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Northern Ireland Assembly

Tuesday 25 June 2024

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

Members observed two minutes' silence.

Members' Statements

Mr Speaker: The usual rules apply.

Cycling: Road National Championships

Mr McGuigan: I want to put on record the successful Cycling Ireland road national championships, with men's and women's time trials (TT) across all categories, including juniors, under-23s, elite and paracycling, that took place in Limerick last weekend. I begin by congratulating Newcastle West Cycling Club and Cycling Ireland for organising safe and challenging races across all the categories, leading to worthy winners in all the races. I pay tribute to the winners and to their success. To be successful in cycling requires discipline in all aspects of your life and dedication to put in the necessary hours and hours of training in hail, rain and sun. Obviously, as we live in Ireland, that training is done mostly in hail and rain, sometimes complemented by wind.

In particular, I congratulate the winners from the North on their success over the weekend. Dean Harvey, who won the under-23 men's road race, cycles with Trinity Racing but began cycling with VC Glendale in west Belfast. I know that that club will be particularly satisfied with Dean's success. Another local club that helped to produce —

Mr Speaker: Order. I apologise, Mr McGuigan, but I must interrupt you and ask you to resume your seat. It has been brought to my attention that we do not currently have a quorum, so I ask that the Bells be rung. You can continue, Mr McGuigan, while that is happening.

Notice taken that 10 Members were not present.

House counted, and, there being fewer than 10 Members present, the Speaker ordered the Division Bells to be rung.

Upon 10 Members being present —

Mr Speaker: You can continue, Mr McGuigan.

Mr McGuigan: OK. I was about to congratulate and pay tribute to another club from the North that will be delighted with the results over the weekend, namely Island Wheelers from Coalisland, which has shown that dedication to promoting youth cycling can certainly produce amazing results. Amazing results for that club, but particularly for the Rafferty family, who are leading the way in cycling. I pay tribute to and congratulate Aliyah Rafferty, who came second in the junior women's time trial, and I also congratulate her brother Adam, who won the men's under-23 time trial championship at the weekend.

In particular, I pay tribute to and congratulate Darren Rafferty for his success in winning the men's elite road race championship at the weekend. Darren is now a professional cyclist, plying his trade across the Continent and doing great things. As Irish national road race champion, he is following in the footsteps of some of the greats of our sport here in Ireland. I have no doubt that he will do Irish cycling proud in the rest of this season, next season and in his racing career across Europe, wearing the illustrious Irish national cycling jersey. I wish him well in that.

Mr Speaker: Thank you. Apologies for the disruption, Mr McGuigan.

Her Royal Highness The Princess Royal

Mr Dunne: I rise to wish the Her Royal Highness The Princess Royal, Anne, a swift and full recovery after she was admitted to hospital with a minor head injury and concussion following an unfortunate incident at her Gatcombe Park estate in Gloucestershire at the weekend. Princess Anne is a remarkable lady and has a well-earned reputation as an incredibly hard-working member of our royal family. In 2023, 'The Telegraph' reported that

the princess had carried out a remarkable 457 engagements in the previous year alone. Over the years, the princess has made many visits to Northern Ireland, most recently in April this year, when she visited County Londonderry and County Fermanagh. I have had the privilege of meeting Her Royal Highness a number of times, including when she visited Bangor to unveil the city's official warrant back in 2022 and at a special event for the 80th anniversary of the sea cadets in Northern Ireland. The princess's remarkableness and dedication to service were evident to anybody in attendance.

The Princess Royal has rightly and truly followed in her mother's footsteps in a life that has been dedicated to unwavering service to our nation and Commonwealth. It is unfortunate that she has had to postpone a planned visit to Canada this week as a result of her injury. Renowned for her devotion to her family, the princess is one of the most recognisable and well-loved members of our royal family, both at home in the UK and across the world, where she is so highly respected and admired. She has led an incredible life, becoming the first member of our royal family to compete in the Olympics, back in 1976. The princess remains passionate about horses and continues to ride on many state occasions, most recently, just a number of weeks ago, at the Trooping the Colour event in London. She also devotes much of her time to supporting many good causes and charities right across the globe.

I am sure that all Members will join me in wishing Her Royal Highness a full and swift recovery and return to public duties, where she continues to be a true inspiration to us all. May we also continue to remember His Majesty The King and Her Royal Highness The Princess of Wales as they continue their treatment for cancer at this time. God bless our royal family.

