Barnardo's NI regional 'Time 4 Me' service has provided professional counselling to primary school pupils for over 17 years but will sadly close in June 2024. In the absence of sustainable funding, Barnardo's has had to use its charitable resources, alongside substantial resources from schools' squeezed budgets. That has become no longer sustainable. The charity has long warned government officials that, without adequate funding for mental health support in schools, vital services like 'Time 4 Me' would close, leaving children with no access to a service.

Over the past 17 years, the 'Time 4 Me' service has worked in around 70 primary schools across all school sectors, supporting nearly 3,000 pupils through the delivery of 30,000 sessions of counselling and therapy.

The service uses a child-centred approach that incorporates a whole-school approach to well-being and has prioritised work in the most disadvantaged areas of Northern Ireland. The results of the service speak for themselves. In 2022-23, 81% of children who attended the service were described as being in clinical distress at the outset but in the normal range at the end of their access to the service.

Child and adolescent mental health services are under severe pressure in Northern Ireland. Resources targeted at mental health and well-being support, including access to counselling services in schools, are a vital tool in easing the pressure on those services by getting help to children when they need it, making support as accessible as possible and preventing initial mental health concerns from becoming a crisis that needs longer-term health service intervention. The loss of the service will, of course, impact the children who rely on it now, but we must note the wider problem that that speaks to. The Health Minister and the Education Minister need to prioritise providing secure and stable funding for vital mental health early intervention work with our primary-school children. Healthy Happy Minds funding was pulled with little warning or planning last year. Schools can simply no longer afford to use their already inadequate budgets to do that early intervention work on behalf of Departments.

Fivemiletown Royal British Legion

Mr Elliott: I congratulate Fivemiletown Royal British Legion, which on Saturday was awarded the King's Award for Voluntary Service. Fivemiletown Royal British Legion is probably different from many British Legions. When we hear of a British Legion branch, we think of people who sell poppies, raise funds for veterans and make preparations for Remembrance Day, but Fivemiletown is different. Fivemiletown British Legion does a lot of community activity, and its members are representative of the entire community. During the COVID pandemic in particular, they fundraised, looked after the vulnerable people in their community and ensured that people who might have been vulnerable to social isolation had visits and were given goods and products that, basically, kept many of them alive during that time. They continue to do that. Since getting into that trend, they have continued to look after vulnerable people in their community. They get huge help, but, if it were not for the volunteers, they could not operate. There is a massive ring of volunteers for many areas and subjects, and they do that work exceptionally well.

I put on record my congratulations to Fivemiletown Royal British Legion: the award is very well deserved, and it was well recognised on the day.

Disabled People: Welfare

Mr McCrossan: I express my disappointment and disgust at the full-on assault on disabled

people by the Prime Minister in recent days. People on disability benefits are people who struggle, the most vulnerable in our society. The Prime Minister cheekily said in his statement that he had a "moral mission" to resolve that. We should remind the Prime Minister that the words "morality" and "Tory" should never be used in the same sentence. For over a decade, the Tories have been responsible for adding to the suffering and pain of the most vulnerable in our society; if it is not the working poor, it is the disabled people in our community. He even went on to suggest that people who suffered from mental illness should not be entitled to personal independence payments (PIP). Why does the Prime Minister differentiate between a person with a mental health disability and someone with a physical disability? That disgusting attitude is typical of an out-of-touch Tory Prime Minister and Government. It certainly needs to be called out for what it is.

The Prime Minister's speech related to England and Wales, but, in reality, in Northern Ireland, we need to do what we can to defend and protect the most vulnerable in our community. The Prime Minister also suggested that GPs should no longer issue sick notes and that there is a "sick note culture" across the UK. That is a despicable statement. People do not go off sick for the sake of it. There are many genuinely unwell people in our community, and it is the responsibility of politicians and Governments to protect them as much as possible.

This is not about reviewing or reforming the benefits system; it is about attacking the most vulnerable and about cost-cutting to the benefit of this Government. As usual and as is typical of Number 10 over the last decade, they just go where it is easiest, and that is to attack those who cannot stand up for themselves or defend themselves. It would be better for the Prime Minister to start with the wealthy, whom he is keen to give tax cuts to, instead of attacking those in our society who depend on us. A lot of those who are on disability benefits have contributed to our society significantly. They are an important part of our community, and we need to ensure that they receive the support that they need at that time.

Members of the House, Mr Speaker — I include your own office in that — will have helped people with personal independence payment forms and various interviews. It is a stressful process, and, if there is going to be a review, review it to improve it and to support those who are struggling; do not review it to cut and add further pain. This is ridiculous but typical of the

Tory Government, and it needs to be called out by every Member of the House.

Trademarket

Ms Nicholl: Trademarket has been a hub for independent businesses. Its 20 spaces are used for grassroots enterprise, and it has employed over 100 people. It always knew that it was temporary and that its time at 14 Dublin Road was limited, with the new Kainos and QUB site being built. However, Trademarket has been such a success that permanent closure is something that we should avoid.

Trademarket has been making representation to move to Bankmore Square and make that its new home. It is currently leased by the Linen Quarter business improvement district, but it belongs to DFI. Given the current status of liquor licensing, funding an alternative brownfield site beside another willing licensed premise would be difficult, so Trademarket has drawn up plans for how it could relocate all the businesses on to the Bankmore Square site. The plans will allow for the recent environmental improvements and, again, would be semi-permanent, thereby allowing for the future move of the roll-out of the south Belfast corridor of the Gilder, which we are very excited about.

Trademarket will close at the end of 2024 and knew that it would, but, when we see businesses such as this that are so innovative and have become such a success, we need to do everything that we can to help it succeed and continue, albeit on a new site. Let us support our independent businesses, and let us do what we can to save Trademarket.

EU Law

Mr Allister: Last week, I made reference to the fact that the Windsor Framework Democratic Scrutiny Committee had had its scrutiny powers stripped out, leaving it impotent. Just how impotent it is was further underscored on Thursday when it was revealed that it had not even been informed of laws that were coming in to apply from the EU. Not only have we the scandal of being ruled by laws that we do not make, we now have the scandal of being ruled by laws that we do not even know about. It does not get much more colonial than that.

Today, however, I want to draw attention to the fact that, on Friday, there was a briefing to senior environmental health officers across Northern Ireland who operate the ports under the protocol. They were advised that, come the

autumn, the Government will start imposing the requirements of the Official Controls Regulation (OCR), which, of course, means that the Government will charge out for the checks that are conducted on sanitary and phytosanitary matters. There is no doubt that the OCR applies, because it is listed in annex 2 of the protocol as one of the applicable and pernicious EU laws that we are subject to, and it details mandatory fees and charges and provides that competent authorities shall collect those fees or charges for the official control checks that they perform at the points of entry on the first arrival into the EU's sanitary and phytosanitary regulatory zone, of which, sadly, we are now the front line and a part.

Now, what will be imposed on business is the fact that, under EU law, the very checks on goods coming into Northern Ireland from the rest of the United Kingdom — Great Britain — will now be charged out to business. When I raised this with you in your previous role as the Agriculture Minister, you replied to me, sir, confirming that that was the intent of the OCR and that, in due course, that is what would happen. Well, we are now fast approaching that point, and it really is beyond a scandal and a shame that businesses trading with Great Britain will have charged to them the checks that are being forced on us by the protocol.

It is clear that none of that was nullified by the useless Donaldson deal.

12.30 pm

Prime Minister: Statement

Mr Frew: I rise to speak on the statement that the Prime Minister made in the past few days in which he clearly stated that, since the pandemic, something has gone badly wrong. We know what has gone wrong: the lockdown philosophy and the deployment of fear. It is those elements of policy — government policy — that have hurt our most vulnerable and our young people and have increased anxiety, depression, loneliness and isolation. That is what has gone wrong. Now we have a Prime Minister who wants to totally alienate those people and to not support them. That is an absolute shame. Of course, the Assembly, when it was in zombie form, also laid down that policy, which has hurt so many people in this country.

Assembly Business

Committee Membership

Resolved:

That Mr Eóin Tennyson replace Ms Sorcha Eastwood as a member of the Windsor Framework Democratic Scrutiny Committee. — [Miss McAllister.]

Mr Speaker: Members may take their ease while we change the top Table.

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

Executive Committee Business

The Coronavirus Act 2020 (Registration of Deaths and Still- Births) (Extension) (No. 2) Order (Northern Ireland) 2024

Dr Archibald (The Minister of Finance): I beg to move

That the Coronavirus Act 2020 (Registration of Deaths and Still-Births) (Extension) (No. 2) Order (Northern Ireland) 2024 be approved.

Mr Deputy Speaker (Dr Aiken): The Business Committee has agreed that there should be no time limit on the debate. I call the Minister to open the debate on the motion. Over to you, Minister.

Dr Archibald: Go raibh maith agat, a Leas-Cheann Comhairle. *[Translation: Thank you, Mr Deputy Speaker.]* As everyone will be aware, the loss of a loved one, including as a result of a stillbirth, is a very difficult time for those who are left to grieve. In bringing this extension order before the House, I am very conscious of the need to reduce the burden on families and friends at a time when they are processing their grief. Our aim is to limit the administrative burden on those who are asked to register a death or a stillbirth at a time when their primary focus is on mourning a loved one.

As you will be aware, the order seeks to extend powers that were introduced in the Coronavirus Act relating to the registration of deaths and stillbirths for a further six months from 24 March to 24 September 2024. The specific powers in the order concern the way that registrations are conducted. First, they enable individuals to choose to register a death or a stillbirth remotely, although they can opt to go to a registration office in person. Those provisions give the next of kin a choice to conduct this formal business over the phone if they wish to do so. Secondly, the powers enable participants in the registration process to exchange important documents electronically. Rather than requiring the grieving next of kin to take one piece of paper from a doctor to the registrar and another from the registrar to the undertaker, those exchanges can happen electronically in the background.

It will be clear to the Assembly why those provisions were important in the context of the pandemic. The temporary changes to the registration process reduced the need for face-to-face contact for grieving and sometimes vulnerable members of the public and for registration staff. They enabled the registration system to continue to operate even when its services were, sadly, under greater pressure than they had been at any point in recent times. However, in the four years that have passed since the start of the pandemic, those arrangements have become the settled, established and normal means by which the majority of the registrations take place. They have helped make the registration process more efficient and productive, which is also particularly important at a time of constrained budgets. These arrangements also carry the support of stakeholders, ensuring the smooth passing of important documents and enabling registration staff to handle any errors or omissions in advance.

Most importantly, the provisions ease the burden on grieving members of the public. When someone is coming to terms with the death of a loved one, it is right that we should not place unnecessary hurdles in front of them. Giving them the choice to register a death by phone, if they want to, and doing the paperwork for them ahead of time might seem like small things, but they can make a big difference.

In short, although these powers were introduced in the Coronavirus Act 2020 and during the pandemic, it is clear that they have become the established means by which the vast majority of deaths and stillbirths are registered and that they have helped the registration service to become more modern, more efficient and more empathetic. Given the impact that the temporary powers have had on the registration service, it is right that we should look to make them permanent, rather than depending on the powers of the Coronavirus Act.

I wrote to Executive colleagues on 13 March 2024 to advise them of my intention to bring forward this extension order in order to provide time to make the required changes permanently. I have directed my officials to begin work on the required legislation and to use the time provided by this order to ensure that appropriate arrangements are in place. Two pieces of legislation will be required to effect the changes: the first will cover the electronic transfer of documents between stakeholders, and the second will cover the registration of deaths and stillbirths by phone. Those pieces of legislation will be brought

forward in tandem so that they can come into operation at the same time.

It is my intention to have this new legislation in operation before 24 September 2024. To that end, the required SL1 forms have been passed to the Finance Committee to progress that work. That should mean that no further extension orders will be required under the powers in the Coronavirus Act. I hope that the Assembly will look favourably on this extension order and be reassured that our dependence on coronavirus legislation, which is far from ideal, is a short, temporary but necessary step to put permanent powers in place.

If the extension is not approved, the existing provisions will fall, requiring a return to pre-COVID death and stillbirth procedures. Relatives will again be required to attend registration offices, irrespective of their personal circumstances, and to convey paper forms between doctors, registration staff and undertakers. I feel that that would be a backward step and not in the interests of those who are grieving, funeral directors, health professionals or the registration service. I hope that the Assembly will concur.

In conclusion, I am comfortable recommending a further — hopefully, final — extension of the powers that are included in this order. They have enabled the provision of a modern, empathetic registration service over the past four years. By extending these provisions today, we will be able to continue providing this service, which has been welcomed across the board, and create space to put permanent legislation in place. I commend the order to the Assembly.

Mr O'Toole (The Chairperson of the Committee for Finance): First, I will speak on the Finance Committee's scrutiny of the statutory rule. I thank the Minister for her comments.

Since the resumption of Assembly business, the Finance Committee has considered a range of extensions to temporary provisions in the Coronavirus Act 2020 in relation to death and stillbirth registration. Those provisions allowed for temporary changes to civil registration legislation in order to ensure that the registration of deaths and stillbirths could proceed in a pandemic by allowing for electronic transfer of documents and registration.

Committee members have stressed to the Department that the provisions should be brought forward on a permanent basis via an

alternative legislative vehicle. The Committee, at its meeting on 13 March, received an oral briefing from departmental officials on the provisions of this rule. At that meeting, the officials assured the Committee that work was being undertaken by the Department to advance separate legislation to make the temporary arrangements permanent. At the Committee's meeting on 20 March, members agreed that they were content, in principle, with a proposed statutory rule to extend the expiry date of the temporary provisions in the Coronavirus Act 2020 in relation to death and stillbirth registration until 24 September 2024.

The agreement of members, however, was on the basis that no further extension would be necessary. Their agreement was also subject to the report of the Examiner of Statutory Rules. To be clear, I should say that the reason why no further extension would be necessary is that we would have an alternative and more permanent legislative footing for this measure. The Examiner of Statutory Rules published her report on the rule and did not draw any matters to the Committee's attention. Therefore, at the Committee meeting on 10 April 2024, members recommended that the statutory rule be approved by the Assembly. At the Finance Committee meeting on 17 April, members considered policy proposals to amend relevant primary legislation that will enable both telephone and electronic registration of deaths or stillbirths and electronic transmission of this documentation in these circumstances. The Committee has requested further information on the position in England and Wales, where powers have been introduced to enable the electronic transfer of documents between the various parties. However, they were unable to introduce powers to enable remote registration and had to revert to registration in person in March 2022. Members will consider this information when it is received from the Department. The Committee for Finance, on the basis of the remarks that I have made, supports this motion.

I will now make some brief remarks in a political capacity. Our party and, I hope, all other parties in the Chamber will support this extension. It is a sensible and humane bureaucratic change that came in under the aegis and the urgent circumstances of the pandemic a number of years ago. It is one of those reforms that should have been made anyway but which the pandemic made urgent. It is, however, important that it be given permanent and separate legislative provision. It is clearly not an ideal situation that we are prolonging various bits of bureaucratic practice under the aegis of the Coronavirus Act, and it was the right thing,

in my view, that we did not renew the overarching structures of the Coronavirus Act when they came before us a number of weeks ago. I know that the registrar is here today, and I hope that we can move swiftly towards having a more permanent alternative legislative basis for this, because it is a very important and humane reform that allows people in extreme circumstances, experiencing profound grief, to avail themselves of the processes without having to do it in person. That is completely sensible.

I also ask whether the Minister is able to give us an update. Her party brought a motion recently around certificates for stillbirths, which is a kind of related issue. I know that her Department is looking at it. If she could update us on that in her closing remarks, that would be most helpful. At a political level, my party and I are happy to support the continuation of this provision, and I hope that we will see a more permanent legislative basis for it. It is a very sensible, necessary and humane provision. I think that we would like to see a more permanent legislative basis on which it can take place.

Miss Brogan: I thank the Minister for her statement and for bringing this motion to the Assembly. I am happy to speak in support of the motion.

As the Minister outlined, this legislation was introduced during the pandemic to allow the registration of deaths and stillbirths to take place via telephone and for documents such as death certificates to be sent electronically. This was necessary to allow registrations to continue during the pandemic whilst minimising face-to-face contact. During a recent Finance Committee briefing, we learned that the feedback for this service was extremely positive from those involved in the registration process and bereaved families.

The death of a loved one is a difficult time for anyone to go through, and the process of registering a death should be as flexible and stress-free as possible. Allowing families to complete this process over the phone removes the need to travel to a registry office, which can be stressful for those who have suffered a recent loss. The option to register deaths via telephone has been widely availed of by the public since its introduction, and it has reduced the administrative burden on those who deliver the service. To revert back to the old system at this stage would only cause stress and confusion.

The motion before us will extend the provision for a further six months, which will give time for

the Department to draft permanent legislation. The Finance Committee has spent considerable time discussing this extension, and, while some Members expressed discomfort about extending the provision under the Coronavirus Act, there was broad agreement that it was necessary to prevent these provisions from lapsing. I am happy to support the motion today to extend the provisions for six months, and I look forward to coming back to the Chamber in the near future to debate the permanent legislation.

Ms Forsythe: I support of the motion for practical and operational reasons, on the agreed condition that this will be the last extension of this element of the regulations and that a new piece of stand-alone legislation will be introduced to be in effect from September 2024 to deliver the functionality covered.

We are clear: the coronavirus pandemic is over, the legislation that was introduced to enable powers over that time has no place in our current legislative framework, and it is our job and our duty to finish the job of ending this.

In the times of restrictions, however, many practical tasks were reviewed, and, in addition to the core Coronavirus Act, subsidiary legislation was made to enable those tasks to happen. The legislation to enable telephone and electronic registration of deaths or stillbirths and the electronic transmission of documentation in those circumstances was one such piece of legislation. It was clearly an efficient and operationally effective piece of law and should have been adopted as stand-alone legislation sooner. Our DUP representatives on the Finance Committee, who are sitting either side of me, have made that point firmly in the months since the proposed extension was brought to the Committee.

We made it clear that we would support no further extension beyond March 2024 without confirmation that a separate legislative vehicle was to be established rather than have something simply tagged on as an extension of coronavirus legislation. Following on from that firm position, we were satisfied on Wednesday past to hear of the draft proposal from the Department of Finance to introduce stand-alone legislation and SL1s. The Deaths and Still-Births (Amendment) Regulations (Northern Ireland) 2024 and the Deaths and Still-Births (Electronic Communications) Order (Northern Ireland) 2024 were in there, with enactment powers drafted to be in place for 16 September 2024.

12.45 pm

Having stand-alone legislation is the right way in which to manage this. We would have preferred the Department to have introduced it earlier and for it to have been what we were speaking to today, but today we have the task of considering the extension of the existing law until September 2024. The deaths and stillbirths registration process introduced under the Coronavirus Act 2020 has now been in use for four years and has become the normal registration process, alongside the option to attend in person, if that is the informant's wish. Now that it is well established as the status quo for Northern Ireland's registration process, to remove the ability to register in the way that has operated for the past four years would place a sudden and immediate pressure on the Department of Finance and the Department of Health, as well as on GPs, to change current practice for completing such tasks. The General Register Office (GRO) sought feedback from some main stakeholders on the new legislation, and they noted how the public response to the swiftness of contact with the registrar to enable death registration to take place so promptly is positive, while telephone registration has been less traumatic for the next of kin, because they are usually able to have family with them to provide support rather than having to attend the registration office, often on their own.

The current process is working well, has become firmly established, is making the process smoother and more efficient and is reducing trauma for those who have suffered bereavement. We therefore support its continuation. We fully support the new stand-alone legislation, which will affirm the process in our law. In the interim, however, we support the extension as a pragmatic necessity until the stand-alone legislation is brought into effect in September 2024.

Mr Frew: I welcome and support the legislation, because we are now at a point at which we have concrete proposals to make the provisions in the law permanent, which has been the cry of my party since we came back here. I am glad that the Finance Committee facilitated our making those views known and that the Department has acted in the way in which it has. I support the Minister and the Department on that move.

The loss of a loved one, whether elderly or a baby, causes families shock, trauma, pain and sorrow, so it is only right and proper that government help to reduce that burden. Nothing will bring a loved one back, but government can at least reduce the administrative burden on

families following the death of a loved one. To me, that was always common sense. In fact, it was an example of law catching up with advancements in technology and of law for the betterment of the people, so who would be opposed to such legislation? It is clear that something needed to be put in place on a permanent footing, if for no other reason than to give the provision the respect that it needs. That is why it was so important to remove it from the ambit of coronavirus law, which has caused severe damage to the health of our population in many ways, and to put it on its own statutory footing. I am glad that, with a bit of pressure from the Finance Committee and my party, the DUP, we are at that point.

There is a point to be made about the fact that, when you look at the SL1s and the changes that they make, you wonder, "Could it not have been brought in sooner?". That is a valid point, albeit this will work as a seamless provision, and at no time will anyone be required to go back to the old way. Given that the two statutory rules are being pushed through by negative resolution, it is important that, while we have the opportunity, we place on record exactly what the provisions do, enhance the terminology that the Minister used and echo her sentiments around the fact that the Department proposed to make two related statutory rules to amend the relevant primary legislation that will enable both telephone and electronic registration of deaths or stillbirths and electronic transmissions of documents in those circumstances.

The proposed rules are the death and stillbirths amendment regulations and the deaths and stillbirths electronic communications order. The death and stillbirths amendment regulations would amend the Civil Registration Regulations (Northern Ireland) 2012 to enable a death or a stillbirth to be registered by telephone or electronic means, without the attendance and signature of the informant. Again, the statutory rule is subject to the negative resolution procedure. The deaths and stillbirths electronic communications order will amend the Births and Deaths Registration (Northern Ireland) Order 1976 to facilitate the use of electronic communications and the electronic transfer of documents in relation to the registration of deaths and stillbirths. Again, that statutory rule is subject to the negative resolution procedure.

It is important to speak on those statutory rules in the Chamber at this time. It is important that we never have to ask for or vote on an extension to the Coronavirus Act in relation to this provision.

Mr Deputy Speaker (Dr Aiken): I call on the Minister to conclude and make a winding-up speech.

Dr Archibald: I thank those who have commented on the order. I welcome their remarks, their support for the motion and their desire to limit the administrative burden on grieving loved ones. I also thank the Chair and members of the Finance Committee, who carried out scrutiny of the order and agreed to support it. As Members have reflected in their comments today, our objective in bringing in the order is to continue to provide a registration service that meets the needs of the public and to allow time to develop permanent legislation to replace the existing Coronavirus Act provisions.

I will pick up on a couple of points that Members made. It is absolutely my intention that this will be the last extension to this legislation. As Members reflected, the SL1s are in process. It is not ideal that we have them as part of the Coronavirus Act at this time, but it would have been difficult to progress them over the last couple of years while we had no Assembly. This is the first opportunity that we have had to progress them, and it is important that we take time to allow the legislation to be developed and to be properly scrutinised by the Committee and others.

I reflect on Mr O'Toole's comments about the baby loss certificates scheme. Work on that is ongoing in my Department. My officials are engaging with the Department of Health on how we can bring that forward as soon as possible.

I hope that the Assembly will support the order, which would limit the administrative burden on those mourning a loved one at a time when they are primarily focused on their grief. The powers it contains have enabled us to provide a modern, efficient and empathetic registration service during a critical time. By extending those powers today, we can sustain the service while creating the opportunity to embed the provisions permanently. I ask Members to approve the Coronavirus Act 2020 (Registration of Deaths and Still-Births) (Extension) (No. 2) Order (Northern Ireland) 2024.

Question put and agreed to.

Resolved:

That the Coronavirus Act 2020 (Registration of Deaths and Still-Births) (Extension) (No. 2) Order (Northern Ireland) 2024 be approved.

Pensions (Special Rules for End of Life) Bill: Legislative Consent Motion

Mr Lyons (The Minister for Communities): I beg to move

That this Assembly agrees, in line with section 87 of the Northern Ireland Act 1998, the principle of the extension to Northern Ireland of the provisions of the Pensions (Special Rules for End of Life) Bill as it relates to the definition of terminal illness contained in clause 1 of the Bill, which was introduced in the House of Commons on 6 December 2023.

Mr Deputy Speaker (Dr Aiken): The Business Committee has agreed that there should be no time limit for the debate.

Mr Lyons: The Pensions (Special Rules for End of Life) Bill was introduced in the House of Commons on 6 December 2023. Clause 1, which relates to the definition of terminal illness, makes provision for devolved matters and requires a legislative consent motion (LCM).

The Bill extends the definition of terminal illness in respect of the Pension Protection Fund (PPF) and the financial assistance scheme. Clause 1 makes changes to the Pensions (Northern Ireland) Order 2005 and the Pensions (No. 2) Act (Northern Ireland) 2008 to amend the definition of "terminally ill" from six months to 12 months. Although pensions are a devolved matter, in general pensions policy and legislation here operate in line with corresponding pension provision in England, Scotland and Wales, in line with section 87 of the Northern Ireland Act 1998.

The Pension Protection Fund pays compensation to members of eligible defined benefit pension schemes in cases in which the sponsoring employer became insolvent on or after 6 April 2005 and the scheme has insufficient assets to secure its pension liabilities at least to the level of compensation that will be payable by the Pension Protection Fund. The financial assistance scheme, at its inception, applied to schemes that started to wind up between 1 January 1997 and 5 April 2005. Since then, its coverage and the amount of assistance that it pays have been reviewed and extended. The financial assistance scheme makes payments to members of qualifying schemes that are unable to secure their pension liabilities in full.

"Terminal illness" is currently defined in legislation as being where a person's death:

"in consequence of that disease can reasonably be expected within 6 months".

That means that the Pension Protection Fund and the financial assistance scheme make payments where medical evidence shows that a member has a life expectancy of up to six months. The eligibility criteria were set in line with the social security — special rules for end of life — provisions for certain benefits that were originally introduced in 1990. The eligibility rule for those benefits in Great Britain was extended to 12 months by the Social Security (Special Rules for End of Life) Act 2022.

The changes in the Bill restore the original policy intent that there be alignment between the two sets of measures. The proposed changes will bring more terminally ill people within the scope of the terminally ill payments made by the Pension Protection Fund and the financial assistance scheme. If it is agreed that clause 1 should extend here, that will allow those important provisions to be enacted across all jurisdictions at the same time. If it is not agreed that the Bill's provisions should extend here, it will be necessary to table a separate Assembly Bill to amend the definition for Northern Ireland. However, that would mean that people in Northern Ireland would not benefit from the extension of the definition at the same time as people in GB. The intention is that the Bill should be enacted as soon as possible. It would therefore be beneficial, timewise, to agree that the relevant provisions in the Bill extend here.

Whilst, where possible, I seek to avoid using the legislative consent motion process, it seems sensible in this instance to secure the Bill's benefits for scheme members here by agreeing to a legislative consent motion in respect of the Bill.

I am very aware of the importance of the Assembly's role in considering legislation and, in particular, the value of the Committee's scrutiny role.

1.00 pm

Mr Gildernew (The Chairperson of the Committee for Communities): The Committee received the draft motion in correspondence on 5 March and received a briefing on the LCM by departmental officials at our meeting on 14 March. Members were informed about the scope of the main Bill, which amends the definition of terminal illness in the Pensions Act 2004 and the Pensions Act 2008 so that people with a life expectancy of up to 12 months can

receive terminal illness payments from the Pension Protection Fund. We were told that the Bill also amends the Financial Assistance Scheme Regulations 2005 to ensure consistency across the PPF and financial assistance scheme landscape.

Committee members heard that the move to extend the terminal illness definition to 12 months will ensure that affected members of the Pension Protection Fund and the financial assistance scheme will receive payments at an earlier stage in their illness, thereby receiving the financial support they need at a difficult time in their lives. The need for the LCM relates to the fact that the Pension Protection Fund and the financial assistance scheme both operate here and in Britain. The Committee therefore understood that the provisions in the North being part of the Bill would enable the changes to be brought into effect here at the same time as in Britain.

As part of our scrutiny of the LCM, the Committee sought evidence from Marie Curie. It told us that, while the scope of the Bill is narrow and likely to impact on a relatively small number of people with a terminal illness, more generally, the focus on private pension schemes and their response to members with a terminal illness is welcome. Marie Curie emphasised that the financial support provided by payouts from private pensions or life insurance policies can be critical for working-age people who are diagnosed with a terminal illness.

Whilst the Committee would prefer that LCMs were not used and that we could conduct more in-depth scrutiny of legislation pertaining to the North, on this occasion it considered that, if the motion was not agreed, it would be necessary to introduce a separate Bill to ensure that parity was maintained. That would have meant that people in the North would not benefit from the extension of the "terminally ill" definition to 12 months at the same time as people elsewhere. We therefore recognise that the LCM is for a technical reason and to deliver an improved benefit in difficult circumstances that all of our constituents could face. On that basis and on behalf of the Committee, I support the motion.