North Down Coastal Path

Ms Egan: I rise to bring to light an issue that many constituents have contacted me about. There is absolute frustration about a fence that NI Water has erected on the north Down coastal path. The coastal path is the best asset of my constituency of North Down. It runs from Bangor through Crawfordsburn and Helen's Bay beaches, past Seahill and Cultra and through to Holywood. You may be able to see my bias when I say that its natural beauty and scenery are unrivalled, with rich biodiversity interwoven into its very fabric.

We in North Down cherish our coastal path. Therefore, changes need to be made with

community consultation at the heart. Imagine my dismay, when, in 2019, NI Water erected a large, unwanted fence right on the coastal path, ruining the sight lines and beautiful views of Belfast lough from as far away as Bangor city centre and completely overshadowing an existing historic wall, a proud part of the seaside heritage in the city.

The fence is a complete eyesore and is universally opposed by elected representatives and constituents alike. NI Water cited that the reason that it erected that fence in the first place was that one councillor — one — had asked it to erect a fence around a largely hidden pumping station. The one councillor who asked for that fence to be erected has now retired. All of the area's 40 councillors, five MLAs, one MP and scores of local residents have asked for it to be removed. NI Water has refused time and time again.

In order to progress that work, I coordinated a joint letter to NI Water from all five North Down MLAs, requesting that we meet to discuss that fence on a cross-party basis.

It even refused to meet us, again citing that it would not be removing the fence. Whilst the ugly eyesore remains, the issue has escalated. Our planning committee has spent hours deliberating the fence, primarily to determine whether it should have been allowed to be built without planning permission. It is urging NI Water to engage with the council to find a way forward and get it removed. Again, NI Water continues to refuse to remove the fence.

Our councillors are now working on hiding that obstruction at one of our places of natural beauty. This should not be a battle that needs to be fought. The disdain shown by NI Water for the local people of North Down, and those whom they elect, has been incredibly disappointing. Our public bodies and public services are here to serve us all. I urge the Minister for Infrastructure to explore urgent community consultation and find a solution that works for the people of North Down.

Schomberg Society

Ms Forsythe: Last week, in my constituency of South Down, we celebrated the opening by the Schomberg Society in the kingdom of Mourne of a new Ulster-Scots centre in Kilkeel called the Hairtlan Hub, of which I am proud to be a patron. The centre will take forward education and Ulster-Scots culture and sports within our community, and I wish the Schomberg Society every success with that. I also wish it well with

its Hairtlan Festival 2024, which starts this Thursday, with the launch of fUSE FM Mourne and a gathering at the Silent Valley. These two weeks in the kingdom of Mourne lead the way with a series of events, as we inspire people within Ulster-Scots tradition across Northern Ireland to gather. I welcome everyone to the kingdom of Mourne to celebrate. The festival will culminate in the pageant on 11 July. Tens of thousands of people from across Northern Ireland and beyond will celebrate by attending the pageant, the concert and the fireworks. I invite colleagues from across the Chamber to come to enjoy and celebrate that positive Ulster-Scots event and wish the Schomberg Society every success.

Casement Park

Mr Allister: Public money, we are constantly told, is in short supply and scarce. I am sure that it is, and will continue to be so. Yet, while many in the House pay lip service to the need to prioritise health, there seems to be a majority here who would prioritise public spending on a sporting facility, namely Casement Park. That is a project that might well swallow up more than £300 million of public money, yet it is blindly endorsed by that majority, which comprises Sinn Féin, the Alliance Party and the SDLP. Of course, that is done with repetition of the habitual demand that the British Government should foot the bill.

Last week, a 'News Letter' editorial rightly drew attention to the fact that there is a chorus of demand that it is up to the British Government to pay for that, but no pressure whatsoever on the GAA — the primary beneficiary — which still persists that its contribution will be a miserly £15 million. It was £15 million when the whole project was meant to cost £70-something million, and it is still £15 million when it is likely to cost over £300 million. As that editorial pointed out, that is an untenable position. If the GAA wants the stadium, it has to put its hand into its own deep pockets. It is the richest sporting organisation in Northern Ireland, yet it thinks that it should sponge off the British taxpayer to the tune of hundreds of millions of pounds. That editorial stated that the DUP "should make clear" its view on the Casement Park costs. Yet, yesterday, we had the launch of the DUP manifesto and not a mention of Casement Park. We have a Minister — Minister Lyons — who has ruled out clawback for non-GAA use of that stadium.

I say to the House that, at a time when we all profess a belief in the need to fund education and health, we really need to get a grip of that

runaway project and realise that, if it is to be provided —

Mr Speaker: The Member's time is up.

Mr Allister: — it should be provided in the same proportion as was provided for rugby and football and nothing more.