I will make some brief remarks as Sinn Féin's communities spokesperson. I thank the Minister for outlining the purpose of the Bill and for providing the rationale for bringing it forward as an LCM. Ultimately, as I have said, it would have been preferable to have had additional time for scrutiny and for legislation to have been brought via the Assembly, but I recognise that

timing is a key factor and that any delay would be to the detriment of people here.

I thank Marie Curie for the evidence that it provided and, indeed, for the work that it does on a daily basis to support people with a terminal illness, both practically and by lobbying on policy, which is so beneficial to all of us. We have all worked with Marie Curie on that policy work. Marie Curie, along with the Motor Neurone Disease Association, has been tireless in its campaign to scrap the six-month rule. While I appreciate the narrow scope of the Bill, it is a small step in the right direction. On that basis, I am content to support the motion.

Mr Deputy Speaker (Dr Aiken): I thank the Chair of the Communities Committee. I ask the Minister to conclude and make a winding-up speech.

Mr Lyons: I thank the Chair of the Committee for his contribution to the debate. I understand the concerns that have been raised about the LCM. It is not something that we would seek to do, but, as he and I have outlined, it is appropriate on this occasion. I am grateful for the support of the Committee for Communities on the matter, and I commend the motion to the Assembly.

Question put and agreed to.

Resolved:

That this Assembly agrees, in line with section 87 of the Northern Ireland Act 1998, the principle of the extension to Northern Ireland of the provisions of the Pensions (Special Rules for End of Life) Bill as it relates to the definition of terminal illness contained in clause 1 of the Bill, which was introduced in the House of Commons on 6 December 2023.

Private Members' Business

Ramming of Police Vehicles: South Armagh

Mr K Buchanan: I beg to move

That this Assembly condemns those who resort to ramming police vehicles in an attempt to evade criminal enforcement action, including arrest; believes it is reprehensible that 77 PSNI officers were injured as a result of their vehicles being deliberately rammed in 2023; notes with concern that this was a 50% increase on 2022; highlights that the spate of such attacks in south Armagh has coincided with far-reaching and politically-motivated policing reforms in the area; stresses the need to assess the impact of the roll-out of additional non-armoured and liveried vehicles in Slieve Gullion on local crime trends; further notes the impact that ramming incidents have on operational policing resources, including through sickness absence and rising repair bills; and calls on the Minister of Justice to consider stronger custodial sentencing for those who weaponise their vehicles to attack police officers; and further calls on the Minister of Justice to prioritise a visible and effective Police Service by bringing forward a fair and ambitious budget settlement for the PSNI in the next financial year.

Mr Deputy Speaker (Dr Aiken): The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. As an amendment has been selected and is published on the Marshalled List, the Business Committee has agreed that 15 minutes will be added to the total time for the debate.

Keith, please open the debate on the motion.

Mr K Buchanan: I declare an interest as a member of the Policing Board.

We welcome the opportunity to throw a spotlight on the actions of those who use their vehicles as weapons to target and attack police officers in south Armagh and throughout Northern Ireland. It is unacceptable that vehicles are weaponised against our emergency services. It is no exaggeration to say that the threat posed by those who turn their vehicles into weapons is as serious and real as that from those who discharge firearms or plant bombs.

Between 1 January 2021 and 29 March 2024, there were 127 deliberate collisions with PSNI vehicles across Northern Ireland, 29 of which were in the Newry, Mourne and Down district command unit. Due to the rise in the number of police cars being deliberately rammed in 2023, multiple officers suffered whiplash and neck and back injuries, and soaring bills for the repair or replacement of vehicles were incurred. The officers are resilient and dedicated; in most cases, they will be back to work and right in the thick of it within days. However, this question remains: is the PSNI doing enough to promote their safety at work?

In 2023, 45 police cars were deliberately rammed, compared with 34 the previous year. Of the 29 incidents in Newry, Mourne and Down between 1 January 2021 and 29 March 2024, 83% involved armoured vehicles, 38% targeted liveried vehicles and 10% involved soft-skin and liveried vehicles. In the 2023 calendar year, there were 42 deliberate collisions. Newry, Mourne and Down district recorded 24% of all deliberate collisions with PSNI vehicles. Some 30% of those involved armoured police vehicles.

Many of the incidents involved people trying to evade arrest for a range of offences, including driving with no insurance or drug possession. Specialist training for officers cannot diminish the risk to an individual officer when someone uses their vehicle as a weapon. Therefore, it should be for the PSNI and the Department of Justice to take a step back and ask themselves, "What can we do to change the culture that is driving those attitudes towards police enforcement? Can we increase the maximum sentencing?".

Newry, Mourne and Down had the highest number of recorded ramming incidents of any district, outside Belfast, in Northern Ireland, well in excess of the trend witnessed in other border counties and areas of Northern Ireland. In 2023, that represented around a quarter of such attacks on police officers. Those levels are disproportionately higher, given the population of the area.

When we compare the figures of assaults with injury on a constable with those of other areas in the UK, we see a stark difference. In 2022-23, there were 79 recorded incidents in Greater Manchester, 243 in Northumbria, 893 in the West Midlands, and yet the PSNI recorded 971 incidents. If you look at the figures of recorded incidents with and without injury, you see that the PSNI had 3,272 incidents compared with 1,625 in Greater Manchester, 792 in Northumbria, 2,475 in West Midlands and 2,030

in West Yorkshire. There is a problem, and there is a moral responsibility on all sides of the House to accept that. The evidence is undeniable.

There is no doubt that those acts in south Armagh have coincided with a sweeping set of reforms to policing in the area that were ushered in by the former Chief Constable, Simon Byrne, after a PR disaster during a visit to Crossmaglen. A number of the recommendations in that review are relevant to the debate. First, the reforms saw officers with years, if not decades, of experience being effectively cajoled into leaving south Armagh to make the policing complement more accommodating. Has that led to a less risk-averse and less informed approach to patrols? Has it increased the likelihood of less experienced officers being faced with more sensitive and challenging operational situations? Secondly, as a result of the review, 85% of the Slieve Gullion fleet is now liveried, and 100% liveried deployment is par for the course. Road safety operations, like vehicle checks, are now effectively publicised with signage. Has all that meant that police cars are a soft target for those seeking to evade the authorities? Thirdly, almost a third of the Slieve Gullion neighbourhood policing team (NPT) is now using soft-skinned or non-armoured vehicles, including four liveried 4x4-type vehicles. The review said that that would lead to increased road safety and pursuit capability, yet it turns out that that type of vehicle was the target of 30% of ramming attacks in south Armagh in 2022-23. Is that coincidental? How does that lower level of protection affect the severity of officers' injuries? Given that the review envisaged unmarked armoured vehicles still being used for specialist operations, has the introduction of soft-skinned cars effectively made routine patrols a target? Has the weekly patrolling strategy meeting taken account of the threat? How has that affected the time that it takes to get additional units to the scene of a deliberate ramming incident? Are officers at heightened risk?

There is an onus on the Minister of Justice to make it clear through tougher custodial sentences that there is no place for that type of reckless and cowardly behaviour. Those engaged in such activity in order to evade arrest must feel the full weight of the law. We have heard from the Minister about plans to enact sentencing reforms. It is time to see practical action and not just empty promises. We need to see an effective and appropriate deterrent for those who attack police officers and other emergency responders, regardless of what form that threat takes.

Mrs Long (The Minister of Justice): I thank the Member for giving way. I appreciate his support for the sentencing Bill. Does he agree that, had his party not collapsed the institutions, we might be looking at the sentencing Bill today rather than debating the motion?

Mr K Buchanan: Thank you for your input, Minister. We have now passed that. We cannot keep looking back at the past.

Mrs Long: [*Inaudible.*]

Mr K Buchanan: We are now back in the Chamber, so it is up to you to deliver that.

The amendment takes away from the motion and adds nothing to it, so we will not support it today.

Miss Hargey: I beg to move the following amendment:

Leave out:

"highlights that the spate of such attacks in south Armagh has coincided with far-reaching and politically-motivated policing reforms in the area;"

Mr Deputy Speaker (Dr Aiken): You will have 10 minutes to propose and five minutes to wind. All other Members will have five minutes.

Miss Hargey: Anyone who deliberately rams a police vehicle or assaults not only a police officer but any emergency service worker, be they police officers, doctors, nurses, paramedics, firemen or firewomen, commits a crime against those who are on the front line of protecting our communities. Such actions are unacceptable, and those responsible must face the full rigours of the justice system. However, such attacks cannot be used as a platform to justify or support any attempt to undermine an important policing initiative that was conceived in conjunction with the local community and sought to enhance engagement and cooperation while developing confidence levels and consent between the police and the local populace. Such an initiative came in the form of the south Armagh policing review. It was initiated in January 2020 over a six-month period by the then Chief Constable, Simon Byrne, and published in August 2021. It dealt with the policing arrangements in south Armagh. The terms of reference were wide-ranging and sought to:

"objectively assess the style, tone and accessibility of local policing and whether it was appropriately aligned to community expectations and need."

The review was conducted in the spirit of a partnership approach with the local community and its political representatives. I am sure that anyone who is interested in improving relationships and working practices between the Police Service and the local community will applaud that approach.

The review produced 50 recommendations, which sought to ensure that the:

"strategy, structure, systems and culture facilitate an increasingly visible, accessible, responsive policing model in South Armagh."

Such a model would be welcomed in all areas by all citizens who wish to see the delivery of a policing service in a constructive and inclusive partnership with the community at all levels.

1.15 pm

I will give you an indication of the relevance of some of the key recommendations for the local community that were outlined in the review. One recommendation stated:

"An enhanced neighbourhood policing team should be established with increased hours of coverage to provide greater levels of visible policing and a dedicated focus on engagement."

Another recommendation was:

"to ensure that community impact considerations are central to planning and decision making processes at every stage"

— of policing activities.

In addition:

"All non-local resources carrying out policing activities in South Armagh should be accountable to local management for the style and tone of delivery and patrol profile."

Finally:

"A cross border command and control protocol should be developed with a focus on the management of police pursuits."

To conclude, I quote from a statement made by Superintendent Norman Haslett, the district commander in the Newry, Mourne and Down area, which includes south Armagh, on 15 November last year:

"Since the publication of the South Armagh Policing Review in August 2021, we have made significant progress against the delivery of the review's recommendations, and, as a direct result, the visibility, accessibility and responsiveness of policing in the area has improved for all communities within the Slieve Gullion area. The health, safety, welfare and well-being of our officers and staff is a priority, and the criminal actions of a small number of people will not prevent us from delivering community policing".

Mr Dickson: The motion calls us to attend to a pressing concern: the rise of police vehicle ramming incidents, particularly those resulting in injuries to officers. The statistics are alarming. We have already heard some statistics in the debate. Last year, 77 police officers were injured as a result of their vehicle being deliberately rammed. That is a significant increase on the previous year. The escalation cannot and should not be overlooked.

While the Alliance Party supports the motion and the amendment, it is crucial to highlight some of the shortcomings. First, the motion directs much of its content and concern towards south Armagh, suggesting a regional focus that fails to address the full scale of the issue. Let us be clear: it is not an isolated problem confined to one part of the country. Across Northern Ireland from Derry to Down, Fermanagh to Antrim our officers face similar threats. It is a Northern Ireland-wide issue that demands a response on the same scale. Let us be clear: it is not just a Northern Ireland issue. In the past few days, police cars were rammed in Wigan, West Yorkshire — where there have been 58 incidents in the past year — and in Liverpool. In Mid Devon, a 100 mph police chase resulted in a police car being rammed. In Blackpool, a driver went on a rampage, damaging police vehicles and injuring police officers. The issue is not unique to Northern Ireland.

Furthermore, while the motion calls for an ambitious budget settlement for the PSNI, it genuinely neglects to negotiate with the true custodians of the purse strings: not the Minister of Justice but the Department of Finance. The Department of Finance is ultimately responsible for the policing budget. Over the past few years, the PSNI's budget has been slashed by hundreds of millions of pounds, leading to a

situation in which, due to those cuts, services may hardly be recognisable to the public. Thus, while the debate is valid and necessary, it barely scratches the surface of the problem.

There is a call for harsher penalties for those who endanger our officers. I commend the work of the Justice Minister — my party leader — on her intention to introduce new provisions for emergency and front-line workers, enhancing the maximum sentences for attacks on police officers, ambulance staff or firefighters. It is truly unacceptable for those serving and protecting our communities to be subjected to abuse and attack. Our courts must be empowered to impose more severe sanctions, as the Justice Minister said at Question Time on 11 March. Beyond this, we need a strategic, well-funded plan. In the past 12 years, the budget for Health was increased by 70%, Education by 45% and Justice by a mere 3%. We genuinely wait to see what the new Budget will provide for the Department of Justice.

Police officers still serve as the initial response in the absence of other failing services and can sometimes spend entire shifts in A&E, engaging in duties that are beyond their remit and for which they have not had the proper training. We have heard about the resultant stress that has led to a significant number of officers taking leave, sometimes bearing the physical or emotional scars of their experiences. Those individuals are whom we depend on to protect our communities. Public sentiment will sour if those services are severely underfunded and will take decades to recover. I place it on record that the Alliance Party recognises the efforts of our police officers, who daily face the complexities of maintaining safety in even more demanding conditions. They are the individuals who run towards danger when everyone else runs away. They are never off duty, even when they are off duty. Attacks on them have no place in our society.

As we consider these pressing concerns, let us move forward not just with the intent to condemn but with the financial commitment to make change. Let us ensure that our police officers have not only our support but the resources necessary to confront and overcome the challenges. We have come a long way from policing the troubles of the past. Today, we face new and different challenges in policing our communities.

Mr Nesbitt: The proposers of the motion and the amendment referred to the south Armagh policing review. From memory, the main recommendation was with regard to Crossmaglen PSNI station. I just note — I do

not think that it is a declaration — that I am a former member of the Policing Board and was so at the time of the review's publication.

For a bit of context, I think about the places where I have worked in my professional career: Broadcasting House, the BBC's base in Belfast; Havelock House, UTV's base; Windsor House, with the Victims' Commission; and, of course, 13 years here in Parliament Buildings. All were comfortable places to work; in fact, this one — Parliament Buildings — is surely one of the most privileged workplaces in the whole country. I visited Crossmaglen PSNI station some months ago. My goodness, it is like a reverse Tardis. It is a lot smaller inside than it looks from the outside. The corridors are so narrow that you have to turn sideways if you are passing somebody coming the other way. There is no natural light. Until recently, officers went in on a shift pattern that saw them there for four days and three nights, resulting in an annual overtime bill for that one station of £1 million. In the context of the PSNI's hard-pressed budget, that surely was not sustainable and was reflective of a different time. Part of the reform proposed by the south Armagh policing review seemed to me to say to police officers, whom, for most of my adult life, we have asked to police in the most demanding and dangerous of conditions and to often work from police stations that are the exact opposite of the luxury of Parliament Buildings and this estate, that it was time to move on and to give police officers working conditions that are much more appropriate.

As Mr Buchanan said, it all seems to go back to Christmas 2019, when the then Chief Constable, Simon Byrne, was photographed outside the police station with four officers, two of whom were carrying the most frightening-looking automatic rifles with huge sights on them. As Mr Buchanan said, it was "a PR disaster". I took the police at face value when they told us on the Policing Board that that was what prompted the review, because senior officers realised, having looked at that photograph and the controversy that surrounded it, "My goodness, we have not really reviewed how we police in south Armagh in the way we should have, given the changing circumstances post-ceasefire". I have a bit of a difficulty with the assertions that what happened was "politically motivated".

That said, my party will not support the Sinn Féin amendment, and here is why.

If political interference in policing is going to be talked about, let us remind ourselves of what happened on foot of the terrible incident on the

Ormeau Road during COVID, when there was the annual commemoration of those who were brutally murdered at Sean Graham's bookmaker's. On 8 February 2021, Declan Kearney of Sinn Féin, in an article in 'An Phoblacht', made clear that the party's support for the PSNI:

"has been consistent and constructive. But it has also been conditional".

It was also conditional.

Mr Clarke: Will the Member give way?

Mr Nesbitt: Yes.

Mr Clarke: The Member refers to the lack of political motivation or otherwise. Does he remember that, at the presentation to the board, some political parties were not consulted to the degree to which others were? For that reason, many of us believed that there was a political motivation and direction of travel in that report.

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

Mr Nesbitt: I thank the Member for his point. I am not entirely clear in my memory of that, but I accept that the DUP has included it in its motion. I am just saying that I take at face value what the police have said about what motivated the desire to bring on what we call the south Armagh policing review.

I will conclude by saying that of course we support the motion. Weaponising vehicles to attack police officers is entirely wrong. It seems that the way forward here is for the Policing Board — the main scrutiny body of the PSNI — to take a view about soft-skinned and liveried vehicles. It is my recollection that police use pushbikes in Crossmaglen, which opens them up to certain dangers. We are in a post-ceasefire environment, so is it not great that we have moved away from having a fleet that is exclusively armoured to having soft-skinned and liveried vehicles? It is a more normalised form of transport for policing, but it has attendant dangers. I certainly join, I think, everybody in the House in condemning anybody who rams a police vehicle and puts a police officer at risk.

We will support the motion but not the amendment.

Mr Durkan: I welcome the motion. It gives us the opportunity to discuss the massively important issue of the policing budget and the

need to ensure that it is fair and ambitious. The motion also gives us an opportunity to condemn attacks on police and to put on record our support for, and solidarity with, those officers who have been injured and their colleagues, who risk attack, assault, injury and even worse every single day and night. I declare an interest as a member of the Policing Board. My position on that board has given me a greater insight into the many and massive challenges facing the PSNI, financially and operationally.

I absolutely support the motion's call for the Minister of Justice to prioritise a visible and effective Police Service but feel that the ask should be of the Executive. Other Ministers, not just the Justice Minister, need to understand the importance of an adequately resourced Police Service to our society and to measure up to the declared words of the motion, and, indeed, to go beyond its words. The motion and the motion as amended, as it will be, are limited in ambition, focusing on the next financial year, without reference to the deeper structural funding deficits facing the PSNI.

We tabled an amendment seeking, as a matter of further priority, to begin to address the structural underfunding of the PSNI that has arisen over time and has also been detailed by the Chief Constable on more than one occasion. What does that underfunding look like? The Office for National Statistics (ONS) says that, since 2010, PSNI funding has increased in real terms by 3%. Over the same time, health funding has increased by 89% and education funding by 23%. The first nine points on the pay scale for new PSNI officers, in a comparison with new police entrants across these islands, are between £2,000 and £10,000 per annum. The in-year PSNI deficit is £130 million, which could rise to £300 million with data leak and holiday pay claims. We then look at an issue that Mike Nesbitt previously raised: the impact of the mental health crisis on the PSNI and how stretched it has become in responding to help vulnerable people — protect people — rather than to fight crime.

1.30 pm

The impact of those pressures is felt by not just the police but the public. Police numbers fall way short of where they should be, recruitment has been an issue for some time, and retention is becoming more of an issue. Policing is extremely challenging at the best of times, but fighting crime and protecting people become a lot more difficult when resources are stretched so thin. An impact on performance is inevitable, and that is manna from heaven for those who do not want an effective police service:

criminals and paramilitaries who seek to strengthen their stranglehold on communities.

Crime, sadly, exists everywhere, and everyone should be able to depend on a police service — not a police force — to protect them. Some of those who are opposed to the police, such as dissident republican groups, want to drag us all back to the dark days of the past. They want to play on — prey on — people's memories of the RUC as a protagonist in the conflict and to portray the PSNI as imperial crown forces against whom they defend their community. Some of those republicans are up to their neck in criminality.

The best outcomes are achieved through policing with, rather than of, the community. For the motion to describe the demilitarisation of policing in south Armagh as politically motivated is itself politically motivated. For that reason, we support the amendment. The ramming of police vehicles is reprehensible. It risks the lives of not just officers but all road users. We support calls for those who are responsible for it to face the full rigours of the law, but we need the cooperation of the community to maximise the chances of perpetrators being prosecuted. We still have a long way to go on that, particularly in areas where cooperation with the police was so actively discouraged for so many years.

Mrs Dillon: It is extremely concerning to see any incident of police cars being rammed, and that must be treated as seriously as is appropriate for such a serious matter. As we know, and as Members have said, in a number of cases, it has caused serious injury to officers who were working on the ground to protect our communities. As Mark Durkan mentioned, on many occasions, the police officers on the ground are working with people who have mental ill health. They are protecting very vulnerable people.

The reason for our amendment is that the increase in incidents in south Armagh is lower than that in other areas in the North. That is supported by the PSNI's figures. One ramming incident is one too many, and we need to be clear that that is not acceptable anywhere across the North. The PSNI has been clear in reports to the Policing Board at every level that the changes under the south Armagh policing review have had an extremely positive impact on policing with the community. That has had good outcomes for PSNI officers and for the community.

Members of the Policing Board — I am sorry; I should have declared an interest as a member of the Policing Board — visited Crossmaglen

and Newtownhamilton PSNI stations. We spoke to the district commander and to the community officers who work in those stations. It was helpful that Mike Nesbitt outlined the conditions in Crossmaglen barracks, because they are inhumane. Nobody should be working in those conditions in this day and age, and certainly not in the shift patterns that police officers were working. I do not know how they could work in those conditions in those shift patterns and be mentally well; that is a credit to anybody who did so. It is important to note that the officers and the district commander were clear with all of us that the changes to policing under the south Armagh review have been positive. For that reason, I ask all in the Chamber to support the amendment as well as the motion.

Ms Brownlee: I declare an interest as a member of the Policing Board.

Those serving in the Police Service of Northern Ireland are at the very forefront of public protection, putting their lives on the line to maintain public safety and to hold accountable those who break the law. They are mothers and fathers, sons and daughters, brothers, sisters and friends; they are just like you and I. We get up every morning and go to work safe in the knowledge that we have those dedicated men and women working 24/7 to ensure that we can go about our daily lives safely. Our police officers, however, do not enjoy the same luxury. They know that, when they put on that uniform, they are putting themselves in harm's way. They take a huge risk when they patrol, on our behalf, each and every day operating under consistent terrorist threat.

We have already heard some of the figures today, but a 32% rise in the deliberate ramming of police vehicles in 2023 should alarm every one of us. Aside from the obvious financial burden that that places on the public purse, the more pressing and important issue is, of course, the impact that it has on the officers who are involved in those incidents. The policing world takes over both the professional and personal lives of officers. Police officers have suffered whiplash and neck and back injuries, with the most recent only a matter of weeks ago when two officers required hospital treatment. Let us be clear: those who deliberately ram police vehicles in an attempt to flee arrest are weaponising their vehicle and must be treated as severely as those who bring firearms or bombs on to our streets.

There is an onus on the leadership of the PSNI and, indeed, the Minister of Justice to ensure that the issue is taken seriously. During Question Time back in March, I asked the

Minister to detail what her Department will do to address the shocking number of attacks on PSNI officers and other front-line emergency service personnel. While, of course, I was pleased to get confirmation that it will be a key element in the new sentencing Bill, we all need to see action, and I trust the Minister to do everything in her power to action that at pace.

While the financial implications of the attacks pale into insignificance compared to the safety and well-being of our officers, it is important to note the significant impact that they have on our public finances. We already have the lowest police numbers in the PSNI's history. I am sure that every Member here will be aware of how stretched our police resources are in their areas. Attacks like these can be devastating for local policing provision, with officers injured or unavailable for duty, vehicles spending time out of service and the significant costs of getting vehicles fixed or their having to be scrapped altogether. That adds a further burden to resources that are already stretched beyond breaking point.

Mr Dickson: Will the Member give way?

Ms Brownlee: Yes.

Mr Dickson: Does the Member recognise why those resources are so stretched or, indeed, why we have such low numbers of police officers? Does she accept and take any responsibility for her party's two-year absence from the Assembly Chamber, which could have made stronger arguments to the Government in relation to those budgets?

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

Ms Brownlee: Thank you to the Member for his point. I know that the point was made earlier. We have not shied away from the Government's package. We know that we need more resources in Northern Ireland to deliver vital public services, and we have not shied away from that.

Mr Clarke: Will the Member give way?

Ms Brownlee: Yes.

Mr Clarke: It is interesting to follow on from the previous intervention, which talked about that, and now you are talking about the money. The party of the Member who made the intervention wanted to go back to Stormont much sooner and without a financial package. If it were not

for our party securing the additional finances, this place would not — *[Interruption.]* I am sorry that you feel like that, because you were the rigorous implementers at the time. You can laugh and cajole all you like.

Mr Deputy Speaker (Dr Aiken): Mr Clarke, thank you for your remarks, but address your remarks through the Chair, please. Thank you.

Ms Brownlee: If the PSNI is in a situation where it cannot recruit, we have to make sure that we look after the officers we already have. Far too often, we focus on the human rights of those who break the law. We have to make sure that we focus on those who uphold it. It is long overdue that Members had an opportunity to promote the safety and well-being of our officers.

Mr Blair: As another recently serving member of the Policing Board, I am acutely aware of the incidents addressed in the motion and the effect that ramming police vehicles has on the community, the PSNI as a whole and, especially, the individual police officers involved and their families. Those sinister acts accomplish nothing except the spread of fear in communities and the direction of destruction and injury towards police.

The PSNI has the complete and unwavering support of Alliance in its efforts to safeguard our communities. Officers constantly put themselves in harm's way to achieve that goal for the public good, and they have our utmost respect and gratitude.

Those who use vehicles as weapons to attack the police are trying to take us back to a time of violence and division. That is not what the majority of people in Northern Ireland want, and all of us know that. Whilst it is essential to recognise the seriousness of ramming police vehicles in south Armagh, it is crucial to not overlook the fact — it is an absolute fact — that such incidents are happening all over Northern Ireland. The records show that clearly. My colleague Stewart Dickson has referred to that, and even though I do not wish to simply repeat his points, the focus has to be on the spread of the problem and the threat that stems from that problem.

Furthermore, I must draw on Policing Board experience, again, to express unease at how the motion references policing reform in an area that needs positive and proactive neighbourhood policing as much as anywhere else in Northern Ireland. There is that local need, but, apart from that, those who saw the

working conditions of officers in Crossmaglen prior to the report on reform, which were referenced by Mr Nesbitt, fully understand the need for change. As Policing Board members, we saw those conditions. That change, in addition to necessary improvements in infrastructure, must also include an effort to engage the community in a policing model that is consistent with that in other areas across this region. In any case, those are operational matters and are the responsibility of the Chief Constable and outwith the control of the Justice Minister for reasons that we all know and, frankly, should all understand.

The motion makes relevant reference to the need for satisfactory budget provision for policing. The Minister has referred to that often, and I am sure she will do so again. I hope that she has the support of the Assembly and the Executive in making the provision for policing, the wider justice family and the public that is required. It is political will that is required to deliver a settlement that is fit for the provision of justice and public safety in the 21st century, with all of its changes and challenges.

Action must be taken if we are to lower the very worrying statistics referred to in the motion in relation to attacks on police. It is imperative that those who cause damage to property and pose a threat to human life are held accountable for their actions. To ensure that justice is served, it is also vital to implement stricter sentencing guidelines that reflect the severity of the harm that these people inflict. The Minister has already stated her intention to introduce new provisions to protect front-line and emergency service responders. That is another area on which she will absolutely depend on the support of the House and Executive colleagues for delivery. That is why we are supporting the motion and the amendment, despite our reservations on some of the terminology and geographical references in them.

I reiterate the absolute need for the declared intention of the motion to be accompanied by the delivery of budgetary support to provide for and protect the Police Service of Northern Ireland and the public that it serves.

Mr Chambers: I declare an interest as a pending member of the Northern Ireland Policing Board. The use of vehicles, usually stolen or unregistered, to ram police vehicles to escape arrest, is a relatively new phenomenon in Northern Ireland. It appears to be a difficult criminal tactic to deal with in rural locations, especially those close to the border between Northern Ireland and the Republic of Ireland. It is disturbing and totally unacceptable that 77

officers were injured in such incidents in 2023. It can only be a matter of time until we are dealing with a fatality, someone receiving serious and life-changing injuries, or even multiple such outcomes as a result of a single ramming incident.

The problem is that such crimes are sometimes downgraded to mere motoring offences. The reality is that a car in the wrong hands is a dangerous weapon that can easily cause death and life-changing injuries. Sentences must reflect that reality.

I certainly encourage the Minister of Justice to review sentencing guidelines and make the sentencing for this heinous and life-threatening crime fit the crime. It is a crime for which police officers are not equipped to defend themselves in the way that they can when other methods of violence are inflicted on them. If policing is to be truly normalised, it must become obvious to those who have ill intent towards police officers that a slap on the wrist will not be the price that they will pay. While we try to normalise policing, it is vital that we continue to offer the proper protection that officers need in each circumstance. The Ulster Unionist Party supports police officers and all front-line workers being fully protected by the law as they go about serving us in stressful situations, and we certainly condemn all attacks on those public servants.

1.45 pm

Mr McNulty: Whom exactly are the DUP advocating on behalf of today? I know that it is not advocating on behalf of the people of south Armagh, who will be outraged that the DUP is singling out our community on an issue that exists across the North. The DUP mover of the motion himself referenced 127 incidents across the North. On 5 February 2024, two officers were injured when a car was rammed in Omagh. On 24 August 2023, three officers were injured when a car was rammed in Belfast.

Mr K Buchanan: Will the Member give way?

Mr Clarke: He does not want to know.

Mr McNulty: On 25 April 2020, in Dungiven, a police car was written off when it was rammed. I could go on and on. I strongly — *[Interruption.]*

Mr Deputy Speaker (Dr Aiken): I am sorry: excuse me for one second. We should not be getting remarks from other Benches. The Member should be able to speak and make his comments clearly without interruption from a

sedentary position. You should know better than that.

Mr McNulty: I strongly condemn such incidents, and my best wishes go out to our brave police officers who have been injured in the line of duty.

I know that the DUP is not advocating on behalf of the police, who have repeatedly stated that policing reform in south Armagh has been and will be beneficial for the community, for its officers and for the quality of policing across the board. I know that the DUP is not advocating on behalf of the emergency services and first responders: if it were, it would be tabling credible proposals to address the issue in all parts of the North, for the fire, police and ambulance services.

Singling out south Armagh on a problem that evidently exists everywhere in the North is wrong. To be blunt, I say that the DUP is serving itself. Let us call the motion out for what it is: nakedly sectarian, ill guided and self-serving. If the DUP had any decency, it would withdraw this nonsense motion and sit down with us, who want to see safer communities, instead of playing dog-whistle politics and whipping up sectarian tensions.

Mr Allister: When we debate something such as this, my thoughts go to the family of Constable Philippa Reynolds, who, 11 years ago, died in an horrendous incident when the vehicle in which she was travelling was rammed. Sadly, things have been getting worse. I listened to Mr Buchanan recite the statistics, and they were not only chilling but very striking in what they convey about the upturn, which, by virtue of the sheer scale from 2022 to 2023, cannot be coincidental. That is a pretty inescapable inference from the rise in the number of incidents. Whether Mr McNulty likes it or not, the fact that south Armagh heads the league table with Londonderry and west Belfast speaks a message. Yet, there are some who want to hide away from that. It is a bit like hiding away in an overcrowded toilet where a murder takes place.

It really is incumbent on us all to face the realities, and, if, as seems indisputable, the upsurge in south Armagh coincides with the liberalisation of the presentation of the police in that area, that too needs to be faced. However, running away from it is the standard approach, instead of addressing and reassessing that approach. If you have a situation where the number of liveried vehicles suddenly increases and the number of soft vehicles suddenly increases and, at the same time, the number of

ramming incidents equally increases, frankly, the conclusion is pretty inescapable. It really is burying our heads in the sand to say, "How dare you suggest it is something to do with the south Armagh policing review?", when the coincidence of time and effect is dramatically writ large in front of us. I support the motion, and I oppose the excusing amendment. I trust that that will be the will of the House, although I doubt it.

Mrs Long: I am grateful to the Members for South Antrim, Mid Ulster, East Antrim and Newry and Armagh for bringing the issue to the House for discussion. I thank all the Members who contributed to the debate. Such cowardly and reckless attacks on police officers who are working in our community to keep others safe are totally reprehensible, and I condemn them without hesitation. That reckless behaviour puts police officers and members of the public at risk of serious harm, and it is only by God's grace that no one has been killed. I cannot even begin to imagine how frightening it is for officers to be involved in that type of incident or the impact that it has on them and their families, physically and mentally.

It has been just over 11 years since the appalling incident in which young police officer Philippa Reynolds lost her life, when the police vehicle that she was travelling in was hit by a stolen car in Derry/Londonderry as she went about her job of keeping people safe in the community in which she served. Such a tragic waste of a young life in sad and reckless circumstances should not be forgotten, nor should it be overlooked. The incident in which Philippa lost her life and the continued prevalence of ramming incidents across Northern Ireland should serve as a reminder to everyone of the courageous service that the PSNI performs for all of us. I take the opportunity to give thanks and gratitude to it for all that it does to keep people safe.

The motion covers a range of issues, and I am sure that Members who are here today, particularly those who tabled the motion, three of whom are serving political members of the Policing Board, will appreciate that there are matters in the motion that I cannot stray into, as they are operational policing matters in south Armagh. Indeed, I cannot stray into critique or debate of decisions that the Chief Constable made. It is also worth mentioning that, on the basis of the data and information that the PSNI provided to me in advance of the debate, there are no obvious trends in date, time and location with the incidents. Whilst the numbers are still quite small, each attack is incredibly serious, so we need to be cautious when we discuss the

issues and show sensitivity in how we talk about them.

I am happy, however, to address the issues that fall under my remit as Justice Minister. First, with respect to sentencing, I assure Members that I take assaults on police officers extremely seriously. Attacks on police officers and, indeed, on any public servant are totally unacceptable. Everyone deserves to be able to carry out their duties without fear of attack or reprisal, and those who carry out such attacks should feel the full force of the law being brought down on them. In the case of those who are in the emergency services, it not only endangers the responder but those in the community who are relying on their assistance in an emergency situation. That is why I intend to introduce new legislation in this mandate to reform the law on sentencing by increasing the maximum sentence in the Magistrates' Court for such attacks and by making serious assaults on front-line workers a statutory aggravating factor. It is important to acknowledge that the actual sentence imposed in individual cases is entirely a matter for the independent judiciary, which deals with each case and has heard all the evidence presented in court. The sentencing exercise is complex, and it is unique to every case. A judge must carefully consider all factors related to that case along with any sentencing guidance — the responsibility of the court, not the Department — and sentencing principles before coming to a final determination.

Currently, a number of offences can be charged for attacks on police officers, and I want to outline them. The offence of assaulting a police officer carries a maximum sentence of six months' imprisonment in the Magistrates' Court or two years if tried in the Crown Court. More serious assaults against police can be charged using other offences found in the Offences against the Person Act. They include assault occasioning actual bodily harm, with a maximum sentence of seven years, and intentionally causing grievous bodily harm, for which an offender may receive up to a life sentence.

The new offence that I intend to introduce is that of assault on front-line workers, with a higher 12-month sentence in the Magistrates' Court and two years in the Crown Court. For more serious assaults, I intend to introduce a statutory aggravating factor for offences where the victim was a front-line worker, meaning that the court will have to specifically recognise those attacks and increase the sentence accordingly. I plan to introduce those new provisions in a sentencing Bill to be introduced next year.

Mr Clarke: Will the Minister give way?

Mrs Long: I will.

Mr Clarke: I welcome some of the comments that you have made on sentencing, but I listened to the contribution of a Member who said that many of the offences were downgraded to motoring offences. Is there anything in your provision to prevent them from being downgraded to motoring offences as opposed to what they actually are, namely a direct attack on the security forces?

Mrs Long: Conscious of time, Mr Deputy Speaker, I will return to that very point, potentially after Question Time, because I note that that was the next thing that I was going to raise.

Mr Deputy Speaker (Dr Aiken): Thank you very much indeed, Minister. As Question Time begins at 2.00 pm, I suggest that the Assembly take its ease until then. The debate will continue after Question Time, when the Minister will resume her remarks.

The debate stood suspended.

(Mr Speaker in the Chair)

2.00 pm

Oral Answers to Questions

Justice

Antisocial Behaviour: North Belfast

1. **Mr Kingston** asked the Minister of Justice to outline what action she has taken regarding recent antisocial behaviour by youths in the Cliftonpark Avenue and Girdwood site area, North Belfast. (AQO 294/22-27)

Mrs Long (The Minister of Justice):

Addressing antisocial behaviour (ASB) in any area requires partnership working, as it is rare that such issues are addressed by the criminal justice system alone. My Department works collaboratively with local and central government and other relevant agencies who have the levers needed to put in place joined-up, long-term solutions to prevent incidents from arising and tackle the impact of ASB. The Department's interfaces team works alongside local communities and elected representatives to help to address the issue of antisocial behaviour in areas around interface structures.

In response to the antisocial behaviour in that specific area, the Youth Justice Agency continues to actively engage with key stakeholders, including the PSNI, social services, the Education Authority and other youth providers to ensure a more joined-up problem-solving approach. The Youth Justice Agency operates earlier stage diversion, with partnership initiatives that include its targeted schools programme, community resolution scheme and a multi-agency children's diversion forum, which has remained particularly effective in addressing wider systemic needs while ultimately diverting children away from the formal criminal justice system.

Additionally, the Department, along with the Northern Ireland Policing Board, provides annual funding for district policing and community safety partnerships (PCSPs), which play a key role in the Department's operational response to community safety issues — including ASB — across all communities. North Belfast district PCSP has funded a number of initiatives, including those that are focused directly on the Girdwood and Cliftonpark Avenue area, and, in recent months, has coordinated multi-agency meetings to ensure a

proactive partnership response to issues in the area.

Mr Kingston: I thank the Minister for her answer. It is disappointing that we had that upsurge of clashes between groups of young people, particularly during February and March. Sadly, there were also attacks on homes and on some individuals during those months.

The Minister has covered the question that I wanted to ask as a supplementary, which was about the cross-sectoral and cross-community work that is essential for addressing this issue, but I ask her to respond to this —.

Mr Speaker: Ask a question, Mr Kingston.

Mr Kingston: It is important that young people, within their peer groups, and their parents play a role in making it clear that this is unacceptable behaviour that needs to be brought to an end.

Mrs Long: The Member is correct that partnership working between the relevant agencies is crucial to dealing with this. It is vital that there is a swift and coordinated response to problematic behaviour and the underlying causes of that behaviour. The Member rightly says that it is also important that communities, particularly families, are cognisant of the impact that young people can have when they get involved in activity that could bring them to the attention of the police and damage their future lives. It is important to have that coordinated and joined-up approach. We certainly have a voice when it comes to supporting communities and ensuring that all communities, particularly those on interfaces, have a voice and are working on community development plans in order to be able to offer that support.

Ms Ní Chuilín: Does the Minister of Justice agree that a more joined-up approach at community level — through education with the police, Community Restorative Justice Ireland and anyone else, including residents — is needed? These attacks on the community, individuals and people's homes must be condemned by everyone. Does the Minister agree that it is crucial that the funding that is needed be confirmed as soon as possible?

Mrs Long: It is crucial. As people will be aware from my previous remarks in the Chamber, the issue of underfunding in the Department of Justice is a significant challenge that we face at every cut and turn, not just when it comes to antisocial behaviour.

It is not just the Department of Justice that has responsibility, however. The Department for Communities has some responsibility. When it comes to interface issues, the Executive Office also has some responsibility for tackling sectarianism, and some of the attacks have been sectarian, although others have simply been instances of wider antisocial behaviour. It is therefore important that we work together as an Executive to respond to the issues and that we do so at community level so that we identify the issues and what the best diversions may be and so that we give our young people the best possible opportunity to avoid coming into negative contact with the police.

Prison Service: HR and Capacity Issues

2. **Dr Aiken** asked the Minister of Justice what action she is taking to address the ongoing human resource issues within the Northern Ireland Prison Service (NIPS). (AQO 295/22-27)

8. **Mr Mathison** asked the Minister of Justice for her assessment of the prison population and the current prison capacity. (AQO 301/22-27)

Mrs Long: With your permission, Mr Speaker, I will answer questions 2 and 8 together. I seek your indulgence to give a slightly longer answer than usual.

Despite the pressures of an increasing prisoner population, prison officers continue to perform their duties with dedication, professionalism and skill. On 1 April 2021, the total prison population in Northern Ireland was 1,374. On 1 April this year, the population had increased by 37%, to 1,886. At Maghaberry prison, as a result of the rise in population, the Prison Service has reopened two of the three square houses, Foyle House and Erne House. That accommodation closed when Davis House, NIPS's most modern accommodation, was built. They are much less suitable environments for prisoners and are more staff-intensive to operate. Each square house can accommodate approximately 130 prisoners.

On 1 April, there were 54 prisoners in Erne House. Once Erne House reaches capacity, the only remaining accommodation will be in Lagan House, which is also a square house. Although it is ready for use, any decision to open Lagan House is finely balanced, because the Northern Ireland Prison Service would then be using its only contingency accommodation, which is intended for use if, for example, there were an

incident or an infrastructure issue that put another residential area out of use.

The population of Magilligan prison is being carefully managed to sustain it as close as possible to its capacity of 500 prisoners in order to alleviate ongoing pressure in Maghaberry. There are no immediate concerns about the capacity of Hydebank prison, but if the female population continues to increase, it may be necessary to reconfigure the use of accommodation on that site also.

The Prison Service has continued to recruit staff across all operational business areas in response to the pressures being experienced. Prior to the suspension of the Assembly in October 2022, I gave approval for the operational staffing level to be increased by 56 officers to meet the demands on the service. In the past year, the Prison Service, in partnership with Northern Ireland Civil Service (NICS) HR, has undertaken four operational grade recruitment competitions, which were for custody prison officer, night custody officer, prisoner custody officer driver/escort and prisoner custody officer escort. Since January 2022, 315 officers have joined the service, the majority of whom have been deployed to Maghaberry prison, given the particular pressures experienced there. Further recruitment will take place.

Dr Aiken: I thank the Minister for her remarks. One of the significant things that we on the Finance Committee recently heard from NICS HR was about the reform of the occupational health service (OHS), particularly for prison officers. The Minister will be aware that a considerable number of prison officers have had their career terminated as a result of problems with the occupational health service. Will the Minister undertake a review of those issues, bearing in mind the fact that the occupational health service has been shown to have failed and that we should do something about reinstating those prison officers, if they wish to return?

Mrs Long: The management of occupational health at all grades in the Northern Ireland Civil Service is a matter for the Department of Finance. It is therefore not in my gift to undertake a review such as that which the Member suggests. There is not one simple reason for sickness levels in NIPS. A number of factors combine to produce that effect. We have invested in prison officers and have offered them the support that they need to return to work after injury or after having been under stress. Undoubtedly, when prisons become more crowded, more difficult to manage and

more stressful environments, that will have an impact on retention and attendance at work.

Mr Mathison: I thank the Minister for her answers so far. Will she give a bit more detail on the impact that the rising prison population has on the ability to deliver rehabilitation work in prisons?

Mrs Long: Evidence demonstrates that a high prison population generally results in an increase in tension on the prison estate. It becomes more challenging to manage prisoners, in particular to encourage positive behaviour. It leads to increases in assaults and incidents in the prison, for example. Such behaviour also leads to an increase in the use of force, the number of adjudications and the use of segregation. All of that can contribute to prisoners, particularly more vulnerable ones, feeling unsafe, and levels of self-harm tend to increase when there are very high levels of prison population. Of equal significance, is the fact that staff may feel unsafe, and, as a result, sick absence levels tend to increase.

Prisoners tend to be cooperative when they are treated with humanity and respect — we saw that very clearly during COVID — and, in essence, when relationships between them and prison staff are positive and courteous. It is important that NIPS seeks to maintain living conditions, with out-of-cell time and the delivery of a predictable and stable regime. However, if NIPS does not have sufficient staff available each day, it is not possible to offer a predictable regime. The restrictions will increase, out-of-cell time will be reduced, relationships with staff will deteriorate and, ultimately, the opportunity to engage in purposeful activity and rehabilitation will be curtailed, and that, in turn, may lead to increasing levels of reoffending.

Biological Sex

3. **Mr Allister** asked the Minister of Justice whether she has plans to include a provision in the hate crime Bill, making a description of another person's biological sex a criminal offence. (AQO 296/22-27)

Mrs Long: No.

Mr Allister: Following the disastrous Scottish legislation, can the Minister be clear and not evasive that where, for example, a biological man self-proclaims himself to be a woman, and a person calls them out by properly naming their biological sex, will that person, under her hate Bill, be committing an offence? In other words, will what is called "misgendering" —

what I call telling the biological truth — be a crime?

Mrs Long: No.

Ms Bunting: The Minister will be aware that those are difficult and controversial issues that often involve competing rights. Can the Minister give reassurance to the House about privacy in the home and that the PSNI will not be turned into the thought police?

Mrs Long: There is no intent to criminalise thought; there is no intent to criminalise opinion. Any legislation will be developed in accordance with articles 9 and 10 of the European Convention on Human Rights (ECHR) and, as such, will not affect the ability to have a private conversation. In fact, the intention is to extend the protections for freedom of expression to exist for all private conversations, irrespective of where they take place, unlike the current situation, where it is only protected in a private residence.

Ms Bradshaw: Can the Minister clarify, to avoid any doubt and for the benefit of some Members, that you do not intend to criminalise free speech?

Mrs Long: I thank my colleague for the opportunity. I have no plans to criminalise free speech. I have no plans to make a description of another person's biological sex a criminal offence. However, targeting a person because of who they are or what they believe, be it their race, religion, political belief, sexuality, gender identity or disability, is wrong. It is not necessarily criminal, but it is wrong.

The purpose of the hate crime Bill, which will be brought to the Assembly in the later half of this mandate, is to support victims and send a clear message that hate crime, in any shape or form, will not be tolerated. The final content of the Bill is still under consideration, but there is no intention to criminalise opinion.

Mr O'Toole: Minister, in fairness, you have come close to answering my question, notwithstanding the motivations of the Member who asked the question. I represent the most diverse constituency, possibly, on the island of Ireland, and race hate crime is now higher than sectarian hate crime in Northern Ireland. Can you be specific that the hate crime Bill you will bring in the second half of the year, will get to the heart of the increasing levels of race hate crime that we are experiencing in Northern Ireland, including in the wonderfully diverse constituency of South Belfast?

Mrs Long: It will be in the later half of the mandate. I would be stretching my officials somewhat to bring the Bill in the later half of this year, but it will be the later half of the mandate.

We are looking at the areas, which Judge Marrinan set out in his report, around stirring up hatred and attacks motivated by hatred. We are not creating new crimes; we are taking into account the motivation for those crimes. If no crime has been committed, no offence will be seen by the courts. However, where a crime has been committed against an individual and the courts can establish the motivation for that crime to be a hate motive, that will be taken into account in sentencing and also, crucially, in the recording of that crime. That gives us a much clearer handle on the extent to which those from different ethnic backgrounds, different religious backgrounds and, indeed, those with different sexuality and gender are being targeted as a result of hate, some of which, I have to say, has been stirred up quite deliberately by those discussing the Scottish Bill and the Bill in the Republic of Ireland.

2.15 pm

Mr Speaker: Before calling Órlaithí Flynn, I remind Members that, when questions are asked, they are to be asked through the Chair and not directly to the Minister.

Prisoners: Mental Health and Addiction

4. **Ms Flynn** asked the Minister of Justice for an update on cross-departmental schemes with the Department of Health aimed at supporting people in prison who are struggling with mental health issues and addiction. (AQO 297/22-27)

Mrs Long: The care of people who come into contact with the justice system is of paramount importance to my Department, particularly in the context of the work of the Northern Ireland Prison Service, as we seek to care for and support people with complex and challenging needs, including mental health issues and addictions, whilst in custody.

Prison healthcare services are provided on behalf of the Department of Health by the South Eastern Health and Social Care Trust. That includes primary healthcare, mental health care and addiction services. However, I recognise that everyone has a role to play in supporting people to look after their mental health and address addictions. My Department is, therefore, engaged with a number of initiatives aimed at improving mental health and reducing

the harm for people in Northern Ireland. That includes my role in the Executive working group on mental well-being, resilience and suicide prevention; engagement with the mental health champion, whose role is jointly funded by all Departments; implementation of the 10-year mental health strategy for Northern Ireland and the 10-year strategic framework to tackle the harm caused by substance use for Northern Ireland, Preventing Harm, Empowering Recovery; representation on the Protect Life 2 steering group and Towards Zero Suicide collaborative board; response to the recommendations of the review of services for vulnerable people detained in Northern Ireland prisons; and representation on the forensic managed-care network. While people in prison are already supported by good mental health and addiction healthcare, we can, of course, achieve more through collaborative working.

Ms Flynn: I thank the Minister for her response. She mentioned a lot of working groups, the mental health champion and the strategies around mental health, substance use and Protect Life 2. Does the Minister agree that it is important that, rather than their existing just as pilots, we roll out across society pilots such as the custody suite in Musgrave and the multi-agency triage teams that bring together police, ambulance and mental health practitioners?

Mrs Long: I do agree. The biggest impediment to that is funding. Certainly, the Department of Health faced genuine challenges in funding the psychiatric nurses who would be part of those multi-agency triage teams. It is incredibly important that we are able to continue to develop that and work together collaboratively across the Executive to provide the kind of support that is needed. I would prefer that we did it before people come into contact with the justice system. Increasingly, the people who enter the justice system have fallen through the net of other services and justice is the only place left to go.

Mr Dickson: Does the Minister agree that a cross-departmental approach is required to deal with the difficult issue of the mental health of those who find themselves in prison. Having recently visited Maghaberry, I saw at first-hand a most distressing case of the mental health of someone who should not be in prison and who, in any other circumstances, would in the care of the health service?

Mrs Long: With very limited secure care facilities for those with the most serious mental health and behavioural problems, it, increasingly, falls to the Department of Justice

to house them. Their needs are complex, and among the main prison population is not an appropriate place for them to be held. That is not the right environment or a therapeutic environment for them; it is there for very different purposes. However, rather than have people with nowhere to go, they end up in the prison system, so we have to deal with that.

It is incredibly complex. This year, as of April, 38% of the prisoner community was recorded as having a mental health issue, 51% was recorded as having an addiction, and 53% was recorded as having a history of suicide attempt or self-harm. Those are people with incredibly complex needs, reflective of many of the needs that we see in the community, but it is undoubtedly concentrated among the prison population. The Department of Justice itself cannot resolve that; the Department of Health, the Department for Communities and other Ministers need to make a contribution towards addressing it.

Mr Durkan: When people are bailed to an address outside their own area, what consideration is given to the impact of moving them away from their support network and their ability to access required medication? I mean the impact on the individuals themselves, of course, but also on the community in which they are placed.

Mrs Long: Bail and bail conditions are not matters for the Department of Justice; those decisions are taken by the judiciary or the police, depending on the circumstances. A prisoner's health is still a matter for the health service, rather than for the Department of Justice. We are trying to offer better wraparound and supported care for those who have, for example, additional health and mental health needs as they emerge from the prison system so that we can, for instance, identify accommodation and allow them to get a referral to a GP so that they have continuity of treatment. However, it is more difficult in the case of bail, because that is not something in which the Department is actively engaged.

Charlotte's Law

5. **Mr Donnelly** asked the Minister of Justice for an update on the introduction of Charlotte's law. (AQO 298/22-27)

Mrs Long: It remains my intention to include legislative provision for Charlotte's law as part of a sentencing Bill, which I hope to introduce next year. Charlotte's law is intended to create measures to encourage murderers to reveal the

location of their victims' remains in so-called no-body cases. That is being taken forward in light of a campaign that has been spearheaded by Charlotte Murray's family and supported by the family of Lisa Dorrian. Charlotte went missing in 2012. In 2019, her former partner was convicted of her murder. He remains the only person convicted in this jurisdiction to date where the victim's body has not been found.

The key elements of Charlotte's law will be a significant increase in the murderer's life sentence tariff to reflect their ongoing failure to disclose critical information, coupled with the opportunity for a reduction in tariff should a post-sentence disclosure be made. Similar to Helen's law in England and Wales, it will also require the parole commissioners to take the failure to disclose into account when considering the prisoner's suitability for release on licence at the parole stage. Officials in my Department have continued to develop the detail of the proposal, working closely with the affected families and other stakeholders during the absence of the Assembly and since the return of the Executive. The findings of the public consultation, along with a way forward report, will be published over the coming months once that development work has finished. A number of the administrative measures that I announced in November 2020 have already been agreed with the relevant stakeholders.

Mr Donnelly: I thank the Minister for that answer. She will be aware of attacks on healthcare workers. Will she clarify how the Bill might protect front-line healthcare workers from attack?

Mrs Long: The sentencing Bill that I intend to bring forward will also look at creating an aggravating factor for attacks on healthcare workers. I referenced that in the debate earlier, and I will elaborate further on some of the other measures, including those around car incidents and how they will be dealt with in the sentencing Bill. If the Member is still around after Question Time, he will get a full response to those queries.

Mr Brett: I thank the Minister for her update. Will she commit to introducing Harper's law here in Northern Ireland?

Mrs Long: The issue of Harper's law is under consideration. It has not been agreed by the Department, but we are looking at the potential of doing something similar to what has been proposed elsewhere. Were we to decide to go down that route, we would have to look at how

quickly we were able to develop proposals and how those would be applied in conjunction with the other regulations and laws that we have in place.

Mr Beattie: I welcome the information that you have given, Minister, in regard to Charlotte's law. Will the Minister also commit to looking, as part of the sentencing Bill, at the sentence reduction model for those who wait until the very last moment to admit guilt?

Mrs Long: If people were made aware of the degree to which the discounting of sentences, as it is rather casually referred to, takes place, it would come as a shock to most. There are good reasons why people get a reduction in sentencing if they make a guilty plea. However, it should be the case — it certainly will be the case with Charlotte's law — that the earlier that that disclosure is made, the more credit that an individual will be given for making it. The later that they leave it, the less credit will be given. It is important that, if we are going to maintain that continuity, that applies across the board, but, obviously, individual sentences are a matter for the judiciary and are not something on which I can interfere or comment. However, I am aware of the concern that is caused when, for example, somebody goes through a lengthy period awaiting trial, often in quite traumatic circumstances, and, on the morning of the trial, the perpetrator makes a guilty plea. In such cases, all that pain and anguish for the individual has been in vain, and people feel that the perpetrator of the crime has, essentially, regained control over the person. That needs careful consideration.

Mr McGlone: Minister, will you give us an indication as to what your legislative programme is, including some indicative times, please?

Mrs Long: With the indulgence of the Executive and the Assembly, the intention is to introduce a mixed-content modernisation of justice Bill before the summer recess. The Committee would then have just over a year to process that. We hope, when that is concluded, to introduce a sentencing Bill. When that is complete, the third Bill that we hope to introduce is a hate crime and victims Bill, which will include hate crime provisions, some of which were outlined in the Marrinan report, and some of the remaining victims' arrangements that were proposed by Sir John Gillen.

Knife Crime: Legislation

6. **Mr McHugh** asked the Minister of Justice whether she will strengthen legislation to address rising knife crime incidents. (AQO 299/22-27)

Mrs Long: I very much recognise the harm that can be inflicted by knife crime, and I am clear that we need to do all in our power to act to reduce the risk of harm in our community. That is why my officials are taking forward the necessary preparatory work to commence provisions in the Offensive Weapons Act 2019, which together will strengthen legislation in Northern Ireland pertaining to knife crime. The provisions will strengthen the laws around the sale and delivery of knives and offensive weapons, particularly to those who are under 18. They will also strengthen prohibitions around the possession of certain classes of knives and offensive weapons, meaning that they can no longer be possessed in private. Before the change is introduced, a surrender and compensation scheme will be run. I am confident that, once commenced, the new provisions will strengthen our legislative powers to tackle knife crime.

Mr McHugh: Gabhaim buíochas leis an Aire as a freagraí go dtí seo. [*Translation: Thank you, Minister, for your answer so far.*] I welcome your commitment to dealing with the whole issue of knife crime. Will you give us a time frame for when you intend to introduce legislation on it?

Mrs Long: My officials are developing a detailed work plan with timescales to commence the provisions in that Act. Once it is completed, I will share it with the Justice Committee. The work plan is broken down into two main work streams: the sale, delivery and possession of corrosive products and substances; and the sale, delivery and possession of knives and offensive weapons. I hope that both work streams, including the running of a surrender and compensation scheme, will be completed and provisions commenced within 18 months.

AccessNI: Review

7. **Mr Clarke** asked the Minister of Justice whether her Department has any plans to review the workings of AccessNI. (AQO 300/22-27)

Mrs Long: There are no immediate plans to undertake a fundamental review of the workings of AccessNI, but system and process enhancements are routinely considered and implemented to improve aspects of the criminal

history disclosure scheme. In 2023-24, AccessNI processed over 176,000 disclosure applications across all three levels of checks. The average turnaround times for issuing disclosure certificates for basic and standard checks was one day, and the average for the more complex enhanced checks was four days, with over 80% of those being completed within two days of receipt by AccessNI.

The digitisation of the AccessNI process has been a notable success in improving the efficiency and cost effectiveness of the service. Indeed, it resulted in a further fee decrease from 1 April, making AccessNI disclosure fees the lowest in the UK.

In recognising that the key asks from employers and voluntary groups are for fast, accurate and cost-effective disclosures, I consider that the AccessNI service performs well and delivers in that regard. The long-standing key functional change for AccessNI is the introduction of portable disclosures. Officials continue to work closely with the disclosure and barring service to progress that as soon as practically possible.

Mr Clarke: I thank the Minister for her answer. Given that many people with different types of employment require more than one check, is there any opportunity for a review of ways to remove duplication? That would prevent the individual having to go through the process again and reduce the burden on AccessNI processing those applications.

Mrs Long: One key issue is that disclosure certificates are accurate only on the day that they are issued. Employers who choose to accept an aged certificate do so at their own risk and in the knowledge that the information may have changed in the period since the certificate was issued. It remains, however, my key objective to deliver a portable disclosure solution. The technical aspects of that are complex, and work to date indicates that a stand-alone solution for Northern Ireland is prohibitively expensive, and, therefore, we are not able to take that forward; it would pass the costs on to applicants and increase fees. The long-standing aim has been for AccessNI to join the update service provided by the disclosure and barring service for England and Wales. When it has reviewed its product, that will allow us to join a more modernised solution that better meets customer and business needs and to work with it to deliver a similar solution here.

2.30 pm

Legal Aid Payments

9. **Mr Harvey** asked the Minister of Justice to outline what action she will take to address payment delays to the legal profession. (AQO 302/22-27)

15. **Ms Ní Chuilín** asked the Minister of Justice to outline what action her Department is taking to address delays in issuing legal aid payments. (AQO 308/22-27)

Mrs Long: If I may, Mr Speaker, I will answer questions 9 and 15 together.

Fundamentally, timelines for the payment of legal aid are influenced by the available budget. For many years, the Department has been significantly underfunded compared with other Executive Departments and objective need. The previous Finance Minister recognised that in October 2022 and specifically referenced the pressure on the legal aid budget. The Fiscal Council also recognised the sustained underfunding of the Department. We must live within our budget, so all business areas have to ensure that there is financial discipline. For legal aid, that means that payment timelines become extended.

In previous years, my Department and I have consistently pushed for additional funding to meet the demand for legal aid. As the Department cannot spend in excess of its allocated budget and in recognition of the demand for payments and the impact on the suppliers of legal aid and those seeking legal aid, the Department secured an additional £20 million for legal aid in 2022-23 and a further £14 million of additional budget in 2023-24.

The total legal aid spend in 2023-24 was around £114 million. That is the highest level of expenditure in the history of the legal aid scheme. The additional funding assisted in improving payment timelines. At the end of March 2024, properly presented Crown Court criminal bills were being paid within nine weeks and Magistrates' Court bills within 11 weeks.

While the additional funding is welcome, the historical approach of late allocations is not sustainable and needs to be remedied. That is dependent on the Executive allocating an appropriate budget for the Department, including legal aid, and I will continue to work with colleagues to seek to secure that in 2024-25.

Mr Speaker: There is no further time for listed questions, so we will move to topical questions to the Minister of Justice.

DOJ: Permanent Secretary Secondment

T1. **Mr O'Toole** asked the Minister of Justice whether she was consulted about the secondment of the permanent secretary of the Department of Justice to the chief executive position in the Education Authority and, if so, did she give her approval and does she agree with the move. (AQT 191/22-27)

Mrs Long: The appointment of people to bodies in the Department of Education is not a matter for the Justice Minister. It was discussed. It was brought to my attention that there would be a reshuffle following the ending of recruitment for new permanent secretaries. My permission was not required. It is not for me to discuss whether somebody should or should not have been appointed to a job. However, I send my former permanent secretary every best wish in his new role and every success in delivering for education.

Mr O'Toole: Minister, you said that it was discussed, but you did not quite say whether you gave a view. It appears from the minutes of the Education Authority that the Alliance Party representative was the member of the Education Authority board who formally proposed that a secondment be agreed. Do you think that the secondment of the permanent secretary meets the requirement to be, as you said following the renewable heat incentive (RHI) inquiry:

"based on openness and transparency, proper accountability".

Are you satisfied that it meets the test that you set following the publication of the RHI inquiry report?

Mrs Long: As I said, it is not for me to answer for the processes that other Departments undertake. I gently remind the Member that this is Question Time for the Department of Justice, not the leader of the Alliance Party. If he wishes to ask me party political questions, there are other mechanisms through which he can do so.

Jewish Community in Northern Ireland

T2. **Mrs Dodds** asked the Minister of Justice to outline how she is working with the Police Service of Northern Ireland to ensure that the mistakes that were made by the Metropolitan Police last week, along with its attitude to the Jewish community, are not replicated here and

to state whether she will issue a public statement to reassure the small and vulnerable Jewish community in Northern Ireland of its safety. (AQT 192/22-27)

Mrs Long: As part of my role in the Department of Justice, we engage with all minority communities throughout Northern Ireland. I will continue to do that and to provide them with reassurance in the political sense. However, how the police interact with members of any community is a matter of operational responsibility for the Chief Constable, not for me as Justice Minister. It really would be more appropriate for members of the Policing Board to take that up with the Chief Constable at their next meeting.

Mrs Dodds: Thank you, Minister. Reflecting on that incident with the Metropolitan Police, I am sure that you will agree that the language that we use is extremely important. Your colleague from Upper Bann referred to a meeting in Portadown on relationships and sexuality education (RSE) and the people who attended it as a "dog whistle to the far right". Does the Minister think that that is acceptable language? Will she clarify whether the PSNI will interview her colleague, under her proposed hate crime legislation, for that remark?

Mrs Long: First of all, I refer the Member to the answer that I gave to Mr O'Toole. If you want to ask me questions as Minister of Justice, I am happy to take them. If you want to ask me — *[Interruption.]* Mr Speaker, if I may. If you want to ask me questions as the leader of the Alliance Party, there are other forums in which we can have that exchange.

With regard to the tweet that was made, it is not for me to say whether the PSNI will or will not investigate any individual in our community. Furthermore, I would be rather surprised if it were to do so on the basis of prospective rather than existing legislation.

Mr Speaker: Question 3 has been withdrawn.

Prison Service: Ministerial Responsibility

T4. **Dr Aiken** asked the Minister of Justice to outline who has ultimate responsibility for the Prison Service of Northern Ireland and who has ministerial responsibility, given that she will be aware that, last Friday, Antrim and Newtownabbey Borough Council held a series of events in recognition of the outstanding service of the Prison Service of Northern

Ireland, and she will also be aware that much of the discussion at those events concerned the significant issues that have been raised in earlier questions about who is actually responsible and accountable for the Prison Service. (AQT 194/22-27)

Mrs Long: The Member will know that the director general has operational responsibility for the Prison Service and that the Minister of Justice is responsible as Minister.

Dr Aiken: I think that I thank the Minister for her comments. She will be fully aware of her earlier comments when we were talking about the important issue of prison officers' mental health and, particularly, how difficulties with that are due to their dealing with some of the significant problems that they have had around employment. I raised a particular question about occupational health, but she referred to the fact that it was an issue for the Finance Minister and not her. Where do her responsibilities for the Prison Service lie?

Mrs Long: My responsibility lies in setting prison policy, the supervision of the director general and oversight of the budget. It does not, as a result of decisions that were taken prior to my time, lie with individual HR decisions, which are the responsibility of the Department of Health. I thought that the Member, as a former Chair of the Department of Finance's scrutiny Committee, would know that.

Dr Aiken: On a point of order, Mr Speaker.

Mr Speaker: There are no points of order during Question Time.

Mr Clarke: You would think that the Deputy Speaker would know that.

Policing: Budget Bid

T5. **Mr Clarke** asked the Minister of Justice, in an attempt to ask her a question that actually relates to her portfolio and bearing in mind the earlier debate on policing, to state, within her Budget bid, how much is for policing and whether it is enough to sustain the 8,000 officers requested by the Chief Constable. (AQT 195/22-27)

Mrs Long: First, it is a one-year Budget, and there is no practical opportunity for us to increase policing numbers from their current state to 8,000 in one year, so it would not be sufficient to sustain 8,000 officers. However, it is in line with the unmet pressures that the

PSNI has delivered to me. I have made those bids. In total, about £440 million of bids from across the justice system have been submitted to the Department of Finance and are being considered against the approximately £1 billion of available funding for all Departments. The bids reflect what the PSNI has asked for.

Mr Clarke: Given that the £400 million is for all of your Department, Minister, could you highlight how much, specifically, is going to the PSNI?

Mrs Long: It is in the region of £320 million, but I will have to check the exact figures. Some of that is for the recruitment of, I think, around 140-odd officers in the next year. That is the intention. The maximum number whom we can realistically put through the police college, as you will know from your role on the Policing Board, is more limited. Therefore, we are in a situation where, by the time you take in attrition — people retiring or leaving the service — and the limitation on the number who can go through in a single year, we can probably add only around 150 officers per annum to the police numbers.

Hate Crime Bill

T6. **Mr Frew** asked the Minister of Justice for further reassurance as to the differences between her hate crime Bill and those in Scotland and the Republic of Ireland, in light of the fact that, earlier today, she went to great lengths to distance her hate crime Bill from those Bills. (AQT 196/22-27)

Mrs Long: I can certainly reassure the Member that, first, the content of the hate crime Bill in Northern Ireland is not complete. If the Member is interested in the first-stage consultation on the Marrinan review, it has been completed and is now published online, so he can read that. A second-stage consultation will be issued in the coming weeks. That will deal with a separate set of issues that need to be addressed before we decide how to go forward. Ultimately, I give you the reassurance that this will all have to be approved by the Executive in order to be brought forward.

Mr Frew: I thank the Minister for her answer. Just because it goes forward from the Executive does not mean that the Committee and Assembly work is not vital with that. That is really only one stage.

The Association of Scottish Police Superintendents has warned that:

"those who report hate incidents that do not meet the criminal threshold could be left disappointed with the police response and those who are investigated but have not done anything wrong may feel 'silenced' by officers",

thereby reducing confidence in the police. Will you reassure the House that you will do nothing through the hate crime Bill that will reduce confidence in our police?

Mrs Long: I have no intention of reducing confidence in the police; to the contrary, in fact, the purpose of the hate crime Bill is to increase the confidence in the justice system of those who might otherwise feel that they cannot have the reasons for the crime against them properly addressed in court. As I said, an incident has to be a crime in order for it to be a hate crime. We then have to make out a separate motivation to establish that there is indeed a hate motive. That is the basis on which we are progressing our hate crime Bill.

Yes, people report hate incidents that do not currently meet the threshold. Those are recorded by the police for information purposes so that they can see, for example, clusters of hate incidents and try to engage with communities to reduce those. Let us be clear: whether something is criminal or just plain wrong, it damages communities and causes real harm to individuals. It is important that, as a society, including, I hope, all in the Chamber, we condemn behaviours that alienate, harass and frighten members of our community who may feel vulnerable.

Mr Speaker: Mr Gildernew is not in his place.

Post Office (Horizon System) Offences Bill

T8. **Mr Mathison** asked the Minister of Justice to clarify whether Northern Ireland will be within the scope of Westminster's Post Office (Horizon System) Offences Bill. (AQT 198/22-27)

Mrs Long: I am delighted to announce in the Chamber today that Northern Ireland will be included in the Westminster legislation on the Horizon scandal. The First Minister, the deputy First Minister and I have worked hard to achieve that. We were keen to ensure that people in Northern Ireland who were affected by the scandal were given equitable and timely treatment in the same way as people in England and Wales. The uniqueness of Northern Ireland's situation — the length of time that legislation here traditionally takes and the

small number of people affected — means that, as an exceptional case, Northern Ireland was able to be included in their legislation. The UK Government have announced that and will table amendments to that effect later today. I am pleased to see that happen. It will not undo all the harm that has been caused by the original Horizon scandal, but it will, at least, hopefully, ensure equitable treatment for our constituents.

Mr Mathison: I thank the Minister for her answer, which Members across the Chamber will welcome. How many people in Northern Ireland does she anticipate that the measure will affect?

Mrs Long: The Public Prosecution Service (PPS) estimates it at about 26 individuals; however, it is possible that, as the measure comes forward, more individuals will emerge. One of my fears was that, given people's experience of the justice system and the false information that Horizon produced, they might not wish to reopen that can of worms by going through an administrative process. This means that the convictions will be expunged by a process that will be underpinned by UK legislation, meaning, hopefully, that the process will be swifter and that perhaps more people will come forward. To the best of our knowledge, the number is 26.

Justice System: Backlog

T9. **Mr T Buchanan** asked the Minister of Justice to outline her plans to address the ongoing backlog of cases within the justice system. (AQT 199/22-27)

Mrs Long: We have a number of workstreams in the criminal justice system. I can look only at the criminal justice system; we have no levers over the speed with which things progress through the civil justice system, because of the complexities of that system and the fact that it is driven largely by complainants and their solicitors. In the criminal justice system, a number of workstreams in the Criminal Justice Board are looking at how we can speed up justice. We are, of course, keen to do that. We have great partnership working between the PSNI, the PPS, the Court Service and the judiciary; however, all of that has been done, in terms of being able to catch up after COVID and so on, by people working well beyond their capacity. Any further reduction in the finance available to the Department of Justice will have an impact on the time that it will take us to progress cases through court.

2.45 pm

I spoke earlier about the £114 million spent on legal aid this year, and that is a direct indication of how many cases are going through the courts because of their increased capacity. That is why, this year, we have had the highest spend on record.

Mr T Buchanan: I thank the Minister for her response. Will she agree that the delays in the justice system are a failing of our victims?

Mr Speaker: A brief response, Minister, please.

Mrs Long: With respect, they are not my victims, but it is certainly a failing of victims, and there is no question that delays compound their hurt, stress and anxiety. That is why we have made how we get through those cases our top priority in the justice system, and we are looking at both administrative and court-based procedures that will allow us to speed up cases. Many of those procedures are starting to take effect. It is a complex and dynamic system, however, and we do not control all aspects of it. We therefore have to work in partnership with others.

Mr Speaker: We now move on to questions —.

Mr O'Toole: On a point of order, Mr Speaker.

Mr Speaker: We do not take points of order during Question Time, so I am surprised that Members are asking.

We now move on to questions to the Minister of Agriculture, Environment and Rural Affairs. Members, take your ease momentarily while the Ministers change positions.

Agriculture, Environment and Rural Affairs

Livestock Movement

1. **Ms Á Murphy** asked the Minister of Agriculture, Environment and Rural Affairs what the timescale is for the resumption of livestock movement to and from Great Britain. (AQO 309/22-27)

Mr Muir (The Minister of Agriculture, Environment and Rural Affairs): As Members will be aware, as a result of confirmed cases of bluetongue virus serotype 3 in England, the trade in all live ruminants from Great Britain to Northern Ireland has been restricted. The area in the question asked falls under the direction and control of the Secretary of State for

Environment, Food and Rural Affairs, as provided for in regulation 3 of the Windsor Framework (Implementation) Regulations 2024. There are 19 areas that fall under the direction and control of the Secretary of State, and I intend to lodge more details about those in the Assembly Library and also to publish them on the Assembly website.

Ms Á Murphy: I thank the Minister for his answer. I know that this is a deeply frustrating and, indeed, expensive time for farmers who have been hit by those restrictions. Minister, are you aware of any possible solutions that are being developed by DEFRA to allow for the resumption of livestock exports from GB to the North?

Mr Muir: I thank the Member for her question. I am not aware of anything further that DEFRA is considering, but I hear from many people in the industry that there is a real concern to ensure that bluetongue does not come into Northern Ireland. That is the first focus among people here from a farming background.

Mr Elliott: If the bluetongue issue is resolved, what is to stop livestock movements from GB to Northern Ireland through use of the 15-day standstill rule at an export centre?

Mr Muir: I thank the Member for his question. Again, I must outline to Members how this falls under the direction and control of the Secretary of State for Environment, Food and Rural Affairs under the Windsor Framework (Implementation) Regulations 2024. He is the key person involved, so to do that would require him to apply for regionalisation.

Mr Allister: What representations has the Minister of Agriculture in Northern Ireland made to DEFRA about the matter? Indeed, has the Secretary of State issued any directions under the relevant implementation regulations? Is it not abundantly absurd that cattle can be brought from France through Great Britain to Northern Ireland unimpeded but that cattle cannot be brought from GB to Northern Ireland?

Mr Muir: I thank the Member for his question. There are three parts to it, and the key issue is whether the Secretary of State has issued a direction to civil servants. I am not aware that any direction has been given, but, for further information, I advise the Member to follow up with the Secretary of State for Environment, Food and Rural Affairs. A key issue around the matter relates to the costs arising from it and whether compensation is forthcoming. I am not aware whether DEFRA has been considering

that. I know that it is an issue of concern; it is a concern for me.

Flooding: Financial Support for Farmers

2. **Ms Ennis** asked the Minister of Agriculture, Environment and Rural Affairs to outline what financial support measures he intends to provide to farmers as a result of flooding. (AQO 310/22-27)

Mr Muir: I thank the Member for her question. I recognise that 2023 was a challenging year for potato growers, and that our very wet and late spring of 2024 is now negatively impacting on farming operations across almost every sector in the industry. I am conscious of what the wider impact will be if wet weather continues in the weeks ahead and have therefore made representations to the UK Government about the need for central government intervention if the situation does not improve.

In the meantime, I encourage all farmers who are seeking advice on management of their farming operations during this ongoing poor weather to contact the College of Agriculture, Food and Rural Enterprise (CAFRE) through their local CAFRE adviser.

A financial support scheme for potato growers affected by last year's flooding in the counties of Armagh and Down has been rigorously examined by DAERA. A business case was developed to test the need for, and value for money of, a potential support package and to look at what the net additional NI economy impact might be. However, the conclusion of that process was that government intervention was not likely to meet the threshold associated with 'Managing Public Money' that is required to justify and authorise that expenditure. For that reason, DAERA has not implemented a support scheme.

I previously advised Members of my intention to review the impact of the flooding event. As part of my review, I instructed officials to undertake inspections of fields that were identified as being subject to flooding. That work has been completed, but it did not support a change in the conclusion.

Ms Ennis: I appreciate the Minister's answer, but the farming community feels very much left behind in help and support following the recent flooding event. I appreciate the dire financial situation that Departments are facing after years of Tory underfunding, but will the Minister commit to continuing to raise the issue with the

British Government to ensure that, if additional money is found, farmers can avail themselves of financial support, which is much needed due to the recent severe flooding events?

Mr Muir: I can. I raised the matter with Minister Steve Baker last Wednesday, whilst in London. I outlined the critical nature of the issue. We have had a few days of good weather, but the forecast for the days ahead is not great, and I am aware that that is a real issue of concern. I am also aware that the Irish Government have brought forward a support scheme. However, what we need here is UK Government intervention, because this is of such enormity that it requires the UK Government to step up.

Miss McIlveen: I thank the Minister and, in particular, his officials with whom I have engaged on behalf of potato farmers since the autumn floods, but I cannot adequately express the disappointment felt by those farmers who, frankly, believe that the Minister was not brave enough to intervene and give them the vital financial support that they needed following the extensive loss of crop, while other businesses were able to avail themselves of support. How does that decision sit with the Minister's desire to champion the horticulture sector, much of which may go out of business as a result of his inaction?

Mr Muir: I thank the Member for her question and for her engagement with our officials in relation to potato growers. As Minister, I have to satisfy myself on the use of public funds and the tests associated with that. I am also conscious of the budget situation, and my Department looks forward to receiving support from Members to improve that situation. I am keen to support the horticulture sector, but I need to be able to satisfy myself on the use of public funds and on the budget cover for the issue. I am aware that ministerial directions have been issued around the issue previously, but, as a former member of the Public Accounts Committee, I am also conscious of the threshold that needs to be reached. It is important that we lobby the UK Government for a UK-wide support scheme.

Ms Bradshaw: Will the Minister outline his Department's plans under the new farm support and development programme for supporting farmers who are impacted by crises?

Mr Muir: The key objective of my Department's approach through the new farm support and development programme is to encourage farm businesses to better manage risk in their own businesses, to become more resilient and to be

better prepared to cope with such situations as bad weather. A crisis framework is being developed under the programme. It will enable my Department to assess potential industry impacts, such as weather or market failure, and determine the most appropriate timing and form of intervention necessary for a specific crisis. That will involve setting out trigger points, such as scale of impact or market price reductions, to inform the operation of the framework. I look forward to receiving a briefing on the work that has been done to date from officials.

On preparedness for exceptional weather events, my officials continue to engage and collaborate with government and agency partners, through such fora as the Northern Ireland flood strategy steering group and the regional community resilience group, to ensure that our collective response to, and recovery from, adverse weather is efficient, effective and targeted.

Mr McGlone: We all know that fodder is running low, that cattle and other animals cannot be put out in the fields and that crops cannot be planted. Have you ever considered a mechanism that, with certain conditions being met and the Department having analysed the situation, would allow for an automatic kick-in of provision of support for the farming and horticulture sectors?

Mr Muir: I thank the Member for what is a constructive question. That is something that we need to consider for a future farm support and development programme. The reality is that climate change is affecting all of Northern Ireland, and, unfortunately, is here to stay. We need to be able to build resilience in our agriculture sector, and initiatives such as what you have outlined can be considered in future. Budget is key to it.

Tree Planting: 2030 Target

3. **Ms Hunter** asked the Minister of Agriculture, Environment and Rural Affairs what quantifiable steps his Department has taken to achieve its target of planting 18 million trees by 2030. (AQO 311/22-27)

6. **Ms Eastwood** asked the Minister of Agriculture, Environment and Rural Affairs what plans he has to increase afforestation. (AQO 314/22-27)

8. **Mr Easton** asked the Minister of Agriculture, Environment and Rural Affairs for an update on his Department's pledge to plant 18 million trees. (AQO 316/22-27)

9. **Mr Frew** asked the Minister of Agriculture, Environment and Rural Affairs what targets he has set regarding native tree planting for the next three years. (AQO 317/22-27)

Mr Muir: With your permission, Mr Speaker, I will answer questions 3, 6, 8 and 9 together. Trees are a very popular topic today, which is good to see.

My Department has done a number of things to achieve its target of planting 18 million trees by 2030. It has revised its forest expansion grant scheme by lowering the minimum area threshold for eligibility to the scheme. In addition, it introduced a new small woodland grant scheme in December 2020, aimed particularly at attracting native woodland projects for a wide range of applicants, including smaller landowners. The Department also supports the forest expansion grant scheme and the small woodland grant scheme with around £3 million annually in grant payments.

The Department continues to work in collaboration with a number of councils and public bodies, such as Northern Ireland Water, to encourage the afforestation of available publicly owned land. The Department has commenced a programme of stakeholder engagement with the forest industry and landowner representatives to jointly consider measures that can be taken to further increase afforestation. The Department is considering a number of policy options aimed at increasing the level of afforestation. Those include new grant mechanisms to incentivise landowners to plant woodland for carbon capture; sustainable timber production, which contributes to jobs and our economy; water quality protection; environmental and habitat enhancement; and public access for health and well-being.

The Department's farm support and development programme includes a farming with nature package, which is under development. It is anticipated that that package will offer support to farmers to plant small areas of trees and to plant trees in existing and new hedgerows. The Department's plans to increase the rate of afforestation are being prepared and will be included in Northern Ireland's climate action plan.

Ms Hunter: I thank the Minister for his answer. Recently, I visited Broughter Gold, a farm in Limavady in my constituency that is working with nature and protecting biodiversity; we know that our farmers play a key role in that. I want to ask about incentives for farmers to protect biodiversity and plant more trees. You touched

on a number of key things, but are you and your Department exploring anything else to incentivise our farmers?

Mr Muir: I thank the Member for her question. There are many good examples of that in Northern Ireland, which are fantastic to see. The future farm support programme will be a key element. I want to work with farmers to see what we can do in this area. It will be difficult for some farmers, while it will be attractive to others. We need to deal with generational issues, and how we can facilitate farmers who want to hand on their land to younger family members. Those are key issues. The farming community are the custodians of the countryside, and we need to work with them to achieve our targets in this area.

Ms Eastwood: I thank the Minister for his answer. I welcome the work that he has done to tackle the issue of afforestation. In Lagan Valley and Lisburn and Castlereagh, we have one of the least-wooded areas in the North. Will he outline what additional steps the planting of trees contributes in nature recovery?

Mr Muir: I thank the Member for her question. I am very conscious that Northern Ireland is one of the least-forested regions in the whole of Europe, but there are real opportunities to address that. Northern Ireland's woodland cover is low compared with other UK countries, and it includes many small native woodlands that are remnants of much more extensive past tree cover. Whilst all woodlands are important for biodiversity and protecting them is integral to efforts to mitigate climate change and promote nature recovery, tree planting to increase the size of existing woodlands and their connectivity through the landscape will contribute to their resilience and provide new habitats to support wildlife.

3.00 pm

Mr Easton: I thank the Minister for his answers. Will he outline which areas of North Down might be included in this tree plantation? Will he also outline the benefits to schools that might want to partake in helping to plant trees?

Mr Muir: I thank the Member for his question. The participation of schools is a fantastic opportunity, and I am very keen to work with the Minister of Education on that. In North Down, there are many areas of opportunity. Only two weeks ago, I was in Hunts Park in Donaghadee, where a community orchard has been planted. That is an example of a community actively stepping forward and

wanting to see tree planting. There are many opportunities here, and we need to incentivise and encourage people to undertake tree planting.

Mr Frew: Native tree planting assists in the enhancement of wildlife compared with the forests of evergreen trees for timber production, which basically kill everything underneath them. Has the Minister got the balance right?

Mr Muir: In environmental policy in Northern Ireland, getting the balance right is absolutely key and is something that I am very conscious of. I am also conscious of my obligations on afforestation under climate change legislation. We need to balance that and work with people, and I will not be found wanting in striking a correct balance on these issues. We will also be clear on our targets.

Mr Nesbitt: Will the Minister detail how his Department came to the figure of 18 million trees?

Mr Muir: I thank the Member for his question. I will write back in more detail on where the evidence came from for that figure, but I am conscious that, in the climate change legislation, there are key targets to which tree cover is fundamental.

Carbon Border Adjustment Mechanism

4. **Dr Aiken** asked the Minister of Agriculture, Environment and Rural Affairs to outline what proposals he has for mitigating the impact of the carbon border adjustment mechanism on the economy. (AQO 312/22-27)

Mr Muir: I thank the Member for his question. My response is quite long and quite detailed. The intent of the EU carbon border adjustment mechanism (CBAM) is to assign a fair price to the carbon emitted during the production of carbon-intensive goods that are entering the EU and to encourage cleaner industrial production in non-EU countries. My officials are working closely with counterparts in the UK Government to develop an understanding of how the mechanism may affect relevant stakeholders in Northern Ireland. That is an ongoing process. As he may be aware, the EU CBAM will come into full operation on 1 January 2026, having been implemented on a transitional basis from 1 October 2023.

On 18 December last year, the UK Government announced the intention to implement a UK

CBAM, with effect from 1 January 2027, as part of their response to the 2023 consultation on potential carbon leakage mitigation measures. Feedback to this initial consultation highlighted the importance of alignment of the UK design scheme with similar mechanisms in other jurisdictions and questioned how it would integrate with the EU mechanism.

The UK Government have launched a further consultation, seeking views on the potential design of the mechanism. That remains open until 13 June. As set out in the UK Government Command Paper 'Safeguarding the Union', the EU CBAM cannot apply in Northern Ireland unless that is agreed by the UK. It can only apply in Northern Ireland with the agreement of the UK and in line with the democratic safeguards of the Windsor framework. Consequently, as things stand, the EU CBAM should not impact on trade between Northern Ireland and GB.

The UK emissions trading scheme (ETS), of which Northern Ireland is an active and equal partner with the UK Government and other devolved Administrations, is a really effective carbon-reduction mechanism, helping us collectively to deliver a reduction in greenhouse gases and to meet our global commitments. Assigning a price to carbon emissions is a proven way to incentivise innovation and emissions reduction, and positive action taken by many industries and businesses in Northern Ireland will contribute to reducing their exposure to any external CBAM. A summary of the European Commission guidance on EU CBAM for UK exporters has been produced by the UK Government and is available at www.gov.uk.

Dr Aiken: I thank the Minister for his very fulsome reply. Obviously, the significant issue will be our linkage with the UK emissions trading scheme. Have his officials had much contact yet with the UK Government on these significant issues? Has he had any indication of what the carbon pricing infrastructure is likely to be and, more importantly, what the differential between the EU and the UK is likely to be?

Mr Muir: Those are three very detailed questions about a very technical area, and I will write to the Member to ensure that he gets a fulsome reply. I am aware of the concerns. Alignment between the UK and EU would resolve a lot of issues, and that is something that I would encourage. I know that businesses would encourage that, because there are environmental benefits associated with this, but there is uncertainty around these areas, and it is important that we remove uncertainty so that businesses have the confidence to invest.

Mr Blair: Will the Minister outline some of the environmental benefits of the emissions trading schemes?

Mr Muir: To meet our obligations under climate change legislation and, more broadly, environmental policies, we need to do everything that we can to reduce emissions, and emissions trading schemes are key.

The UK emissions trading scheme applies to energy-intensive industry, electricity generation and aviation. In Northern Ireland, there are 17 industrial installations in the scheme, as well as two aviation operators. There are also six electricity generators that continue to participate in the EU ETS under the terms of the Windsor framework. That is to protect the operation of the all-Ireland single electricity market.

Ms McLaughlin: Minister, what steps will you take with the Irish Government in relation to CBAM?

Mr Muir: I am aware that there might be concerns about the impact on trade with the Republic of Ireland. At present, the impact of the EU CBAM on Northern Ireland companies exporting to the Republic of Ireland is not clear. My officials continue to work closely with their UK Government counterparts to develop an understanding of potential impacts in Northern Ireland. UK Government colleagues have committed to ensuring that my Department is kept updated as understanding develops. However, I do not have specific information on the potential impact to share with Members at this time. The UK Government have produced a summary of European Commission guidance on the EU CBAM for UK exporters. That is available on the UK Government website. I will write to the Member because the URL is extremely long.

Mrs Dodds: Minister, this is a complex issue, and the picture is developing; I accept that. However, will you confirm that Northern Ireland will be subject to the EU CBAM rules unless the UK Government deny that or if the UK Government align with the European Union's CBAM? It seems to me that this is an example of the lack of democracy and accountability that Northern Ireland and this House cannot have those adjustments made.

Mr Muir: I thank the Member for her question. We lost democracy and accountability for two years in this place, and it is good to see that we are back and can answer questions on this issue. As this stage, it remains unclear how the EU CBAM will affect Northern Ireland

stakeholders. The EU may approach the UK with a view to including CBAM within the scope of the Windsor framework. To date, however, no such approach has been made.

Cotton River: Pollution

5. **Mr Chambers** asked the Minister of Agriculture, Environment and Rural Affairs to outline how many prosecutions have been taken as a result of alleged pollution incidents in the Cotton river, in the past 10 years. (AQO 313/22-27)

Mr Muir: I thank the Member for his question. It is something that we know closely as North Down representatives. One prosecution has been taken by my Department in relation to water pollution in the Cotton river over the past 10 years. That case related to an incident from an agricultural source, and the fine imposed by the court was £1,500. During that 10-year period, three incidents met the criteria for formal enforcement actions due to the impact on the environment. One was resolved by a cross-compliance penalty, which I am reviewing with the Department as a general policy area. No further action was possible in the remaining two incidences involving Northern Ireland Water infrastructure as the pollution was due to blockages in the system caused by third parties. However, Northern Ireland Environment Agency (NIEA) costs were recovered in those cases.

Mr Chambers: I thank the Minister for his reply. It is disappointing to hear of the small number of prosecutions and detections over a 10-year period, because it is widely recognised that that river makes a huge contribution to the ongoing failure of water quality in Ballyholme bay. I know that, in the recent past, the Minister, in his role as an MLA, has lobbied for solutions and action to improve it.

Mr Speaker: Get to the question, Mr Chambers.

Mr Chambers: What are the Minister's solutions and what action is he going to take to improve the water quality of Ballyholme bay?

Mr Muir: I agree that it is disappointing, and I am aware of the consequences of that pollution at Ballyholme beach, where people look to go swimming. It is not acceptable to see the pollution of our watercourses. As Minister, I want to take every action that I can to stop the pollution of our waterways and to see a

stronger approach to enforcement on that. That will require funding for my Department.

There are two points to make on this. I have been engaging with my officials on the pollution at Ballyholme. My Department is collaborating with Northern Ireland Water and the Agri-Food and Biosciences Institute (AFBI) on enhancing monitoring at Ballyholme bathing water and the Cotton river during the coming bathing season by applying microbial source tracking during dry periods and heavy rainfall periods. That will enable us to better understand how the indicators fluctuate and to find out what their primary sources are by telling us whether they are from waste water or agriculture. That will allow us to further target measures to improve the quality of the Ballyholme bathing water.

There is more information on the incidents that have occurred over the past 10 years. I will write to the Member to set out the details of that. It is important that we not only know what has happened but chart a course to address it. We need to do something about agricultural run-off — quite a lot needs to be done there — while investing in our waste water infrastructure.

Mrs Erskine: One pollution incident within 10 years is pretty shocking. How effective does the Minister think his Department is at engaging with the NIEA and Northern Ireland Water to solve the pollution problem? NI Water causes overflows into our waterways, which is a damning indictment where our waterways in Northern Ireland are concerned. How effectively does the Minister's Department work with NIEA?

Mr Muir: My Department works strongly with the NI Environment Agency. It is an agency of my Department, and I engage regularly with its chief executive. The issue that the Member raised about Northern Ireland Water is of concern to me, and I intend to meet the Infrastructure Minister in the time ahead. We need investment so that we can invest in our waste water infrastructure. The result of not investing is the pollution incidents that we are outlining and the constraint on housing and economic development in Northern Ireland. We need to do something differently on the matter, because if we do not, we will continue to be outlining to the House the impacts of not investing in Northern Ireland Water.

There are probably two types of approach that we need to take to agricultural run-off. We need to carry out engagement and raise awareness of the impacts of agricultural practices and how they can result in pollution, and we need to look

at enforcement. That will be key to the action plan that I intend to take forward on Lough Neagh.

Ms Egan: We all eagerly await the Finance Minister bringing forward a Budget. Can the Agriculture Minister explain what impact a Budget settlement could have on the enforcement capabilities of his Department in incidents like that at the Cotton river in North Down?

Mr Muir: The Budget settlement for my Department could go one of two ways. It could get us to a situation whereby we can protect our environment, have that engagement and enforcement and have something to be proud of in Northern Ireland, or it could get us to a situation where the Budget settlement is totally inadequate and we reduce the level of enforcement and engagement such that the scenes that have been occurring over the past number of years continue. I hope that the Executive will back my funding bid so that we can address water quality in Northern Ireland.

Mr O'Toole: Whether it is the Cotton river in the Minister's constituency, the crisis at Lough Neagh or sewage being pumped into the sea near bathing water, it is clear that the public in Northern Ireland want a step change in environmental enforcement that takes us beyond some of the very low — in fact, they are pathetic — numbers for prosecutions that were outlined. Does the Minister agree that, in order to do that, we need an independent environmental protection agency? Will he commit to delivering one by the end of this mandate so far as he is able?

Mr Muir: I thank the Member for that question. The end of his question is my answer: I will commit to doing that so far as I am able. That was a commitment under New Decade, New Approach (NDNA). Conscious of that commitment, upon coming into office, I tasked officials to undertake an environmental governance review to see where we are sitting. We have the Office for Environmental Protection (OEP). We have a different landscape post-EU exit. We also have the question of how an independent environmental protection agency would be funded. If it is not independently funded, the question of whether that is a constraint on its work arises.

My party has a very strong commitment to an independent environmental protection agency. I am working with officials on the environmental governance review, because we need to have independent oversight in Northern Ireland. I am

quite keen to look at that with officials in the time ahead. That would naturally be subject to consultation, and I look forward to the support of other parties in the House, which will be key to securing that.

3.15 pm

Environmental Improvement Plan

7. **Miss Brogan** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the progress of a finalised environment strategy to be put forward as an environmental improvement plan. (AQO 315/22-27)

Mr Muir: I thank the Member for her question. I have had recent discussions with my Executive colleagues on the content of a draft environment strategy for Northern Ireland, otherwise known as an environmental improvement plan. I hope shortly to secure Executive agreement to the strategy, which is both ambitious and deliverable. Once agreement has been obtained — I hope that that will be very shortly — I will make a statement to the Assembly on a strategy that will be published as Northern Ireland's first environmental improvement plan and laid in the Assembly.

Miss Brogan: Gabhaim buíochas leis an Aire. *[Translation: I thank the Minister for his answer.]* Are there legally binding measures in the plan to reach the 30 by 30 target to which the previous AERA Minister committed?

Mr Muir: I do not want to unveil the strategy until it has been agreed by the Executive. It is a pathway to achieving many targets, including the one that the Member outlined. It is key that the Executive adopt the strategy soon so that we can set it out, because it is also an overarching strategy for how we deal with the issues associated with Lough Neagh. The catchment area for Lough Neagh is way beyond the bed and soil of the lough. We need to have a strategy and an action plan, and I hope that we can outline those soon.

Mr Speaker: The time for tabled questions is up. We will move to topical questions.

Just Transition Commission: Update

T1. **Mr McGlone** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the proposals for the appointment

of a just transition commission. (AQT 201/22-27)

Mr Muir: I thank the Member for his question. The just transition commission is a key element of the climate change legislation that was passed democratically by the House in 2022. I am keen to see it in place, and I hope to have it in place by the end of this year. A key aspect is funding. A just transition fund is meant to come alongside the commission. It will comprise a number of pots of funding that will be brought together under one umbrella. It is key that we have just transition funding for Northern Ireland, because it will allow us to work on and deliver climate change with people. It is key that we address that. I have engaged with the UK Government and with the Labour Party on its future fiscal policy, because tackling climate change is an opportunity for Northern Ireland if it is funded correctly.

Mr McGlone: Thank you for that, Minister. What proposals do you have for the just transition fund for agriculture, and what ask have you made for it?

Mr Muir: I thank the Member for his question. It forms a key part of the earmarked funding that we receive for agricultural support, alongside other measures that come together in relation to it. I have lobbied the UK Government strongly for future funding for Northern Ireland, and I have lobbied the Labour Party, in the event that it might form the next Government, because it is key that we are able to assist and enable our agricultural community to move forward. Climate change is a really big challenge for Northern Ireland, particularly for the agricultural sector, but, if we can give funding to tackling it, we can grasp opportunities and give sustainability to communities in Northern Ireland.

Coastal Erosion: DAERA Action

T2. **Mr Harvey** asked the Minister of Agriculture, Environment and Rural Affairs to outline the action that his Department intends to take to minimise the impact of coastal erosion, given that he may be aware of the concerns of many of his constituents in relation to coastal erosion in Kircubbin. (AQT 202/22-27)

Mr Muir: I thank the Member for his question. I regularly receive correspondence on the subject. There is no formal departmental responsibility for it, but it is an increasing issue, especially for coastal communities in Northern Ireland. I saw that at first hand when Diane Forsythe took me to Kilkeel and I saw the cliffs

and some of the areas affected there. It also affects other areas around Northern Ireland. I intend to meet the Minister for Infrastructure in the time ahead so that we can scope a way forward for the Executive on the issue. I understand the concerns around it, but I am also aware that funding is needed to accompany actions on it.

Mr Harvey: I thank the Minister for his reply. Is he willing to meet a delegation from the area to discuss the matter?

Mr Muir: I would be delighted to do so. If the Member follows that up with my private office, hopefully, we will be able to schedule it.

Windsor Framework (Implementation) Regulations 2024: Consultation

T3. **Mr Allister** asked the Minister of Agriculture, Environment and Rural Affairs, in light of his response to a question for written answer in which he said that the Secretary of State did not formally consult him about the Windsor Framework (Implementation) Regulations 2024, to state whether there was any consultation and, if so, what was its nature, considering that powers were being removed from him. (AQT 203/22-27)

Mr Muir: I thank the Member for his question. There was no formal consultation. The public were aware that regulations on the matter were being considered in, I think, September last year. On taking up office, I became aware that the issue was being considered again. There was reference to an element of it in the 'Safeguarding the Union' Command Paper. I met the Secretary of State and the Minister of State, Steve Baker, and I outlined my concerns about the issues. What has been brought forward is extremely challenging operationally, and I have outlined my concerns about the impact of that on multiple occasions to the UK Government. We saw that today during Question Time when I received a question about an issue that is under the direction and control of the Secretary of State for Environment, Food and Rural Affairs. It is under his remit, but Members asked me questions about it. I seek to participate, answer questions and engage with Members of the House on every matter that I can, but, if something is under the direction and control of the Secretary of State, I am impeded by that. I have outlined my concerns on multiple occasions to the UK Government, and I am meeting Steve Baker again tomorrow about those issues.

Mr Allister: The implementation regulations give the Secretary of State power to issue instructions or directions. Have any such instructions or directions been issued, and, if and when they are, how will the Assembly know that?

Mr Speaker: Minister, can you speak facing forwards so that the microphones can catch what you are saying?

Mr Muir: Apologies. I was trying to face Mr Allister and be polite, but I will speak into the microphone.

I am not aware of whether a direction has been issued. Perhaps I am not the person to ask. It is probably the Secretary of State for Environment, Food and Rural Affairs, because, when a direction is issued to officials in my Department, they are then reporting to that Secretary of State, and that is the relationship. As set out in the guidance, there is a requirement for engagement with relevant Ministers, and I have made it clear that I wish to see those engagements occur monthly because of the operational challenges.

I will make your point about whether a direction is issued and whether the House receives communication to Steve Baker tomorrow, because it is important for democratic accountability. The regulations are unprecedented and are a movement in the devolved space. I am assured that they have been made to uphold our international obligations under the Windsor framework, but I am conscious of the practical challenges.

Honeybees

T4. **Ms Egan** asked the Minister of Agriculture, Environment and Rural Affairs to outline the steps that he and his Department are taking to protect pollinators such as honeybees. (AQT 204/22-27)

Mr Muir: My Department is responsible for three actions in the all-Ireland pollinator plan. My Department funds organisations such as Buglife and Butterfly Conservation to undertake actions to provide habitats for pollinators. My officials support and coordinate guidance publications to promote the all-Ireland pollinator action plan.

Ms Egan: Thank you, Minister. Will you agree that the decline that we have seen in pollinators such as honeybees is concerning?

Mr Muir: I entirely agree. When we see a decline, that points to a concern about our environment, and we should be very conscious of that. That is why I encourage initiatives that address those issues. The work across Northern Ireland on those matters is to be encouraged and is something my Department is keen to support.

Dilapidation Bill: Progress

T5. **Ms Flynn** asked the Minister of Agriculture, Environment and Rural Affairs for an update on progress on the dilapidation Bill. (AQT 205/22-27)

Mr Muir: I thank the Member for her question. I am keen to progress the Bill. It is ready to go, and I am waiting for the Executive to agree their legislative programme.

Ms Flynn: I thank the Minister for his response. The Minister expressed interest when there was an incident at the George Best Hotel in Belfast. In the context of a new Bill, does the Minister envisage any overlap with DFC on urban development and the use of other grants for vacant and derelict buildings and land?

Mr Muir: It is something I am keen on. I did not anticipate taking up this Ministry, but I now have responsibility for delivering the legislation. Dereliction in our town and city centres has a real impact because it does not help deliver regeneration; it delivers quite the opposite. The regeneration powers sit with the Department for Communities, and there needs to be a crossover, when the legislation is delivered, on how we can grant aid some of the engagements. It is key that we bring it forward, and I am conscious of the impact of not having the legislation. The legislation will be an enabler in tackling dereliction, not an entire solution, and there will be a crossover to the Department for Communities. Hopefully, it will provide hope for town and city centres that have been victims of dereliction.

DAERA: Budgetary Requirements

T6. **Ms Bradshaw** asked the Minister of Agriculture, Environment and Rural Affairs to outline his Department's budgetary requirements for this financial year. (AQT 206/22-27)

Mr Muir: I thank the Member for her question. I am conscious that decisions on the Budget that Northern Ireland faces will involve all Ministers making difficult choices. I will not shy away from

those decisions, and I am not known for doing that. I am keen to ensure that, as an Executive, we are successful in setting a Budget. It is important that the Budget be a fair one and that it allow Departments to deliver on the expectations of and duties to the people of Northern Ireland.

I welcome the fact that, at their first meeting, the Executive set as a priority tackling the issues associated with Lough Neagh. Some Members have talked in the Chamber about issues such as water quality. Such issues are a priority for the public. They want to see action.

My concern with the Budget and what may be allocated to my Department is that I will potentially be doing less, rather than more. That would mean that actions on Lough Neagh would be paused, and that would be neither credible nor acceptable. We need to be able to invest in actions on Lough Neagh, and I am keen to make the point to Executive colleagues that, if we are to make Lough Neagh a priority, we need to fund it.

Another concern is that over half of my Department is funded through funding earmarked for agriculture support. I need staff to deliver it, but, without funding for my Department, we may struggle to distribute it.

Finally, it is important that compensation levels for bovine TB be funded. Otherwise, the Budget will force me into taking decisions that I do not wish to take.

Ms Bradshaw: I thank the Minister for his answer. The Minister touched on Lough Neagh. Will he please outline the impact that inadequate funding will have on his ability to tackle the issues associated with the lough?

Mr Muir: We are all aware of the issues associated with Lough Neagh. We need funding for engagement and education on the causes of this, particularly on agricultural run-off. We also need to provide incentivisation and to put resources into enforcement. If we do not fund any of that, what do people expect will happen to Lough Neagh? The situation will be repeated. We need to fund those interventions and our waste water infrastructure. We cannot, on the one hand, bemoan the consequences of pollution in Lough Neagh and, on the other hand, not fund the interventions required to deal with the source of it.

We need to get real about the environment in Northern Ireland. We have a problem that we need to acknowledge and fund. That is absolutely fundamental for my Department. I

recognise that there are difficult choices to be made across Departments and with budgets. I fully get that, but if we are going to make something a priority, we need to fund it.

TB Intervention Strategy: UFU Meeting

T7. **Mr T Buchanan** asked the Minister of Agriculture, Environment and Rural Affairs whether he intends to meet the Ulster Farmers' Union (UFU) and the Veterinary Service to discuss the wildlife TB intervention issue, in light of the fact that he understands that the Minister has received a request from those groups, albeit there may have been a hold-up in his accepting the invitation. (AQT 207/22-27)

Mr Muir: I thank the Member for his question. I have had hundreds of meeting requests and am trying to accommodate them. It is important that I meet the Ulster Farmers' Union and other bodies associated with the TB strategy to discuss interventions that could be made on it. I am keen to facilitate that, and, if the Member wants to write to me, we can try to arrange it.

I meet the Ulster Farmers' Union regularly, and we discuss such issues. I am conscious that the TB issue needs action. That is why I have tasked the new Chief Veterinary Officer, Brian Dooher, with taking a fresh look at it. I am conscious that, because of budget pressures, time is not on our side, but I am keen to deal with it.

Mr T Buchanan: I understand that the meeting is dedicated to discussion of TB. Given that 89,000 beef and dairy cattle have been culled in the past five years, it is concerning. Farmers are concerned that you have not met them. You have not met the Ulster Farmers' Union and the Veterinary Service on the specific issue.

Mr Muir: I have met farmers and the Ulster Farmers' Union, so, frankly, I do not know where that is coming from. I engage with people regularly and am well known as a listening Minister and one who is prepared to act. If you want that meeting, I can arrange it this week.

3.30 pm

Afforestation Strategy

T8. **Mr Nesbitt** asked the Minister of Agriculture, Environment and Rural Affairs to state the ultimate objective of the afforestation strategy, albeit he knows that the Minister will

write to him about the 18 million trees. (AQT 208/22-27)

Mr Muir: Northern Ireland is one of the least forested areas in western Europe. The ultimate objective is to address that for two reasons: the first is the impact on the environment of that situation, and the second is our climate change obligations. Afforestation provides us with a real opportunity to deliver on our legal obligations around climate change. Forested areas are extremely popular. I am cognisant that a number of councils have taken on lease agreements with the Forest Service for amenities. Those places are packed, with many people coming to them. There are great opportunities in that regard. We can see that today in the number of questions about afforestation and tree-planting. People are keen to see that happen. I am keen to work with people on that. We need to be able to facilitate that in cooperation with landowners. That is the opportunity for Northern Ireland. I am confident that we can achieve that, because there is real community buy-in. We were in Donaghadee a few weeks ago, where the community actively sought grant funding to deliver a community orchard in the area. That is really positive.

Mr Speaker: That concludes topical questions. Thank you, Mr Nesbitt.

Mr O'Toole: On a point of order, Mr Speaker. During Justice questions, I asked the Minister about movements at the top of the Civil Service, including her Department. Will you confirm whether it is in order for a Member to ask a Minister about personnel changes in the Senior Civil Service and the leadership of their Departments?

Mr Speaker: It is in order to ask questions, and Ministers will answer questions as they see fit.

We will take our ease as we change the top Table. We will then resume the previous debate.

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

Private Members' Business

Ramming of Police Vehicles: South Armagh

Debate resumed on amendment to motion:

That this Assembly condemns those who resort to ramming police vehicles in an attempt to evade criminal enforcement action, including arrest; believes it is reprehensible that 77 PSNI officers were injured as a result of their vehicles being deliberately rammed in 2023; notes with concern that this was a 50% increase on 2022; highlights that the spate of such attacks in south Armagh has coincided with far-reaching and politically motivated policing reforms in the area; stresses the need to assess the impact of the roll-out of additional non-armoured and liveried vehicles in Slieve Gullion on local crime trends; further notes the impact that ramming incidents have on operational policing resources, including through sickness absence and rising repair bills; and calls on the Minister of Justice to consider stronger custodial sentencing for those who weaponise their vehicles to attack police officers; and further calls on the Minister of Justice to prioritise a visible and effective Police Service by bringing forward a fair and ambitious budget settlement for the PSNI in the next financial year.

Which amendment was:

Leave out:

"highlights that the spate of such attacks in south Armagh has coincided with far-reaching and politically-motivated policing reforms in the area;"

Mr Deputy Speaker (Dr Aiken): Minister, you are next up, and you have a further 10 minutes if you so wish.

Mrs Long: Thank you, Mr Deputy Speaker. When we left the debate, we were discussing whether anything could be done about people using vehicles as weapons, which is what I was about to move on to.

Currently, as I said, there are a number of sentences that can be applied in the case of attacks on police. However, for offences involving vehicles, there is a maximum penalty of five years, where a vehicle is taken without the owner's consent and, due to the driving of

the vehicle, a collision occurs in which injury is caused to any person. That rises to a 14-year maximum sentence in cases where death or grievous bodily injury results. Similarly, a charge of causing death or serious injury by dangerous driving or causing death or serious injury by careless driving while under the influence of alcohol or drugs can result in a maximum four-year sentence. Under the sentencing Bill, I intend to increase that maximum to 20 years. If there is evidence to prove that a vehicle was used as a weapon with the intent to kill, the charge could move from one of dangerous driving causing death to murder. The only sentence for a person convicted of murder is a life sentence. In addition, in certain cases, a vehicle used to commit an offence may be confiscated. Since 2008, provision has existed allowing the court to disqualify someone from driving for any offence.

The motion also refers to PSNI funding. I entirely agree that it is vital to have effective, responsive and visible policing in Northern Ireland. I am acutely aware of the challenging budgetary situation faced by the PSNI. Those issues are discussed in my regular engagement with the Chief Constable and are not unique to the PSNI; they affect the entirety of the justice system.

Members will appreciate that how policing resources are deployed within the PSNI is a matter for the Chief Constable, who is accountable to the Policing Board, and not for me or my officials. I assure Members, however, that I will continue to give my full support to ensuring that the needs of the PSNI are represented at the Executive table and beyond to ensure that it has sufficient resources to deliver policing in the context of a properly resourced and funded justice system.

Members will also appreciate that all Departments face significant challenges next year. While the £3.3 billion package goes some way to addressing some immediate issues, long-term sustainability remains a significant concern. Mr Clarke asked about this at Question Time, and I can give him more accurate figures in this debate. While the total block grant has increased by 43% in the past 12 years, the DOJ has seen only a 3% growth in budget allocation. Health and Education have seen their budget allocations grow by just over 70% and 45% respectively in the same period. One cannot expect Justice to be in a healthier state than Health or Education when we are being starved of resource. In real terms, the Department of Justice budget is around £423 million below where it should have been if it had

kept pace with inflation. That makes no allowance for the increased demands on the justice system.

The majority of my Department's costs are demand-led and inescapable, so there is limited scope to further reduce the levels of service provided. Indeed, if there is no increase in the baseline for 2024-25, my Department anticipates potential resource pressures of approximately £444 million. Within that £444 million of pressures, the PSNI has reported pressures of £307.5 million, including £131.5 million for pay and other operational pressures and further pressures of £176 million for compensation claims and legal costs in respect of the data leak, holiday pay and other issues. There is absolutely no scope for my Department to absorb £444 million in pressures, given the demand-led nature of Justice expenditure, in addition to the recurring costs of the 2023-24 pay awards. I will, therefore, look to the Minister of Finance to provide a fair and equitable budget settlement for the Department of Justice and to other Executive parties to support her in doing so.

In Northern Ireland, the Department of Finance has ultimate responsibility for coordinating and collating departmental bids for funding and for publishing the Northern Ireland central government Budget. Decisions on funding allocations are ultimately made by the Northern Ireland Executive. The role of the Department in distributing its budget is to allocate to the PSNI, having regard to the PSNI's request for resources and the overall financial envelope allocated by the Department of Finance. Outside routine budget-setting, monitoring and allocation processes, my Department will commission and support the PSNI in the development and submission of bids in response to opportunities for additional funding as and when they arise, as we have in previous years. In-year funding, however, is non-recurrent, so the replacement is no replacement for an adequate baseline.

The budget provided in 2023-24 meant that the Department faced opening pressures of £149 million. We worked proactively to address those pressures and reduce spend where possible, but we still faced a potential pressure, including pay awards and other pressures, of £75.3 million at the year's end. The majority of that sat with the PSNI. That has now been met with an additional allocation of £75.3 million, as I outlined in my written ministerial statement on 15 February 2024. Budgets have not been set for next year yet, and, therefore, no decisions have been taken regarding funding levels for the next financial year. I will continue to work

with the Chief Constable, the Minister of Finance and my Executive colleagues to ensure that we have a service and a justice system that is properly resourced for all the challenges they face. Not doing so will further degrade the ability of the system to protect life, prevent crime and keep people safe.

I understand the current resourcing pressures faced by the Chief Constable in relation to police numbers in the context of an extremely challenging financial climate. One of the priorities in the 'New Decade, New Approach' document was to increase police officer numbers to 7,500. Members will be aware that the funding package accompanying the New Decade, New Approach deal fell well short of the amount needed to deliver on its priorities, and funding for increasing police officer numbers is not currently within my departmental budget. Therefore, it will be for the Executive to decide which priorities are funded and to what extent. That figure of 7,500 officers is not new; it was noted as far back as the Patten review of policing in 1999, which said:

"Provided the peace process does not collapse and the security situation does not deteriorate significantly from the situation pertaining at present, the approximate size of the police service over the next ten years should be 7,500 full time officers."

Even with digitisation and new operating models, the most recent assessments suggest that a service of approximately 7,200 officers is needed. As of 31 March 2024, the PSNI had 6,394 full-time equivalent officers — the lowest number since its formation. The recruitment of police officers is an operational matter for the Chief Constable, who is accountable to the board. It is important that I respect the operational independence of both the Chief Constable and the board.

Fiscally, however, we are in territory that we have never experienced before. Unfortunately, the circumstances will not improve quickly. When Members make demands for spending in one area, such as additional police officers, that is, essentially, a decision for all Ministers, not just for me as Justice Minister, because it will draw resources from other places. My Department, together with the Northern Ireland Policing Board, also provides about £4.5 million in funding annually to policing and community safety partnerships, which have an important role to play on this issue. They liaise with local communities, statutory bodies and agencies, stakeholders and key partners, including the voluntary and community sector, to develop appropriate actions to deal with and reduce the

impact of crime on local communities. My Department supports a collaborative approach at a local and strategic level to help prevent crime occurring in the first place, resolve issues at the earliest possible stage through interventions and support the communities and individuals most impacted by criminal behaviour.

As is the case across Northern Ireland, the PCSP in the area works to improve community safety, tackle antisocial behaviour and increase confidence in policing, which is crucial. Each PCSP is a partnership of local elected reps, members of the public who serve as independent members and staff from local agencies. I have no doubt that members of the local PCSPs would join us today in calling on the local community to assist the police with their enquiries when such incidents occur and to remove that scourge, which affects not just the police but communities in their area and has the potential to put lives at risk.

In summing up, I reiterate my condemnation of the ramming of police vehicles and attacks of any nature on police officers. I place on record my appreciation of police officers for the critical role that they play in keeping everyone in society safe and protected. They deserve our respect for doing so, but, more than that, they deserve the protection of the public.

Mr Boylan: I also declare an interest as a member of the Policing Board.

Mr Deputy Speaker (Dr Aiken): My apologies, Cathal: you have five minutes.

Mr Boylan: Thank you.

The BBC report from December 2023, which cites a 50% increase in injuries to officers because of their vehicles being deliberately rammed, states that the crashes happened mostly in north and west Belfast, Derry and border areas such as south Armagh. The figure of 77 is for the number of officers injured across the North. The PSNI highlighted in the media that there was an increase in deliberate collisions with PSNI vehicles across the North in 2023. There were 45 in total, compared with 34 in the previous year. Police figures for that year show that there were more ramming incidents in Belfast City than in Newry, Mourne and Down. The figures also show that the increase was greater in Belfast City and in Derry and Strabane than in Newry, Mourne and Down. Indeed, the increase was significantly higher in Derry and Strabane than in Newry, Mourne and Down. Media reports also show

that ramming of police vehicles took place in England and Wales in the same period. It is not something that only happens here or in one area. On the other hand, having police cars rather than police jeeps in an area can help to support confidence in policing, improve trust and make people feel that they can alert police to activity in the area that they are concerned about.

No matter where they occur, such deliberate collisions with police vehicles are to be condemned. Even one such attack is one too many. Ramming incidents harm officers who are trying to provide a local policing service and, in another way, harm the local community who are deprived of that service. We wish all the police officers injured in those attacks well. The ramming of police vehicles in the hope of evading arrest must stop.

The south Armagh review had considerable benefits for policing in the area. Police are out and about in the local community, as they are in other areas. They are welcome in our schools, our shops and our GAA clubs.

3.45 pm

Police, themselves, report that the review has brought a new approach and style that maximises visibility and engagement with people in the local area whilst seeking to increase the safety of officers going about their daily work. Police cannot properly engage with the community if they cannot be seen. They cannot properly know what is happening in an area if they do not engage.

Policing Board members visited south Armagh in November 2022 to see how things were going. The local police officers spoke very positively about the south Armagh review and the benefits that it had brought to policing in the area.

On crime trends, police highlighted their success, in December 2023, in seizing suspected cocaine with an estimated street value of £10 million, when police from the Slieve Gullion neighbourhood policing team stopped a suspicious lorry near Jonesborough. That was the largest seizure of suspected cocaine ever made by the PSNI.

Securing policing by consent is not something that can be done in one year and then forgotten about the next. It is always a work in progress and is always worth doing. I urge Members to support our amendment.

Mr Deputy Speaker (Dr Aiken): I call Trevor Clarke to conclude the debate with a winding-up speech. Trevor, you have up to 10 minutes.

Mr Clarke: I thank all those who took part in today's debate. Much focus and reference has been given to the political motivation. When Mike Nesbitt spoke, he set the scene well: many of us took the opportunity to visit Crossmaglen, and he, quite rightly, talked about the conditions that those officers were expected to work in. However, that was part of their daily pattern until a certain picture was taken on Christmas Day 2019. I have to commend the former Chief Constable for taking the time to go around the Province to speak to the men and women who are out there serving their communities daily. It was unfortunate for some that a picture was taken. I think that it was fortunate for the Chief Constable that it showed his willingness to go to all parts and areas of Northern Ireland. There was a political motivation to the review, because, on the back of that picture, many people got exercised because the Chief Constable was standing with police officers with long-armed rifles. It just so happened that that was the style of policing required at that time, and it was not reviewed.

That is fine. Roll forward, the review took place, and many aspects of the review have been very helpful; no one is denying that. Some people in the Chamber today have some sort of revision problem, because, if you look at the stats — it depends on where you take the stats from, but I am taking mine from the PSNI — you see that south Armagh is on a par with Belfast on the number of vehicles rammed. Belfast has a larger concentrated population with all its own problems. Crossmaglen, in south Armagh, is deemed a rural location but is on a par with Belfast.

We all agree that one ramming incident is one too many. However, when Mike Nesbitt spoke, he referred to the cost of overtime for south Armagh and the way they used to police that station. We have just replaced it now with the cost of replacing police cars. An armoured police car costs approximately £120,000, and at least six of those have been taken out of service in one year. That is not factoring in the cost of all the others that are going for expensive repairs. That is one cost.

It is very interesting that, when the Minister spoke today, she referred to the 6,300 officers. Unfortunately, we do not have 6,300 officers on the front line. In the past 12 months, some 73 to 77 officers have been injured. Many of our officers are at home today through ill health or injury on duty. Many of those injuries on duty

emanate from crashed cars or being rammed by other people. The figure of 6,300 is not reflective of the size of the service that we have.

That takes me to a part that is not in the motion. Forgive me, Minister, but it is one of those elements: if we could fix the ill-health retirement and the injury on duty, we could free up additional officers.

Mrs Long: I thank the Member for giving way. I am aware of the concerns on that as I recently received a letter from the Policing Board on it. I am more than happy to meet the Member to discuss it directly, because I am aware of the concerns. Not all of them lie with the Department, but I am certainly open to having a conversation about them.

Mr Clarke: I thank the Minister for her intervention. I was not trying to hijack you, Minister, in this instance, but the numbers of officers who are unfit for duty feeds into the narrative. You will take from my previous questions, even those from today, an inference about my view of the severity of those actions. They are not all dissident or terrorist attacks. Some are traffic- or drugs-related — there are various incidents — but none of that negates the impact that an incident has on a police officer or, indeed, a police officer's family if their loved one is brought home injured. All those things must be considered in the sentencing review. One thing that concerns me is comparing such incidents with a motoring offence — that has been used as an excuse in the past — rather than looking at their severity. When you take a vehicle and ram it at a police officer, it is attempted murder. Jim Allister and the Minister reminded us of the police officer in Londonderry who lost her life in such an incident. It is about asking, "When is the next one?". We need the sentence to fit the crime.

Mrs Long: I thank the Member for being so generous as to give way again. I may have misspoken when I talked about careless driving under the influence of alcohol and drugs. I think that it came across that I meant that the maximum sentence was four years. It is 14 years, and the intention is to raise it to 20. I wanted to clarify that. It is important to recognise that, where somebody is seriously injured, if there is deliberate intent, that can move a charge to a murder charge.

Mr Clarke: I again thank the Minister for her words. Intent is what we are trying to establish today.

Some Members seem to pick on the fact that we have used south Armagh. We have used south Armagh because the stats on the incidents are from there. We are not trying to make south Armagh a place apart. We believe that the community should be policed, and it should be, but the police officers there should be treated the same as they are across the Province, and everyone should enjoy the protection of the law if someone goes out to injure or otherwise harm them.

Most Members who spoke in the debate did so in support of the motion, albeit I am a bit confused by Mr McNulty. I am not sure whether he is a member of the SDLP. His party seems to support it. I am not sure which side Mr McNulty will vote with today, but I point him to the statistics on the incidents in south Armagh so that he can see for himself that the information that my colleague from Mid Ulster read into the record today is correct. If he needs any help, I am sure that Keith will be happy to sit down with him and go through the figures to help him try to understand them.

I will not revisit everything that everyone said, but, broadly, we all support the general thrust of the motion. I implore Members to support the motion rather than reduce the impetus of what we are trying to say by —.

Mr Nesbitt: I thank the Member for giving way. I hope that he agrees that we have heard a very positive and welcome intervention from the Minister on how we process injury on duty and ill health retirement requests. It follows a welcome contribution by the Chief Constable at the previous Policing Board meeting. He seems to be up for a review. My impression is that every member of the board would like to see ill health retirement requests and IODs done differently and better. Perhaps this, finally, is an opportunity to seize the day.

Mr Clarke: I thank the Member. I apologise to the Minister; I did not recognise that. It is welcome. I should have declared at the outset that I am a member of the Policing Board. In my three years on it, I have been frustrated, as has every other board member, about our role in that process. I welcome the Minister's comments, and I look forward to that engagement bringing something that concludes that process in a way that gives satisfaction to officers who wait not months but sometimes years before they can leave the service, allowing someone else to come in. I commend the motion to the House.

Mr Deputy Speaker (Dr Aiken): Thank you all for the debate.

Question put, That the amendment be made.

The Assembly divided:

Ayes 49; Noes 32.

AYES

Dr Archibald, Ms Armstrong, Mr Baker, Mr Blair, Mr Boylan, Ms Bradshaw, Miss Brogan, Mr Delargy, Mr Dickson, Mrs Dillon, Mr Donnelly, Mr Durkan, Ms Eastwood, Ms Egan, Ms Ennis, Ms Ferguson, Ms Flynn, Mr Gildernew, Miss Hargey, Mr Honeyford, Ms Hunter, Mr Kearney, Mr Kelly, Ms Kimmins, Mrs Long, Mr McAleer, Miss McAllister, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Mr McReynolds, Mrs Mason, Mr Mathison, Mr Muir, Ms Á Murphy, Mr C Murphy, Ms Ní Chuilín, Ms Nicholl, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Miss Reilly, Mr Sheehan, Ms Sheerin, Mr Tennyson.

Tellers for the Ayes: Mr Boylan and Ms Á Murphy

NOES

Mr Allen, Mr Allister, Mr Beattie, Mr Bradley, Mr Brett, Mr Brooks, Ms Brownlee, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Chambers, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mr Elliott, Mrs Erskine, Ms Forsythe, Mr Frew, Mr Givan, Mr Harvey, Mr Kingston, Mrs Little-Pengelly, Mr Lyons, Miss McIlveen, Mr Middleton, Mr Nesbitt, Mr Robinson, Mr Stewart, Ms Sugden.

Tellers for the Noes: Mr K Buchanan and Mr Clarke

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly condemns those who resort to ramming police vehicles in an attempt to evade criminal enforcement action, including arrest; believes it is reprehensible that 77 PSNI officers were injured as a result of their vehicles being deliberately rammed in 2023; notes with concern that this was a 50% increase on 2022; stresses the need to assess the impact of the roll-out of additional non-armoured and liveried vehicles in Slieve Gullion on local crime trends;

further notes the impact that ramming incidents have on operational policing resources, including through sickness absence and rising repair bills; and calls on the Minister of Justice to consider stronger custodial sentencing for those who weaponise their vehicles to attack police officers; and further calls on the Minister of Justice to prioritise a visible and effective Police Service by bringing forward a fair and ambitious budget settlement for the PSNI in the next financial year.

Mr Deputy Speaker (Dr Aiken): I ask the House to take its ease while we make a change at the top Table.

(Mr Speaker in the Chair)

Relationships and Sexuality Education

Ms Nicholl: I beg to move

That this Assembly recognises the value of compulsory, standardised, inclusive, high-quality, evidence-based and age-appropriate relationships and sexuality education as a means of empowering and preparing our children and young people for life; regrets that children and young people in Northern Ireland have not had access to such a curriculum; acknowledges that teachers and school staff must have the support, training and resources that they require to feel confident in delivering relationships and sexuality education in schools; further recognises that relationships and sexuality education has a vital role to play in tackling violence against women and girls; and calls on the Minister of Education to bring forward a plan that enshrines the right of children and young people to access relationships and sexuality education and which values their voice in the development of a curriculum that will deliver standardised, inclusive, high-quality, evidence-based and age-appropriate relationships and sexuality education.

Mr Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. As an amendment has been selected and is published on the Marshalled List, the Business Committee has agreed that 15 minutes will be added to the total time for the debate. Please open the debate on the motion.

Ms Nicholl: I am grateful to have the opportunity to open the debate on this motion, a debate that will, no doubt, spark some passionate views across the House but one that I hope we can conduct with the respect that is due.

The first time that we discussed anything to do with relationships and sexuality at my secondary school was in a biology class on reproduction. I was 15 years old, and we all knew what was coming. The teacher very slowly retrieved the video from the store and regretfully slotted in a VHS and pressed play. Some psychedelic kind of sperm went across the screen. We had to endure that a second time, and, on both occasions, a child fainted. I remember thinking at that time that this was not the relationships and sexuality education (RSE) that we needed or that we wanted.

Having come from Zimbabwe, it struck me how vastly different my experience had been there. At my primary school, we were given access to age-appropriate education on healthy relationships, which, given the prevalence of HIV and AIDS, was, quite literally, a life-saving policy decision. Then I arrived in Northern Ireland, and, as a young person, the system baffled me. That is why we have brought this motion to the House today. It is long past the time that we gave young people the right to access comprehensive RSE as a means of empowering and preparing our young people for the realities of life. It is not just regrettable that so many have missed out on this education; as I will set out, I believe that it is negligent.

In 2018, the United Nations Committee on the Elimination of Discrimination against Women recommended that the UK Government:

"Make age-appropriate, comprehensive, and scientifically accurate education on sexual and reproductive health and rights a compulsory component of the curriculum for adolescents".

The intervention from the Secretary of the State while this place was down was an important step in the right direction, but there remains significant variation amongst schools in how RSE is taught, what content is covered and when it is covered. The current guidance also allows parents to exclude their children from crucial lessons on a range of subjects, including LGBTQ topics, sexual health, pregnancy prevention and access to abortion, thereby diluting the education received by our young people.

The reality is that RSE topics are interlinked and that limiting access to parts of the course leaves young people vulnerable to misinformation. An effective RSE curriculum, tailored to stages of development, should impartially teach age-appropriate, comprehensive and scientifically accurate content. Far better for young people to be able to ask a trusted adult their questions than have to seek the answers elsewhere, often on the internet.

A study by the Belfast Youth Forum found:

"73 per cent of young people said they only received RSE 'once or twice' or 'rarely'."

and:

"60 per cent of young people felt that the information they received was either 'not very useful' or 'not useful at all'."

In its recent report on learning for life and work (LLW), the Secondary Students' Union of Northern Ireland found that only 22.8% of young people surveyed felt that they had been adequately taught about consent.

The opt-out provides for the potential dilution of children's rights by limiting their access to age-appropriate information about healthy relationships and sexuality, and we are opposed to such a measure on that basis. The rights of the child must always be the priority, and our children and young people want access to comprehensive RSE.

Mr Allister: Will the Member give way?

Ms Nicholl: Yes.

Mr Allister: If I understand the motion correctly, it wants to remove any reference to parental rights, any reference to respecting the ethos of a school and any reference to the rights of governors to have a say in this matter. If I have misunderstood the motion, no doubt the Member will correct me. In doing that, are you not flying in the face of the very European Convention on Human Rights where, in protocol 1, article 2 on education, it states:

"the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions."?

Why are you trying to defy the appropriate human rights?

4.15 pm

Ms Nicholl: The Member will note that the 2023 statement of the Committee on the Rights of the Child on article 5 of the UN Convention on the Rights of the Child (UNCRC) sets out that:

"parents' responsibilities, rights and duties to guide their children is not absolute but, rather, delimited by children's status as rights holders".

Therefore, there can be no dilution of children's rights. I suggest to the Member that it is not really up to me to defend this. He needs to defend why he is not supporting it when the Children's Commissioner —

Mr Allister: It is your motion.

Ms Nicholl: I am setting it out. I am just saying that the Member is not really qualified to give an opinion on it when all the evidence and all the experts say that this is what is needed.

It is not just about forming healthy and safe relationships and understanding consent and being able to identify when you are being abused and knowing how to seek support. It is also about online safety. I hope that every Member cares about that. It is important that parents are equipped and confident, but that should not infringe on the rights of the child to access this education.

Since becoming a parent, I have become more and more invested in ending child abuse. As a parent and as a legislator, I want to make sure that we all do our best to ensure that no child is subjected to abuse. We do not know how many children in the UK and Ireland are being abused, because it is mostly hidden from view and under-reported. Adults may not recognise when their children are being abused. A child may not know or understand. They may be ashamed or too scared to tell anyone. Children need to understand what abuse looks like so that they can get help. Without fact-based RSE, they could miss out on crucial information. For our children and young people, knowledge is power.

I have been so inspired by an amazing woman called Haileigh Ashton Lamont, who waived her anonymity to speak out about the sexual abuse she received from the age of eight to 18. She was robbed of her childhood, and she had to fight the system for justice. Haileigh should not have had to go through any of that. I wonder how many people in our society are living in

silence and have been harmed because they have not had the space to have safe and healthy discussions about relationships. Haileigh said that school kids grow up into adults and that:

"Having to accept what was done to us with our adult logic is almost more painful than the abuse that was masked as loving care."

Kids should grow up into adults with an understanding of RSE and the capacity to flourish and thrive, not having to heal from the past. So much harm has been caused by not preparing our young people, and it does not have to be that way; we can do something about it.

Very much connected to this is the issue of online safety. We have to recognise the world that we live in. According to Ofcom, almost two thirds of 13-year-olds in the UK have at least one social media account. According to NSPCC research conducted before lockdown, one in seven children aged between 11 and 18 has been asked to send sexually explicit images and messages. That is abhorrent. One key part of tackling that horrendous situation is to ensure that all children have access to a standardised RSE curriculum that equips them to understand what healthy relationships look like and to recognise the signs of unhealthy relationships.

There is so much on violence against women and girls, which my colleague Connie Egan will touch on. There is the whole-school approach. However, I want to give space to the words of two young people who are doing work experience in my office today. Cadence and Sameero said:

"As young people, we feel the lack of proper RSE curriculum has greatly affected our ability to make informed decisions in compromising situations. The absence of a reliable RSE has inevitably led to damaging consequences. The topic should be discussed freely to allow students and young people to express their own dilemmas without this stigma. RSE conversations should not feel taboo. We are entitled to access comprehensive and holistic education on relationships and sexual education instead of haphazardly scouring through the internet and exposing ourselves to dangerous content."

With the internet and social media, our children are accessing more harmful content and information than ever before. According to the NSPCC, they are likely to come across sexual images and videos at a younger age than their

parents. Our children will be accessing information about relationships and sexuality; there is no doubt about it. The question for us today is how we believe that that education should be delivered. At worst, some say that we should leave it to the internet, with misinformation, fake news and damaging misogynistic and dangerous information setting the agenda or, at best, retain the current postcode lottery, with the quality of RSE depending on what school you attend. Instead, should we acknowledge the reality of our world and work to ensure that every child in Northern Ireland has access to inclusive, high-quality, evidence-based and age-appropriate relationships and sexuality education from trusted and safe adults that will empower and prepare them for the realities of life? To anyone who has been let down by our education system or has had to live in silence with what was inflicted on them, I am so sorry. We will fight for relationships and sexuality education that is befitting of the 21st century.

Ms Hunter: I beg to move the following amendment:

After "against women and girls" insert:

", teaching consent, educating against coercive control and highlighting the importance of nurturing positive relationships"

While small, our amendment focuses on teaching consent, educating about coercive control and highlighting the importance of nurturing positive relationships. I thank the Children's Law Centre for its incredible work on RSE and for the work that it does for all our children in Northern Ireland. It is utterly invaluable, and we, as policymakers, are extremely grateful for the work that it does and the expert insight into policy areas such as the one that we are debating today.

Our amendment demands change and focuses on the important aspects of child safeguarding, prevention of violence against women and girls and education on fostering healthy relationships. Our society undeniably has a deep-rooted problem with misogyny and violence against women and girls. We in the SDLP believe that education as a tool of early intervention should focus on respect, consent and creating positive and healthy relationships and that that will contribute to tackling the societal problem of violence against women and girls, which exists not only in reality but, sadly, online.

A report published by the Executive Office in September 2023 demonstrated that over 97% of women surveyed stated that they had experienced violence and abuse in their lifetime. There are some seriously distressing figures in the report 'Ending Violence Against Women and Girls: Experiences and Attitudes of 16 year olds in Northern Ireland in 2023', which was published last year, and I will read out some that I find particularly concerning. When respondents were asked whether violence against women and girls is common in Northern Ireland, 51% said yes. Respondents were asked for their view on the statement:

"Most people who have been dating for a while would find it hard to say 'no' if their boyfriend or girlfriend asks them to have sex".

Only one in five disagreed.

They were asked for their view on the statement:

"If someone is sexually assaulted when they are drunk or on drugs, they are partially responsible for what happens"

Twelve per cent said that they agreed, which I find deeply disturbing and distressing. It is impossible to hear those statistics and not be deeply worried about what the future holds for women and girls and for all people across Northern Ireland. Those are responses from our young people. It is paramount that they are educated in this area.

To tackle the issue of violence against women and girls, we must start at the start. I welcome the fact that the Education Committee will soon do a microinquiry into RSE, so that we can bring up such topics. Education on key topics such as consent can help to educate our young people so that they recognise boundaries, can grasp what sexual harassment and assault look like and, most importantly, know whom to talk to and how to report it.

Age-appropriate RSE can help our young people to feel empowered and educate them on the importance of fostering a culture that emphasises the importance of sexual consent and consent in general. That includes promoting open communication, respect for boundaries and another important point, which is understanding the role of bystanders in preventing non-consensual situations. As noted by the previous contributor, in the absence of crucial and fundamental education, young people will learn online, and that is not what we want.

Over the years, I have had the genuine joy, as an MLA, of chatting with a multitude of young people about education and the challenges that they face, particularly in our changing world, and of hearing their thoughts on our current education curriculum. The Secondary Students' Union of Northern Ireland (SSUNI) is a powerful team of young people who are using their voices to talk about all aspects of their academic lives. They are fantastic. As I have mentioned a number of times at the Education Committee, they have a document called 'Let Us Learn', which they launched at Queen's last year. It touches on the evident and undeniable inadequacy of current relationship education and on some of the hypothetical ways in which we could weave RSE into the current curriculum, which they feel to be necessary. It is really important that young people have a say in shaping their curriculum, and we should listen to them wherever possible.

RSE is essentially about teaching our young people that no means no but also that it is OK to say no when they feel uncomfortable. I find it fantastic that our young people are speaking up on the issue and telling the people who create the curriculum that it is not fit for purpose, does not help them to identify abuse or coercive control in their relationships and does not educate them on whom to talk to about abuse, if that is what they are experiencing. What does that mean? It means that a lack of education leaves a multitude of generations of young people who have gone without.

Last year, I met the Feminist and Equality Society in Queen's, whose members talked about the important role that even our university campuses can play in ensuring that young students receive consent education. By the time that someone enters university, the likelihood is that they have already had a sexual experience. That education, coming at a university level, comes a little too late for so many. It needs to happen at secondary schools. An important study about Northern Ireland campuses that was released in previous years showed that one in five people had experienced sexual harassment in their first week at university. While we are talking about RSE in our secondary education, it is important to note the role that our universities can and should play.

An important aspect of our amendment is on coercive control. What does it look like? It can be about isolating a person from their family and friends; denying them freedom and autonomy; gaslighting them; limiting access to their finance; limiting their aspirations; turning their children against them; controlling the decisions that they make about their body;

making jealous accusations; regulating them and their life; and threatening their family or pets. A teenager aged 13, 14, 15 or 16 does not have the understanding or the lived experience to recognise those things as abuse. That is just one of the many reasons why RSE is so crucial to a child's well-being and, ultimately, to preventing harm and abuse. The amendment and that type of education are not about sexualising children; they are fundamentally about protecting them.

One of the fundamental arguments against RSE in schools is that of letting children be children. I agree: let us let children be children. Let us protect them by educating them that they have a right to say no; to know what abuse looks and sounds like inside and outside the home; and to be able to identify what an inappropriate touch looks like and whom to talk to if it happens. Let us focus on protecting our children from harm online as well. If children are raised in homes where there is domestic violence and sexual abuse, that is their normal. We need early intervention to teach them that that is not normal and where they can find support. Abuse thrives in silence: if we talk about the issues, it has nowhere to hide.

Parents should be kept informed and aware of the issues and of what their children are taught. We must take away the taboo and recognise that teaching consent is a child safeguarding tool. Whether it is a child experiencing sexual abuse as a minor or a teenager experiencing coercive control in a teenage relationship, the only way for young people to know their rights and protect their bodies is through age-appropriate RSE.

In the House, we speak strongly on a cross-party basis about how we all play a role in tackling violence against women and girls. I therefore urge Members to see the undeniable link of age-appropriate RSE education in teaching consent and to recognise the role that it will undeniably play in tackling violence against women and girls in our society.

Mr Sheehan: Sinn Féin fully supports the need for a relationships and sexuality education curriculum that is compulsory, age-appropriate, fact-based and delivered consistently across all schools. If we are serious about issues such as child safeguarding, supporting young people to have happy and healthy relationships, consent and tackling violence against women and girls, it is vital to give our children access to proper RSE in our schools.

I had a meeting with Barnardo's earlier. One of the issues that came up was that of young

people sending and receiving sexually explicit photographs online and, in their naivete, not understanding the implications of such action. There are well-known cases of young people having taken their own life after being blackmailed and told that their photographs would be posted online. One other young lad said that he had thought that, if he had come forward, the police would have become involved. First, RSE is to provide information to young people about the dangers of such activities.

Secondly, if, through naivety or for whatever reason, they get involved, they are given help about where to go for assistance in situations like that.

4.30 pm

I have sat on the Education Committee for a number of years, and one thing that has come up time and time again is the inconsistency and, often, the lack of RSE provision in schools. Young people have told us that. Many have told us that they go through their entire educational journey without receiving teaching on that topic. While it is important to commend those schools that deliver high-quality RSE to their pupils, the issue is consistency. Although I understand the need for a degree of autonomy for schools in delivering other aspects of the curriculum, that autonomy should not extend to RSE. Many schools do not grasp it as an issue, and some are being led by external influences. That does not serve the needs of our children and young people. Teachers need to be empowered. They need the proper training and resources to teach RSE effectively.

New legislation is welcome, but will it deliver what is required? I am not so sure that it will. The topic needs to be underpinned by fact when it is taught to young people and to be delivered in a consistent manner across all schools. There can be no equivocation in that. The need for RSE to be a compulsory part of the curriculum is clear. It is a child protection issue, and, according to the NSPCC:

"All school-age children and young people should receive whole-school comprehensive and inclusive RSE across all years. RSE can play a vital role in the safeguarding of children and young people. A whole-school comprehensive and inclusive approach to RSE has the potential to prevent harm to children by supporting children to recognise abuse and know how and where they can ask for help, understand consent and healthy relationships; and by enabling more

adults to identify concerning behaviour and know what to do if a disclosure is made."

Organisations like that are the experts, and they should be listened to.

I have been clear in previous debates on education that the child should be central in policy development. I have also said countless times that we need to be led by the evidence, and that is why I am supportive of relationships and sexuality education in our schools that is compulsory, age-appropriate, fact-based and delivered consistently across the system. I support the motion.

Mr Brooks: I declare an interest, as my wife is a governor of Grosvenor Grammar School.

Throughout the debate on RSE, the DUP has been steadfast in defending parents as being best placed to determine what is in the interests of their child and in arguing that the ethos and values of our schools should be respected. It is on that basis that we oppose the motion.

The teaching of RSE is nothing new. There were requirements for schools to deliver RSE well before the introduction of the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007. It is mandatory for all pupils of compulsory school age, despite what the motion implies. The idea that it is right and important for pupils to receive high-quality, age-appropriate RSE is not in dispute. Indeed, it is recognised as a key element in preparing our children and young people for life. The statutory curriculum for personal development and mutual understanding at the primary level and the personal development strand of learning for life and work at the post-primary level prescribe the high-level minimum content for RSE at each key stage. Grant-aided schools are required to have an RSE policy that is based on consultation and co-design with parents and pupils.

Whilst governors and principals have a statutory responsibility to deliver the minimum curriculum content, they also, rightly, have autonomy over when, how and who is involved in curriculum delivery that is aligned with the ethos of the school. That is the approach that we take to providing education in Northern Ireland, not just RSE policy. The undermining of the role of schools and boards of governors in shaping policy, which the motion calls for, alongside arguing for the removal of parental consent would be regressive. The state has never been a good parent, and in my opinion —

Mr Tennyson: Will the Member give way?

Mr Brooks: No, thank you. I am going to make progress.

Clearly, in the opinion of many who responded to the consultation on RSE, it is dangerous and immoral to insist on disregarding the views and beliefs of parents in that area. Recognising and including the diversity of family types that we have in the modern Northern Ireland, if the family unit is recognised as the optimal means by which children are raised, cared for and taught as they progress towards adulthood and if we trust parents with the shelter, health, nutrition and care of their children, why would we insist, in this particular area, that they cannot be trusted?

I argue this point recognising that many parents have views and values that differ from mine and that they are raising children who are ingrained with values that differ from mine. There will be parents from a range of faith backgrounds and none, and there will be conservative and liberal parents. Some will endeavour to pass on their values to the next generation; others will minimise that influence and allow the child to cut their own path. It is the right of the parent to decide on that course. Indeed, as we have heard, the UN Convention on the Rights of the Child acknowledges the right and responsibility of parents to bring up their children. Few in the Chamber have questioned the judgement, morality or influence of parents or school governors in general. Why, then, refuse to trust them in this specific field?

It is notable that there is not a single reference to parents, parental rights, responsibility or opt-outs in the Alliance Party motion. Perhaps that is because the Alliance Party direction on this is directly at odds with the 91% of respondents to the RSE consultation who agreed that parents should be informed about the nature and content of the RSE curriculum and the 61% of respondents who believe that parental rights should take precedence. Over 13,000 responses were received by the close of the consultation. Over 10,000 signed the petition. The emails and phone calls that MLA offices have received on this issue since the debate was put on the public agenda highlight the concern of the Northern Irish public to protect these parental rights.

Thankfully, the recently published regulations and guidance from the Department provide more robust protections than those in England, allowing an absolute right to parental opt-out up to year 11 and, if the child does not object, beyond. That must remain. However, it seems

that, for Alliance, this does not strip back the parents' rights nearly far enough. It seems to me that the signatories to the motion wish to harness the power of the House and the levers of the state to which they have access to impose their own ethics as mandatory for all, while seeking to design a system that excludes views that they do not share.

The DUP believes that parents must be at the heart of this discussion. There must be a clear statutory duty on schools to share teaching materials in advance, and those materials should be the product of co-design with parents, who are best placed to determine what is in the best interests of their child. There is a genuine feeling of anger and fear amongst parents that the Alliance Party wishes to diminish their rights and that it will seek to legislate in a manner that forces teachers to teach materials that collide with their conscience.

Mr Speaker: The Member's time is up.

Ms Sheerin: I endorse the motion and amendment, and I thank the proposers of both. This is a really good conversation to have, and I welcome the opportunity to discuss this again, because I believe, as I have said before in the Chamber, that any opportunity that we take to talk about this issue in broad terms is to break down the stigma and help in solving the problem of unhealthy relationships and domestic and gender-based violence in its entirety. I thank you all for that.

Since this place came back up at the beginning of February, we have heard all parties say that ending violence against women and girls is a priority. Indeed, all Members have stated that very clearly. We all know that violence against women and girls — domestic violence — is at epidemic level in the North of Ireland. We have all attended the vigils and sent thoughts and prayers. We have all stood with families who have been grieving the loss of a mother, daughter, sister or niece at the hands of some violent individual who did not respect women. We know that the cause of violence against women and girls is sexism at its most extreme.

If we are serious about ending violence against women and girls, we have to be serious in dealing with this subject, and we have to discuss it. That means education, dialogue, talking about this and giving our young people a better chance. If we do not implement standardised relationships and sexuality education across our schools, we are damning another generation to the same vigils, thoughts and prayers, hashtags and sorry stories on

social media. I do not want to be a part of that. Our young people deserve better. We have to give the next generation a better chance. There are societal norms that we all have to unlearn. Let us give our young people the chance to learn the proper norms about proper, healthy relationships and what is right. There is a duty on all of us to do that.

This is something positive, and I hope that it will be endorsed today. I congratulate those who tabled the motion.

Ms Nicholl: Will the Member give way?

Ms Sheerin: I will indeed.

Ms Nicholl: Does the Member agree that, although the voice of parents is, of course, important, and parents should be included in education and the forming of the curriculum, this is, ultimately, about children? Sometimes, children are learning about what a healthy and safe relationship looks like from parents who are, in fact, abusers. There are different types of education that you can get, depending on the school that you go to, so standardising it and making sure that it is in schools is so important for the well-being of all children.

Ms Sheerin: I thank the Member for her intervention. I agree. All of us have opportunities to learn. All of us will have our own standardised thoughts challenged at times and have opportunities to see things in a different light. That is healthy, and it is to be welcomed.

Mrs Dodds: Will the Member give way?

Ms Sheerin: No, thank you. I have finished.

I endorse the motion and hope that it will be passed today.

Mr Buckley: Over the past week, I have been contacted by many parents who have been shocked, alarmed and disturbed by the Alliance Party's attempts to impose itself on their children's upbringing. The recent relationships and sexuality education consultation found, from thousands of responses, that 73% of parents disagree with changes to RSE. That begs the question: in light of such a large disagreement with those proposals, why is the Alliance Party insisting on forcing it on children, parents and teachers?

Miss McAllister: Will the Member give way?

Mr Buckley: I will make some progress first.

I have a lot to say about the Alliance Party. Does it know better than parents? The wording of today's motion is deliberated coded, Members. The Alliance Party knows that, if the code is broken down, the game is up. Let us attempt to decode some of the wording that is contained in the motion. First, the word "compulsory" means that this will be forced on every school, even if it is against its will and ethos. It means that parents will have no say in what their children are taught. It means that there will be a limitation of choice. With one word, Alliance has transformed itself from a supposedly progressive liberal party to a regressive authoritarian party. It is a party that wears human rights as a badge of honour — I see Mr Tennyson laughing; we will have much to say about him in due course — but the motion demonstrates that that is just a show. Parents are downtrodden, school ethos is ignored and rights are suppressed. Why is it so hard for the Alliance Party to understand? Let parents parent, let teachers teach, let governors govern, and, most importantly, let kids be kids.

The word "standardised" means that academic freedom will be limited and school ethos further restricted. Schools are on the front line and know best how to respond to pastoral needs, working in conjunction with parents. Schools offer a safe space for moral discussion to happen, recognising that every school is different and every child unique. The Alliance Party wants conformity to its radical and extreme ideology. That is clearly how many of — *[Interruption.]* You may laugh, but that is how many of us in society view it. Let me be clear: schools are for education, not indoctrination. Schools are for information, not extremism.

We also have the phrase "evidence-based". The party is very keen to put that on the agenda. What evidence? What about the evidence of thousands of parents who reject the Alliance Party's power grab? As I said, of those who responded to the consultation, 73% disagreed with changes to RSE. That evidence shows that, once more, the Alliance Party is out of step with the public. What about the evidence contained in the Cass report? You have been very quiet on that. It highlighted huge concerns about approaches adopted by the Alliance Party and others. I hope that the Minister will elaborate on that point in due course.

4.45 pm

We then have the word "age-appropriate". Who decides what is age-appropriate? Is it the state, the schools or, if some were to have their way,

the Alliance Party? Why does the Alliance Party not place its trust in the people who are best placed to handle the questions, who are parents and those in schools? Is the party that tabled the motion claiming to know better than parents? I, for one, will not be telling parents how to raise their kids.

In conclusion, where do the proposed changes from the Alliance Party end? We need to stop and consider just how confusing and scary a place today's society now is for our young people growing up in it.

Mr Middleton: Will the Member give way?

Mr Buckley: Absolutely.

Mr Middleton: Does the Member agree that many people from various backgrounds and communities have raised genuine concerns about the issues that the Alliance Party has brought forward and that its description of those people as the far right is shameful and a demonisation of those who have genuine concerns?

Mr Speaker: The Member has an extra minute.

Mr Buckley: I thank the Member for his point. Members may want to laugh and sideline this as being a point of extremism, or, as was mentioned, a point of the far right, but I find that hugely insulting. The Member is getting up now, but for him to have the neck to call parents, governors and teachers far right, I find it offensive, and I ask him to retract it.

Miss McAllister: On a point of order, Mr Speaker. Is it appropriate for the Member not to direct his comments through the Chair? It is quite clear that he is not doing so. Perhaps the Member might be able to control himself. *[Interruption.]*

Mr Speaker: I call Mr Buckley.

Mr Buckley: The point is this: the Alliance Party is very keen to slur parents, politicians, governors and concerned citizens. It is reckless and dangerous in the extreme. I assure you that the public will not be taken for fools. At a time when the education sector faces complex needs assessments and serious funding pressures and parents face spiralling childcare costs, what are the Alliance Party's priorities? They are gender ideologies, puberty blockers

Mr Speaker: Time, Mr Buckley.

Mr Buckley: — and attempts to strip away parental rights. Not in my name —

Mr Speaker: Time, Mr Buckley.

Mr Buckley: — and not in the name of this party.

Mr Speaker: Order.

Mr Elliott: It has been a healthy debate so far. I have heard the words "healthy" and "unhealthy" when it comes to relationships, but we certainly need to ensure that our children and young people are educated for the future. That means educating them through relationships and sexuality education. It is important, but there is a difference between providing that opportunity and overriding other rights and responsibilities. That is the part that concerns me.

I fully acknowledge the motion and the amendment as being what their proposers believe to be rightful positions. Personally, I believe that the motion goes too far on compulsory rights. I listened to the proposer of the motion, and I am concerned about some of the wording that has she used, such as:

"there can be no dilution of children's rights."

I know from experience about some of the issues with RSE for children, and even with education outside of RSE. It is healthy if it is age-appropriate and taught on the right basis, using the right terms, but some of it is not. Some of it is not age-appropriate. That is what concerns me.

Ms Nicholl: I thank the Member for giving way and for his respectful tone. The point of standardisation is to ensure that everyone gets the same education and to make it age-appropriate. Does the Member agree with me that, for example, the NSPCC PANTS campaign, which is directed at very young children, is an important safeguarding tool that is age-appropriate? It is not just about education but about safeguarding. By standardising RSE, we will make sure that everyone gets that at the right level for their age group.

Mr Speaker: The Member has an extra minute.

Mr Elliott: Thank you, Mr Speaker.

Believe me, I have some experience of that. Not all of it, and not all of that standardisation, is appropriate for every young person or every

pupil at school. Believe me, I know. The reality is that, in some cases, it is not appropriate for some of those people to be learning that, because it puts them in the opposite direction. I have known situations where young people have shared inappropriate images, even though they have been getting the education and attending courses. We need to make it appropriate, and I broadly accept that.

I have concerns around it only being about children's rights. There are other people's rights in this as well. There are the rights of parents and of other children. If one child has a right to one thing, that can sometimes work against a child's right in another case. We need to be extremely careful —.

Mr Buckley: Will the Member give way?

Mr Elliott: I will give way, yes.

Mr Buckley: On the point about rights, does the Member agree with me that we also have to consider the rights of teachers, who are placed in some very difficult circumstances as it is?

Mr Elliott: Yes, I totally accept the Member's point. When it gets into the curriculum, teachers are in a different position. They are in a difficult position, because they have to broadly accept it, given that it is part of the curriculum.

It must be ensured that, in RSE, children understand the difference between sex and gender. I have a concern that, all of a sudden, they may not be taught that difference. That means that there must be a clear definition of a woman and a man.

"Standardised" must not mean "universal". Schools should adopt an RSE programme within the guidelines, in consultation with pupils, teachers, boards of governors and parents. Compulsory means that RSE must be delivered. However, under article 5 of the UN Convention on the Rights of the Child, parents have the authority to act in the best interests of their child in an age-appropriate manner. The question, "Who defines the age-appropriateness?" was asked earlier. I can tell you, from knowing young people, that some at the age of 12 have a different level of understanding and knowledge about how to take things forward than other young people of the same age. I have to say, in principle —.

Miss McAllister: Will the Member give way?

Mr Elliott: Yes, I am happy to give way.

Miss McAllister: You highlighted a very crucial age in a child's development. At the age of 12, the majority of young people either have entered or are entering puberty. It is very important that they are all equipped with the correct tools for safeguarding and for their bodily autonomy, regardless of their level of maturity or whether they have special educational needs or special needs.

Mr Elliott: I am sure that the Member would accept that some young people at the age of 12 would take a different meaning and value from that. In other words, it is not always appropriate to provide the same education to young people with special needs or others with different vulnerable aspects.

In principle, I support the issue around RSE, but I have concerns about the motion.

Mr Mathison: A wide range of treaties, expert reports and children's rights and safeguarding groups have set out the case for standardised, inclusive, high-quality, evidence-based and age-appropriate relationships and sexuality education. From here on in, I will refer to it as high-quality RSE, as that is quite wordy. A whole-school, comprehensive approach to RSE has the potential to prevent harm to children by supporting them to recognise abuse, know how and where to ask for help, understand consent and healthy relationships and to enable adults to identify concerning behaviour and know what to do if a disclosure is made.

Our current approach, as has been highlighted by some Members, to the preventative curriculum provides schools with the flexibility to put in place a curriculum that fits with the culture of an individual school. The Education and Training Inspectorate (ETI) report on the preventative curriculum in schools highlights the downside to the flexibility and adaptability that is afforded by that non-statutory approach. Provision is at risk of becoming patchy, and the quality and depth of the provision will vary depending on the school. There are things, with regard to the welfare, well-being and safeguarding of our children, that all children need to learn to be prepared for life.

As the motion states, RSE is a means of empowering and preparing our children and young people for life. We must equip them with evidence-based information to make informed choices about a whole range of topics and issues that they will encounter in their lives. It is not something to be feared. We are simply equipping children and young people with information about how to keep themselves and others safe. Programmes should be able to

respond to the needs of children as they mature, so that they can make well-informed and responsible choices about their lives. I want to be very clear that RSE is not, as has been suggested by some Members, about trying to change anybody's mind or trying to impose a value system on anybody. It is about providing pupils with facts and information and a safe space to discuss these issues with their peers under the guidance of well-equipped and confident teachers.

Much reference has been made to the rights of parents. I speak as a parent, and I care deeply about the education of my children and making sure that they have access to this kind of information. That should not be painted as somehow irresponsible or not paying proper regard to the welfare of children. However, not enough has been said about the views of young people. We need to listen to young people in this space. It is not acceptable that young people are leaving school saying, in some cases, that they did not receive this type of curriculum at all or that the curriculum that they received was not fit for purpose and did not prepare them for life in the real world.

The ETI report on the preventative curriculum in schools, which I have mentioned, found that, as has been highlighted, teachers felt they lacked the knowledge, skills and confidence to deliver the curriculum in this space. That is why I agree that it is absolutely crucial that teachers and school staff have the proper support, training and resources that they feel they need to be confident to deliver RSE in schools. If the proper and appropriate curriculum was delivered, it would need to go hand in hand with the right support for teachers.

Parents, of course, have a vital role in this. I do not think that anybody is denying that. The ETI report characterised best practice as a whole-school planning process that involves wide-ranging consultation with all stakeholders, including parents, pupils and governors. I strongly argue that parents and carers should have access to the materials that are used in RSE. Ideally, support materials should be provided along with those so that they can continue constructive and supportive conversations with their children at home.

It is clear that RSE in schools is an issue on which there are strongly held views across the spectrum. That has been very clear from the debate today. As a parent, and as someone who cares about the education of all children in Northern Ireland, it is my strong view that the high-quality RSE that we refer to in our motion is nothing to be feared. It is about keeping our

children safe and healthy and preparing them for life in a world that actually reflects the world they live in and lives that are increasingly lived online, where they are exposed to great risk of harm. To not prepare them for that is doing them a great disservice. I fear that, if we do not place responsibility for this work with our schools and teachers, we pass that responsibility on to others, including in the online space, who do not always have the best interest of our children and young people at heart. A proper, high-quality, standardised RSE curriculum removes that risk and places our children in a safer and better place.

Mrs Dodds: We all have to acknowledge that never before in our society have children been under such pressure and had such difficult choices to make. It is up to us to help support them in every way that we can. RSE is a tool that can be used. It can be taught in a sensitive manner, encouraging children and young people to have self-respect and the ability to make safe, responsible and well-informed decisions so that they can form healthy, respectful relationships, in their teenage years and into the future. They need to know, as the Member for East Londonderry said, when they are being coerced, when to give consent and when it is appropriate to say no. I do not disagree with any of those sentiments.

However, while RSE is a compulsory part of the curriculum — we do not automatically get that from the motion — there is an obligation in our society and our education system to deliver RSE in conjunction with the school principal, the board of governors and the parents of pupils of a school. It is primarily because of the exclusion of parents that I am opposed to the motion. Schools have an ethos. I am thankful that schools in our community —

5.00 pm

A Member: Will the Member give way?

Mrs Dodds: — no; I have a lot to get through — have a general, broad Christian ethos and that children are taught within those values. That is for the good of society and will stand them in good stead as they go forward. I regret that the motion does not refer to parents. Perhaps it is reflective of the Upper Bann representative's contempt for parents, grandparents, teachers, pastors and ministers that he referred to their gathering to discuss RSE in Portadown as:

"a dog-whistle to the far-right."

The Member for Upper Bann should remember that 13,500 people responded to the recent consultation on RSE. They were certainly not from the far right. As other Members have said, it is important to acknowledge that, in that consultation, many parents said that parents were best placed to discuss the issues with their children. There is evidence that, if parents discuss these issues with their children in a well-formed, loving home situation, that makes for the best outcome —.

A Member: Will the Member give way?

Mrs Dodds: No, I will not.

The motion usurps the role of parents, teachers and boards of governors in taking a holistic view of their school, their ethos and what they will teach in RSE.

An element of the debate pits children's rights against parents' rights. Much has been made of the rights of the child. I have just looked at article 2 of the first additional protocol to the European Convention on Human Rights, which makes it clear that:

"in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions."

That was reflected in the RSE legislation that was brought forward in England relatively recently. We appear to say in the motion, "Do what I say, and that is all that you can do". We need to respect the rights of parents. We need to respect the rights of teachers. Not all teachers will want to teach a standardised curriculum. They will want to teach according to their conscience.

The motion refers to supporting teachers in the delivery of RSE. In November of last year, I wrote to the chief executive of the Council for the Curriculum, Examinations and Assessment (CCEA) because I was concerned about the number of references to organisations in the RSE hubs, some of which —.

Mr Buckley: I thank the Member for giving way. She will realise from her extensive research that some of the connected organisations are extremely concerning.

Mr Speaker: The Member has an extra minute.

Mrs Dodds: They are not just extremely concerning; some of the organisations listed

were being assessed for criminality. We need to support teachers with broad, balanced information rather than information that reflects only one view of society. The Member for Mid Ulster indicated that we should all learn from this. Of course we should, but perhaps she will also learn that describing puberty blockers as a health right for teenagers is also wrong, given the Cass report and the damage that has been done to children and young people by gender identity clinics.

Mr Speaker: Having taken all relevant factors into consideration, I have decided to apply a grace period of up to 15 minutes to accommodate the number of Members who wish to speak. During that time, Members who are called to speak will have up to five minutes but will not be given additional time for taking an intervention.

Ms Egan: I support the motion and the amendment tabled by the SDLP, and I thank that party for tabling it. I also associate myself with Ms Hunter's remarks that, if we want to let kids be kids, the best thing that we can do is to stop them being abused. My colleagues have already outlined the reasoning for bringing the motion to the House today, and I want to speak on the importance of RSE in preventing violence against women and girls, domestic and sexual abuse and child abuse.

The Executive recently produced a draft strategic framework for ending violence against women and girls. Outcome 2 of that is "healthy, respectful relationships" as a prevention of gender-based violence. Education is the most important factor in ensuring that young people have the right knowledge and skills to have fulfilling and safe relationships throughout their lives. That strategy was co-designed by 50 partners, including educationalists, women's sector advocates, those working with victims and survivors of domestic abuse, the youth sector and the faith sector. They produced recommendations on the education of our children and young people, including:

"working together with young people and the education sector to strengthen and mainstream education on strong and healthy relationships throughout the curriculum for all ages and learning needs".

and:

"further developing, in collaboration with young people, the design of relationship and sexuality education which is accessible,

inclusive, and age and developmentally appropriate".

It is recognised across society and our community that high-quality, age-appropriate RSE is essential in tackling gender-based violence.

We also see that in the Gillen review of the law and procedures in serious sexual offences in Northern Ireland. Sir John Gillen could not have been clearer when he stated that his:

"firm conviction is that it is crucial that the RSE curriculum includes"

the areas in his review of serious sexual offences and that:

"It is not enough to leave Boards of Governors to pick up these points."

He continued:

"the Department of Education, has a duty to play a positive role in addressing the justice gap that exists in our approach to serious sexual offences.

I strongly recommend that the Department of Education draw up a plan to exhort all schools to include these matters within their curriculum and, if that proves ineffective, to be the subject of legislation mandating such education."

Those are the words of Sir John Gillen. I strongly urge the Minister of Education to take a more proactive approach than his predecessors in working with the Minister of Justice and implementing the recommendations in the Gillen review that relate to our education sector.

In the last fortnight, I have spoken to Barnardo's and the NSPCC, both of which, as leading children's organisations, support the approach in this motion on RSE. Those organisations and others recognise that RSE plays a huge role in child safeguarding. The NSPCC specifically states that a comprehensive and inclusive approach to RSE has the potential to prevent harm to children by supporting them to recognise abuse, know how and where they can ask for help and understand consent and healthy relationships. It also highlights that it will enable more adults to identify concerning behaviour and know what to do if a disclosure is made. Barnardo's emphasises the dangers that we see when young people do not receive high-quality RSE. Without guidance and information from a trusted adult, many children will find

information elsewhere — for example, online, where information can be misleading or even dangerous. That is backed up by research done by the Belfast Youth Forum. It is a stark finding that the most common source of information on sex and relationships for young people is their friends. The second most common is social media. Only the third is lessons at school. We are failing our young people. Without access to a standardised, high-quality curriculum, they are turning to online sources, porn and their peers' advice. That is information that should be given by a trained and safeguarded adult in a position of trust.

Mr Clarke: Will the Member give way?

Ms Egan: In the words of your colleagues, "No, thank you".

I also want to point out that the Department of Education's inspectorate — the ETI — published a report in May 2023 that found that RSE in schools is not good enough and that almost half of schools in Northern Ireland teach little or nothing on sexual consent. The ETI in the Minister's Department is telling us that this is not good enough.

RSE is a key tool to prevent gender-based violence and abuse and is a safeguarding measure for children and young people. I take the opportunity to thank all the organisations in Northern Ireland that are doing brilliant work on this. That includes Barnardo's; the Commissioner for Children and Young People (NICCY); the Northern Ireland mental health champion; Informing Choices; human trafficking charity Invisible Traffick; Common Youth; White Ribbon NI; and Positive Life. There are many, many more.

Young people in the SSUNI and the Northern Ireland Youth Forum are telling us that they need more on RSE, and there is an extensive evidence base on the matter from human rights and women's and children's organisations. We are not asking for anything new. High-quality RSE is delivered in schools in Northern Ireland, and every young person should have access to that curriculum.

Mr McGrath: I am sure that it is known that the motion has no legislative underpinning. It provides an opportunity for all of us to give our views, and it is clear that we are getting those views. One thing that I will reflect on is that, as one of the major outcomes of the motion is children's safety, it is important that we dial the rhetoric down a bit and have the conversations

on the basis that it is about protecting children and young people.

Like many Members, I have had emails over the weekend from individuals who are rightly voicing their concerns about today's motion. It is part of a democratic society that people get to put their views forward. However, at the outset, I will dispel some of the myths that have been generated as a result of recent social media activity. Healthy RSE is not about promoting abortion; it is not about transgenderism and whatever that is; and it is not about teaching primary school children about sexual pleasure. That is what it is not about. What is healthy RSE about? It is about improved knowledge and attitudes; improved communication skills and understanding of boundaries; and nurturing positive and healthy relationships not just for someone's future partner but for all the relationships that a young person will have in their life. Education does not seek to simply instil knowledge or an ability to repeat facts; it seeks to develop the whole person. Education is about just that: children asking questions of trained and trusted teachers and learning and growing as a person. If we seek to develop the whole person, part of RSE must include teaching about consent, education on coercive control and promoting positive relationships. That is why we tabled our amendment. If we fail to ensure that our young people are equipped with that knowledge, understanding and skills, where will they learn about those things?

Admittedly, some of the education in RSE might be difficult for parents to effectively communicate to their children. Ofsted told us three years ago that:

"nearly 90% of girls, and nearly 50% of boys, said being sent explicit pictures or videos of things they did not want to see happens a lot or sometimes to them or their peers."

By the age of 13, 50% of children across the UK have seen or regularly view pornography. I will run that one again, because I found it a bit shocking. If we do not show our children about appropriate relationships and provide healthy RSE, by age 13, 50% of children will have seen or regularly view pornography. That is not a healthy way for children to learn about boundaries, communication or nurturing positive relationships. Other data indicates that children who receive comprehensive RSE engage in their first sexual experience later than those who receive no RSE or abstinence-only RSE and are less likely to take sexual health risks. Why? Because they are equipped

with the skills and understanding to make those decisions.

I met the NSPCC just last week. They shared with me their concerns that a lack of awareness of the matters covered in a healthy RSE programme means that young people do not realise when they are being abused, which results in them not reporting it. In reality, we are saying that, if we do not teach healthy boundaries, children will not know when those boundaries are being breached. After 16 years of being a full-time youth worker and having some of the responsibility for child protection and well-being in my area, I could not rest easy if I thought that we could put young people at risk — a safeguarding risk — by not implementing healthy RSE.

5.15 pm

If we want children to have more knowledge and better attitudes, to improve their communication skills, to understand boundaries and to nurture positive and healthy relationships, let us equip them with the skills to do so. I urge Members to do the right thing for our young people by accepting our amendment and supporting the motion.

Mr Tennyson: I had not intended to speak on this motion, but, given that I have proven popular amongst DUP Members, I thought that it would be remiss of me not to respond.

I want to address a number of the points that have been raised in the debate, but, in the first instance, I want to speak about some personal experience. I always try to avoid speaking about personal experience, but I think that it might add something for some Members in the Chamber.

I was at school not that long ago and more recently than most Members in this place. I have two poignant memories of relationships and sexuality education in school — it was so rare that I can actually remember those occasions. On the first occasion, a religious facilitator was brought into the school to preach abstinence, to tell us that sex was for marriage and that that was our only choice. As a young LGBT person at school who, at that stage, could not get married, I knew that that facilitator was not speaking to me, that I was invisible and that that lesson and that education were not for me. They did not deal with my kind there. That is not an experience that any young person should have in 2024 in Northern Ireland. Yet, it remains a reality for too many of our young people. I am proud to be a member of a party

that comes to the Chamber, against all the bile and rhetoric from others, to advocate change.

On the second occasion, the facilitator who came into the school, in fairness, tried to administer some level of fact-based RSE. There was one — one — fleeting reference to same-sex couples, which was met with laughter from teachers and pupils in the school. Can you imagine how it feels to be a young person struggling with internalised homophobia, scared to tell your parents, relatives and friends who you are, only to have your sexuality laughed at in a public forum? That is not good enough, Members, and it is incumbent on all of us in the Chamber to change it.

A number of assertions have been made, and I have taken note of a few of them. I would say, first, that my experience was indoctrination. It was not education. I was not given all the information that I needed to be able to make an informed choice in line with my ethical values. Someone else's ethical values were imposed on me. That continues today with RSE in schools being outsourced to religious organisations. If the science curriculum was outsourced and a religious organisation refused to teach the theory of evolution, we would not stand for it, so why do we accept an approach to RSE in some of our schools that is not evidence-based? That is not good enough.

We heard a lecture from Mr Brooks about the imposition of ethical values. I take great exception to that, given that the DUP, of all parties, is the party that, for too many years, has inserted itself into the lives of women — their bodily autonomy — and the lives of LGBT people — their right to marry. The DUP is in no position to lecture those of us on these Benches about the imposition of values or about human rights or equality.

There was talk about evidence. I will take my evidence not from the DUP, which does not have a good record on that either, but from the NSPCC, the Children's Law Centre and the Children's Commissioner, which have safeguarding at their heart and are experts in their field. Again, I make no apologies for that.

We have heard about the balance of parental rights and children's rights and about the family unit. I agree that there is a balance to be struck. It is, however, also true, tragically, that the family unit is one of the most common places for sexual abuse to happen. We have a responsibility to those children to ensure that they are empowered to protect themselves, to spot the signs of abuse and to go to a trusted adult and report it. If we cannot do that, we are

failing those children. I ask Members to think on that.

I want to return to my comments about a dog whistle to the far right. I think that we heard a very strong dog whistle to the far right from Mr Buckley here today. I therefore stand by my remarks —. *[Interruption.]* I stand by my remarks because —. *[Interruption.]* No, it is not parents. I want to be clear about this. *[Interruption.]* I want to be clear about this.

Mr Speaker: Order.

Mr Tennyson: I believe that the DUP has engaged in a dog whistle to the far right. There are many parents out there with legitimate concerns and questions, which I believe can be assuaged and addressed, but, instead, the DUP chooses to capitalise on that fear, to spread misinformation and to contribute nothing more to this debate than fear, prejudice and hate.

Mr Speaker: The Member's time is up.

Mr Tennyson: I think that that is shameful.

Mr Speaker: The Member's time is up.

Mr Clarke: On a point of order, Mr Speaker. Will you, Mr Speaker, examine what the Member has just said to back up his claims on social media and describe a member of my party as "the far right"?

Mr Speaker: I will look at that, yes.

Mr Allister: Contrary to what Mr Tennyson says, the motion from the Alliance Party is not about education. It is about indoctrination. It is about a free course for indoctrination on the Alliance Party's pro-abortion agenda and its transgenderism agenda. If you want to indoctrinate, what do you need to do? You need to get rid of the obstacles, and that is why the motion is specific and determined to expunge parents' rights, to expunge governors' rights and to expunge regard to the ethos of a school.

Let us remember what the statutory position is in relation to education. It is that the board of governors and the principal have the statutory responsibility to deliver the minimum curriculum content, but that they also have autonomy over who is involved in curriculum delivery, and when and how, aligned with the ethos of the school. Those are the targets of the Alliance Party today. Parents: get them out of the situation. Governors: get them out of the

situation. School ethos: remove it. Why? Because it wants to enforce its own agenda. In doing that, it is quite happy to brazenly disregard the human rights of parents. As has been quoted here today, the human rights of parents in education are set out in the relevant protocol of the European Convention, which says:

"the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions."

The motion is about expunging that right. Not for the first time, those who hold themselves out as the great liberals in fact turn out to be the most illiberal and the most totalitarian, and that is what we are seeing here today.

Let us take some insight into this. They are going to have this standardised approach to RSE. So when they come to talk about transgenderism, which the Alliance Party likes to promote and defend, and a child asks about puberty blockers, are they to be told, "Yes, you can have puberty blockers. Yes, you should have puberty blockers"? What are they doing? They are sowing the most immense discord between child and parent, the parent whom they have shut outside the door. The child goes home and tells them that. What do you think they are doing? They are bringing untold division to education. That is the purpose, for the sake of promoting their narrow agenda, of the motion.

Take abortion. Sadly now, under the regulations, abortion has to be taught as a right. So, again, parents will be set up against pupils.

Ms Nicholl: Will the Member give way?

Mr Allister: No, I will not give way, because I have no time to hear something that is not going to inform the debate.

Let us be very clear. This is an agenda by the Alliance Party to enforce its world view on those who dare to disagree. You would think from listening to some in this debate that we have never had a safeguarding policy in schools. All the issues have been addressed. Every school has a safeguarding policy that is capable of addressing the complaints and the issues that have been raised, yet you would think that we do not even have those.

Not for the first time, the Alliance Party, the great illiberals of our society, is in the business of it-knows-best. Only that party knows what is

right, and it will ram it down everyone else's throat. It is quite clearly what the Alliance Party calls a progressive agenda, which it knows will offend parents, offend governors and offend the ethos, so the answer is to expunge all of that and railroad it through. No, thanks. Not in my name.

Mr Speaker: Before I call Gerry Carroll, I say to Members not to persist in asking other Members to give way. If they are asked once or twice and do not want to give way, Members should not persist. That has been a ruling of the House for a number of decades.

Mr Carroll: We cannot allow social, political and religious conservatism to be a barrier to our children's education. There should be nothing controversial about providing comprehensive, age-appropriate and evidence-based education on sexual and reproductive health. It is not enough to say that changes to RSE are well overdue, although they are, but rather that the failure to bring them forward is a risk to young people's health, safety and overall well-being.

Our education system falls far short on all sorts of issues, including on sexual orientation, reproductive health, consent and gender identity, and that is not good enough. It does not take much extrapolation to figure out the harm that the system can cause to young people grappling with relationships, sexual or reproductive health, pregnancy, their gender identity or their sexuality. Those who would deny children proper RSE are not only putting them at risk but, as our friends at the Office of the Children's Commissioner remind us, infringing on their right to:

"an education, to health, to protection from violence and abuse, to survival and development, to identity, to non-discrimination and equality, and to the freedom of thought and belief."

Many who oppose age-appropriate, scientifically accurate RSE claim that they want to protect children with their conservative agenda. How, then, do they justify the fact that 62% of young people resort to asking friends for information and that 55% use social media to find information on sex and relationships? As Alliance for Choice highlights, the scope for misinformation, as well as for harmful narratives and stereotypes around misogyny, coercive control, body image and heteronormativity, is profound. The implicit damage to the health and well-being of young people from that approach should be obvious to everyone.

It should also be obvious as to who is leading the charge against making the necessary changes to RSE. The politicians in particular should be familiar to us. They are the same politicians from parties that have denied the rights of the LGBT+ community and resisted the democratic demand for equal marriage; that deny women and pregnant people the right to choose; and that are currently denying trans people the right to gender-reaffirming surgery and healthcare. It should be no surprise to anyone that the DUP wants to infringe on the rights of the marginalised and to roll back the hard-won right to reproductive healthcare, amongst other things.

There may be parents out there who are genuinely moved by this issue and are acting in what they perceive to be their child's interest. They are being deliberately misled. There is a lot of talk about coded language. Yes, the far right is using RSE as a dog whistle. It is using it to bring together a regressive alliance of anti-choice activists, anti-LGBTQ bigots and conservative fundamentalists. Shame on the Upper Bann Member for his dog-whistle approach, not just today but in leading protests against the issue. Why does he not try leading protests against the underfunding of the health service, the underfunding of the education system or any other issue?

There are those who yearn for a return to the conservative and reactionary climate, North and South, where the rights of the LGBT community, women and children are up for debate. We will not be dragged backwards. We will not allow the right — the right — to use this issue to infringe on the rights of everyone and anyone.

I support the motion and urge the Education Minister to get on with the job of providing, and funding, age-appropriate, evidence-based RSE.

Mr Speaker: Before this is raised by a Member, I note that I will be looking at Mr Carroll's remarks, given that I was asked to look at Mr Tennyson's.

I call the Minister of Education.

5.30 pm

Mr Givan (The Minister of Education): I am grateful for the opportunity to respond to today's motion. Education in Northern Ireland faces massive challenges. The budgetary challenges are enormous. While we have secured a pay settlement for teachers, the situation with support staff remains unresolved. The

maintenance backlog for schools continues to grow, with many children being educated in facilities that are unfit for purpose. At the present rate, the programme for building new schools, which has already been announced, will take decades to deliver. The ever-increasing challenges concerning children with special needs are well understood by Members across the Chamber and will be a top priority for my Department in the months to come. The issue of childcare and early learning has been identified as a priority by every party in the Executive. As a result of industrial action, the proper inspection of schools has not taken place for years. We have not had system-level data on statutory assessment at Key Stage 1, Key Stage 2 or Key Stage 3 for almost a decade. There is a critical challenge to update our curriculum to keep it under review and fit for the future. Qualifications at Key Stage 4 and 16-plus will need to be fundamentally reformed to meet the needs of our learners. We must drive up standards right across the sector. I could go on.

Today, however, we are faced with a motion that addresses none of those issues. Instead, the motion is effectively a vote of no confidence in schools, teachers and boards of governors that implicitly says, "Stormont knows better". I do not accept that analysis. Unlike those who proposed the motion, I trust schools to make decisions that are appropriate for the needs of the children whom they understand best. I fundamentally believe in the autonomy of schools. Standardising an approach means the imposition of a single approach on all schools. RSE is an area that is both sensitive and contentious. There are differing views on what the standardised approach should be. Standardisation would therefore involve the Minister imposing a contentious approach on every school and child, regardless of the professional judgement of teachers, the ethos of the school or the views of governors, parents and children.

I agree with the Chairman of the Education Committee. He said that we need a "whole-school ... approach" and that we need to equip children and young people with the information to make the right decisions. The rights of parents are important. They have a "vital role", said the Chairman of the Education Committee. He said that they should be consulted and engaged. He recognised that there are "strongly held views" on the issue, yet he went on to say that we must get a standardised approach. The two cannot sit beside each other.

Mr Mathison: I thank the Minister for giving way. I understand the scale of the challenges in

the education system as you have set them out. Anyone sitting in the Education Committee could not argue with anything you said about the challenges, but we also hear from young people that, despite the fact that we have a very professional teaching workforce and engaged parent bodies, we have a situation wherein young people say that RSE does not meet their needs or relate to the lives that they lead or the world that they live in. Do you also agree, setting aside all those other things and the context that you set, that it is your responsibility, as Education Minister, to ensure that the RSE curriculum meets the needs of young people?

Mr Givan: I agree with the Chairman of the Committee that we ought to engage with children and young people in relation to this area, and we do. I will further outline how we do that.

I thank the Chairman of the Committee for the respectful manner in which he engaged in the debate and for the way in which he conducted himself, which is in marked contrast to the manner of the Member in front of him, with his sniggering, snarling attitude towards Members of the House throughout the entire debate.

If we were to go down the route of standardisation, that standardised approach would, in the words of the motion, be "compulsory" for every child. That fact would fail to respect diversity in the school system and in society in Northern Ireland. It would be fundamentally undemocratic. The Education (Curriculum Minimum Content) Order (Northern Ireland) 2007 sets out statutory requirements relating to the curriculum through high-level areas of learning. Specifically, it provides that the statutory curriculum:

"is a balanced and broadly based curriculum which —

(a) promotes the spiritual, emotional, moral, cultural, intellectual and physical development of pupils at the school and thereby of society; and

(b) prepares such pupils for the opportunities, responsibilities and experiences of life by equipping them with appropriate knowledge, understanding and skills."

The statutory curriculum for personal development and mutual understanding at primary level and the personal development strand of learning for life and work at post-primary level prescribe the high-level minimum content for relationships and sexuality

education. At each Key Stage, that is the minimum entitlement that all young people must receive. The minimum content provides flexibility, and schools have a high degree of autonomy over what is taught.

Relationships and sexuality education in the Northern Ireland curriculum is not new. There were requirements for schools to deliver RSE before the introduction of the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007. In 2013, a circular required schools to have an RSE policy. In 2011, the Education and Training Inspectorate published a report on RSE in post-primary schools. The Department of Education subsequently wrote to schools, in 2014, and published a revised guidance circular in 2015 that required schools to have an RSE policy that was based on their ethos and subject to consultation with parents and pupils, and that highlighted issues around dealing with sensitive issues.

On 5 June 2023, however, the Secretary of State for Northern Ireland brought forward regulations. The 2023 regulations required pupils at Key Stages 3 and 4 to receive:

"age-appropriate, comprehensive and scientifically accurate education on sexual and reproductive health and rights ... covering prevention of early pregnancy and access to abortion"

to reflect the legal duties placed on the Department as a result of the legislation that had been brought forward by the Secretary of State.

Whilst the board of governors and the principal in a school have a statutory responsibility to deliver minimum curriculum content, they also have autonomy over when and how that is done and who is involved in curriculum delivery, aligned with the ethos of the school. That includes the change to the RSE curriculum that was made by the Secretary of State. It should be noted that the change to the curriculum that was made by the Secretary of State does not prevent teachers and pupils from discussing and commenting on moral, ethical or spiritual issues that may arise in relation to the matters associated with the legislative change to the minimum content that has been outlined.

On 1 September 2023, the Department launched a consultation on proposals for regulations that would prescribe the circumstances in which, at the request of a parent, a pupil may be excused from lessons pertaining to the change to the statutory curriculum. An enormous total of 13,461

responses were received by the close of the consultation. The responses also indicated the overwhelming opposition to the Secretary of State's regulation. At a time when Westminster was not prepared to intervene to support key priorities such as health and education, it saw fit to interfere in what are, clearly, issues that were devolved to the Northern Ireland Assembly.

A Member: Will the Minister give way?

Mr Givan: I want to make some progress, please.

Such piecemeal and selective interventions risk calling into question the very nature of the devolved settlement.

There have been many calls for RSE to be standardised and made mandatory in the curriculum. That call has been repeated today. However, RSE is already a mandatory part of the curriculum in schools. The minimum legal content has to be taught and is set out as high-level areas of learning, but it is fundamental to our approach to education in Northern Ireland, across every area, that it is for teachers to decide how the curriculum should be delivered, which resources to use and which specific topics to cover. The flexibility of our curriculum is a key strength. Boards of governors are ultimately responsible for the curriculum that their school delivers and for ensuring that it meets the minimum requirement. It is their responsibility to ensure that a comprehensive programme is delivered that meets the needs of its pupils and aligns with its RSE policy and school ethos.

The Department requires schools to consult parents and young people on the development and review of their RSE policy, and it re-emphasised that requirement in guidance that was issued at the start of this year. That is the right approach. It is essential that parents are consulted on what their children are taught and not condescended to by Members who think that they know better. I would not presume to tell parents what to think or second-guess the choices they would make for their children. The sponsors of the motion arrogantly assume that it should be politicians and not parents who make decisions for their children. Schools are very well placed to lead the way in attitudinal and behavioural change, with a whole-school environment that equips and supports the empowerment of future generations to develop healthy, respectful relationships. Addressing the root causes of violence against women and girls, including coercive control, will be a central part of achieving that outcome.

On the issue of addressing violence against women and girls and coercive control, the Assembly passed legislation that criminalised the purchase of sexual services. When I went into a school, a girl said to me, "We should not be viewed as a commodity and a product that can be bought by men." Which party in the Assembly voted against that legislation? The Alliance Party. When it had an opportunity to stand with women and girls, it did not take it. It stood instead with pimps and those who traffic people into the country. That is the Alliance Party's record on ending violence against women and girls.

The policy landscape on RSE has changed significantly and will continue to do so as we consider the recommendations that arise from the various reports and evaluations and the Secretary of State's legislative change. As I noted earlier, that is fuelling discussion about what should be included in the curriculum and whether there should be greater prescription and standardisation, which is what the motion calls for. However, that would be contrary to the legislation on which the curriculum is built, which states that it should be flexible and teacher-led to best meet the needs of pupils. That does not just apply to the teaching of RSE, it applies to all areas of learning. It is important that flexibility is not lost by a prescriptive approach, which may not guarantee high-quality teaching and learning. That is the approach in England, which has brought schools into conflict with some parents. Scotland takes a largely non-prescriptive approach through guidance, which has caused similar issues with parents. In this country, we have steered a middle path, with limited prescription, which I believe is the correct approach.

A Member: Will the Minister give way?

Mr Givan: I am not going to give way.

The challenge, therefore, remains to provide a curriculum that continues to engage with young people and reflect their views, and open engagement with parents and pupils is key to that. I hope that Members will reflect on the approach that my Department takes, which focuses on letting teachers teach rather than directing them centrally. That approach reflects the design principles that underpin our curriculum, which provide schools with autonomy and flexibility to meet the needs of their pupils.

The motion calls for "evidence-based" RSE. Let us hope that that evidence is not just a VHS recording. I encourage Members to go into

schools to see what is happening. In practice, when such changes to the RSE curriculum took place in England in September 2020, it led to activist groups advising schools and providing them with highly questionable teaching materials. Indeed, many schools adopted radical approaches. In England, under the guise of inclusive and evidence-based RSE, primary-school children have been taught that they all have a gender that depends not on the reality of their bodies but on how their interests match up with stereotypical ideas about boys and girls. It is no stretch of the imagination to think that some of the thousands of children who were referred to England's scandal-hit and now-closed Gender Identity Development Service might not have been had they not received those lessons.

The final report of the independent review of gender identity services for children and young people was published on 10 April. Dr Hilary Cass's review found remarkably weak evidence for treatments, such as puberty blockers. Its recommendations were welcomed by both the Conservative Party and the Labour Party.

5.45 pm

If the motion has been of any value, it is that it allows me the opportunity to announce —

Mr Speaker: The Minister's time is up.

Mr Givan: — that I have asked my Department to review the Cass review for any learning that may be appropriate for Northern Ireland.

Mr Speaker: Minister, your time is up.

Mr Givan: I oppose the motion.

Mr Speaker: I call Sinéad McLaughlin to make a winding-up speech on the amendment.

Ms McLaughlin: I am grateful for the opportunity to discuss RSE.

Kate Nicholl succinctly and passionately set out the case for the motion, and my colleague Cara Hunter expanded on the need for consent education and clearly described the complexity around coercive control.

As many have said, education is absolutely foundational to our society. That much goes without saying. One of the most important forms of education that we can give our children is about the relationships that they will form throughout their lives. Right now, we are not

doing right by our young people in any shape, form or fashion; in fact, we are letting them down badly. In countless examples, the teachers who deliver RSE in our schools are dedicated professionals, but, in truth, the system is completely failing to give those teachers the support that they need to deliver that education properly. That is not acceptable and nor is the position that our young people are left in as a consequence. As we speak, in many cases, young people leave school with no idea of what a healthy relationship looks like. We have many schools where the Church's teachings are more influential than the quality of the curriculum. We have pupils who are never taught about consent, abuse or boundaries. That is not good for them, and it is not good for society.

As with every part of our children's education, relationships and sexuality education must work for every child. That is why it needs to be accessible and inclusive for every pupil in every classroom. That includes LGBT+ pupils, many of whom have been failed for years by current provision. Eóin Tennyson bravely shared his personal experience, and I thank him for that. In that context, it would be remiss not to talk about those failures. In the Ireland that I grew up in — Ireland in the 1960s, 1970s, 1980s and 1990s — we were given no sexual education worth talking about. Worse than that, we got a twisted version of sex education. Basically, we were told that sex was bad and even thoughts about sex were sinful. Our children and our parents were dictated to by the Church and the state. To this day, we see the damage that has been done to our society. The cruel abuse that many suffered and endured at the hands of religious orders and schools is now well known and acknowledged. This Government — the Executive — are trying to deal with the aftermath of historical and religious institutional abuse, including shocking levels of paedophilia and child rape, as well as sexual violence in the mother-and-baby homes. That remains Ireland's shame: North and South. It is up to the politicians of today to right that wrong, and that starts with learning from our past and giving all our young people an educational journey that meets their needs and teaches them how to navigate healthy relationships. As Colin McGrath highlighted, improving RSE is a safeguarding priority because, if the current model continues, young people will still leave school without an understanding of issues such as consent or the ability to recognise abuse against themselves or someone else when that happens.

Connie Egan and Emma Sheerin led the way in talking about ending violence against women

and girls. This leads in many instances to the kind of unhealthy attitudes that fuel abuse, particularly against women and girls. Those attitudes are part of a pyramid of violence that can be dismantled only by early education in our schools. That is rightly a key focus of the strategic framework for ending violence against women and girls. Addressing such attitudes and ending violence and abuse later in life is core to a society where gender equality is the reality, and that all starts in schools.

There has been a lot of scaremongering in recent months and, indeed, during the debate. That is unacceptable. We have a duty to our children not to stoke fear or spread misinformation but to work with schools and pupils to ensure that we see reform. The curriculum should be about providing age-appropriate, scientifically accurate and comprehensive facts and not about enforcing a moral compass, as we have seen in the past. In some schools, pupils are taught in a context that contributes to stigma —.

Mr Speaker: The Member's time is up.

Miss McAllister: Before I sum up the debate, I will make some important points. I am proud to have put my name to such an important motion. Fundamentally, it seeks to give our children the tools that they need to protect themselves from abuse and coercion and to help young people know what a healthy relationship looks like. To portray what the motion sets out to do as anything other than that is simply pandering to talking points and social media-driven fearmongering.

I am not surprised, although I am disappointed, by how opponents of the debate in the Chamber and outside have used misinformation and scare tactics to avoid educating children. They are also using potentially defamatory language. However, although detractors may not wish it to be the case, the reality is that far too many children and young people experience domestic and sexual abuse. PSNI stats show that recorded sexual offences against under-18s doubled between 2012-13 and 2022-23, with 55% of sexual crimes reported in 2022-23 being against children under 18. That equates to 2,324 reported cases of sexual abuse of children. According to the NSPCC, more than 15% of children aged 11 to 18 have been asked to provide self-generated sexual images, and 25% of girls and 18% of boys aged 13 to 17 have experienced a form of physical violence from an intimate partner. Frankly, those figures are terrifying. We cannot afford to do nothing or to do the bare minimum.

What is more, as other Members have pointed out, our children have said that they want and need a curriculum that will equip them as they grow up in the world. The appetite for standardised, age-appropriate and inclusive RSE is high among our children and young people. We must deliver for them. As Members have said, it is not about usurping the rights of parents. I am a mother of two young boys who are aged five and seven. We have already begun to teach them at home about consent and bodily autonomy. I will send special thanks to the NSPCC for its campaign "Talk PANTS", which is a fantastic example of how RSE can be taught in an age-appropriate way. I am concerned by the comments that some Members made — Tom Elliott in particular — and by their negativity towards and criticism of that campaign. I urge the Member to engage with the NSPCC on it.

Mr Elliott: Will the Member give way?

Miss McAllister: Yes.

Mr Elliott: To clarify, I did not speak negatively of that campaign. I talked about some issues that the NSPCC and others brought forward.

Miss McAllister: OK.

Mr Speaker: Order. As the business in the Order Paper is not expected to be disposed of by 6.00 pm, in accordance with Standing Order 10(3), I will allow business to continue until 7.00 pm or until it is completed.

Please resume, Miss McAllister.

Miss McAllister: I thank the Member for clarifying. I am happy to move on to some of his other points. Before I do so, there are organisations that I will thank for engaging with representatives across the Chamber, including the Northern Ireland Commissioner for Children and Young People; the NSPCC; Barnardo's; the Children's Law Centre; Include Youth; Alliance for Choice; and Marie Curie. That is not an exhaustive list, but there are too many to name every one.

I will now turn to points that were made in the debate. I thank Cara Hunter for tabling the amendment, which we will support. The Member spoke about consent, and she highlighted that some young people said that they did not know that they could withhold consent and, ultimately, say no. That is absolutely shocking. Pat Sheehan highlighted consistency. I agree that consistency is key. We

cannot have a difference from school to school in what our young people are taught.

David Brooks said that parents are best placed for this. He said that we need to look at school ethos; that we need to get real; that we have to be careful not to be dangerous and immoral; that we need to make sure that the family unit is the best place; and that we need to ensure that we have the trust of parents in educating our young people. I turn to a number of his points in which he said that we cannot get involved and should not trump the rights of parents. He mentioned that we trust parents to do all that they can in the areas of education, nutrition and shelter. That is not an absolute trust, which is why we have children's social services. There are instances in which the state must and should get involved. We do not agree with the opt-out approach, because we, along with international experts across the globe, believe that the child's rights should be upheld when it comes to RSE. I am not surprised at the DUP and the fact that it does not like the human rights approach. We do not want to impose our ethics.

I turn to some points about school ethos made by not only David Brooks but Diane Dodds and Jonathan Buckley. Let us be frank: you mean religion. Let us talk for a moment for those of us who are not religious, do not believe in God or do not think that ethos should trump all the rights of everybody. We understand —
[Interruption.]

Miss McAllister: Do you know what? I will not even respond.

We understand that there is a Christian-based ethos in our education system, and some of us do not have a choice in that matter. When you consult parents and say, as a school or a board of governors, that RSE should be about the family unit and how having children through marriage is of the utmost importance, how do you think kids of parents who are not married or those who have two mothers or two fathers feel? The RSE consultation report explicitly states that schools will teach about the priority of the family unit and having children in marriage. Let us get real when we talk about school ethos. We need to protect children so that they feel that they are valued in the classroom and that their existence and identity are just as important as everyone else's.

I will speak a little about Tom Elliott's points about age-appropriate education and the fact that what may be right for one child at one age is not right for another. I will focus on special educational needs (SEN). All children deserve

RSE, especially children who have special needs, because those children are the most vulnerable. Some organisations do fantastic work around this already, including Informing Choices NI. It teaches appropriate RSE to the most vulnerable children in SEN settings. It is a very difficult job to do, but it is so important.

Nick focused on children being heard and how we need to listen to them. He also highlighted teachers' fear that, at times, they are not equipped and feel that their teaching is already out of date. It is really important that we bring the debate back to the consultation responses, and I agree that we need to listen to those. The Minister focused a lot on those in his response. Is the Minister aware of how many of those consultation responses were from children? According to the Foyle Network Foundation, 0-86% of respondents were children. How do you engage with children if you expect them to fill in an online form or write a letter? You do it through organisations that already engage with them, like the Northern Ireland Youth Forum or the Belfast City Youth Council. You do it through the Children's Law Centre and its youth stakeholders. You do not do it through a convoluted method where you put their parents' choices above theirs.

As a parent, I understand how frustrating it is when people tell me how to educate my children. I also understand that, as a parent, I do not know everything, and that is what is key here. Every Member who brought that up in the debate respected the rights of parents but balanced those with the rights of children. I will go back to that point for just a moment.

Mr Allister: Will the Member give way?

Miss McAllister: No, thank you.

I want go back to that point for a moment. I want to tell the really difficult story of a young girl who was not equipped and did not have the appropriate RSE. She was taught in Northern Ireland, and she told her teacher that one of her family members was playing with her muffin. That teacher, because the young girl did not know the correct terms for her body parts, did not know what she was talking about, so could not even get her help until months later. The situation that we find ourselves in is horrific.

What we are asking for today is that we find common ground, and we can, because we can listen to parents and inform parents that we do not wish to trump their beliefs. We wish to safeguard every single child in Northern Ireland,

because every single child and their future matters.

Some Members: Hear, hear.

Ms Sheerin: On a point of order, Mr Speaker. You said that you would review some of the comments made during the debate. Will you rule on whether it was appropriate, following Mr Tennyson's very brave sharing of his own lived experience, in which he told us that he felt indoctrinated at school, for the Minister to comment that it clearly did not work?

Mr Speaker: We will review the debate in any event. I am quite happy to review any comments that were inappropriate and come back to Members on that. I think that there have been some inappropriate comments but, nonetheless, we will do that over the course of time and with cool heads.

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

Main Question, as amended, put.

The Assembly divided:

Ayes 49; Noes 33.

AYES

Dr Archibald, Ms Armstrong, Mr Baker, Mr Blair, Mr Boylan, Ms Bradshaw, Miss Brogan, Mr Carroll, Mr Delargy, Mr Dickson, Mrs Dillon, Mr Donnelly, Mr Durkan, Ms Eastwood, Ms Egan, Ms Ennis, Ms Ferguson, Ms Flynn, Mr Gildernew, Miss Hargey, Mr Honeyford, Ms Hunter, Mr Kearney, Mr Kelly, Ms Kimmins, Mrs Long, Mr McAleer, Miss McAllister, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Mr McReynolds, Mrs Mason, Mr Mathison, Mr Muir, Ms Á Murphy, Ms Ní Chuilín, Ms Nicholl, Mr O'Dowd, Mr O'Toole, Miss Reilly, Mr Sheehan, Ms Sheerin, Ms Sugden, Mr Tennyson.

Tellers for the Ayes: Mr Mathison and Mr McReynolds

NOES

Dr Aiken, Mr Allen, Mr Allister, Mr Beattie, Mr Bradley, Mr Brett, Mr Brooks, Ms Brownlee, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Chambers, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mr Elliott, Mrs Erskine, Ms Forsythe, Mr Frew, Mr Givan, Mr Harvey, Mr Irwin, Mr Kingston, Mrs

Little-Pengelly, Mr Lyons, Miss McIlveen, Mr Middleton, Mr Nesbitt, Mr Robinson, Mr Stewart.

Tellers for the Noes: Mr Clarke and Mr Middleton

Main Question, as amended, accordingly agreed to.

Resolved:

That this Assembly recognises the value of compulsory, standardised, inclusive, high-quality, evidence-based and age-appropriate relationships and sexuality education as a means of empowering and preparing our children and young people for life; regrets that children and young people in Northern Ireland have not had access to such a curriculum; acknowledges that teachers and school staff must have the support, training and resources that they require to feel confident in delivering relationships and sexuality education in schools; further recognises that relationships and sexuality education has a vital role to play in tackling violence against women and girls, teaching consent, educating against coercive control and highlighting the importance of nurturing positive relationships; and calls on the Minister of Education to bring forward a plan that enshrines the right of children and young people to access relationships and sexuality education and which values their voice in the development of a curriculum that will deliver standardised, inclusive, high-quality, evidence-based and age-appropriate relationships and sexuality education.

Adjourned at 6.14 pm.