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

10.45 am

Healthcare Staff: Duty of Candour

Mr Frew: Whilst it is true to say that the Northern Ireland Human Rights Commission remained silent through the worst excesses of human rights violations during the pandemic and on the coercive and discriminatory nature of some of the laws that the Department of Health produced at that time, I commend the intervention by the human rights commissioner, Alyson Kilpatrick, in which she stated that there should be a statutory duty of candour: an obligation on doctors to be fully and completely truthful in order to protect lives and stop the atrocious cover-ups that have happened in our recent past. The time for obstruction is nearly over. The time of dragging their feet, dark arts and unethical practices from the Department of Health, the BMA and others is coming to an end. I stand here in support of the Roberts family and other families who have been fighting campaigns to bring truth into the heart of our health service and the people who work there.

A statutory duty of candour on individuals would not only inject that truth into our system but arm ordinary staff members who are told by their line managers to carry out unethical practices, such as shredding paperwork, amending notes or being untruthful about the evidence. It will arm them to say, "No, it is unacceptable for you to ask me to do that. It is even unlawful". It will arm ordinary staff members — doctors, junior doctors, nurses and other staff members in our health service — to shine a light on the truth so that families get redress and the truth about what happened to their loved ones sooner.

Lough Neagh: Public Ownership

Mr Carroll: At the weekend past, once again, activists from the Save Lough Neagh campaign gathered to make the case for urgent action to save the lough. I thank them for their tireless work. Despite all the warnings and actions from

activist groups and campaigners last year about the algal bloom and the need for action, we are here again. With complete inaction from the AERA Minister and the Executive, the algal bloom is sprouting up again. Stormont, with its previous policies and current lack of urgency, is to blame for the recurring problem. The Going for Growth strategy was a disastrous approach that rewarded polluters and maximised pollution and industrial farming. The algal bloom is one of the outcomes of a disastrous strategy that is not good for small farmers, our food, the environment or, evidently, our fresh water.

Campaigners for Lough Neagh have demanded an independent environmental protection agency, urgent investment in research and a recovery plan, an end to commercial dredging and rights of nature for Lough Neagh. Their final demand is the public acquisition of the lough. It is totally unacceptable that the Earl of Shaftesbury has rights to and gets financial benefit from the lough because his ancestors stole it. There is consensus across most of society that it is totally archaic and unfair that that has been the case.

It is worth reminding the House of what the Minister said about that a few months ago:

"If people think that ownership will be the solution to the problems of Lough Neagh, they are badly mistaken." — [Official Report (Hansard), 19 February 2024, p41, col 1].

Public ownership and community ownership are very much part of the solution, Minister. Given the earl's recent announcement and the fact that the Minister is due to meet him in the coming days or weeks, I urge speedy action to take away the earl's access and rights to Lough Neagh. It is totally unacceptable that people have profited from the plunder of the lough. It is time to hand it back to those who need, use and love it. It is time for public ownership of Lough Neagh.

Mr Speaker: That concludes Members' statements. I ask Members to take their ease. The next item of business will be conducted by the Principal Deputy Speaker.

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

Ministerial Statements

Mother-and-baby Institutions, Magdalene Laundries and Workhouses: Public Consultation on a Statutory Inquiry and Redress Schemes

Madam Principal Deputy Speaker: I have received notice from the First Minister and the deputy First Minister that they wish to make a statement. Before I call the First Minister, I remind Members that they must be concise when asking a question. It is not an opportunity for long introductions.

Mrs O'Neill (The First Minister): The deputy First Minister and I wish to inform Members that the Executive Office will launch a public consultation on proposals to establish a statutory public inquiry and a financial redress scheme for those affected by mother-and-baby institutions, Magdalene laundries and workhouses and their pathways and practices. The consultation will be launched this week.

Today marks another important milestone and an acknowledgement of the suffering inflicted on mothers and children in mother-and-baby institutions, Magdalene laundries and workhouses. We have spoken directly to survivors, and we know that they still suffer the trauma of their appalling experiences, a trauma that was only ever made worse by years of being ignored when they sought the justice that they deserved. At the meeting with survivors, we thanked them for their significant efforts to seek the truth and an acknowledgement of the terrible wrongs that they and others endured. We welcome the cross-party interest and support that this important matter has attracted to date. As Members are already aware, we are keen to keep the work moving so that those affected and their families can access truth, acknowledgement and accountability. I am sure that we can all agree that they have waited for far too long, and we all want to play our part to address the most difficult and shameful part of our past.

The public consultation aims to gather a wide range of views. That will help shape the necessary legislation to set up the inquiry to establish answers to the three core questions: what happened, why it happened and who was responsible. Additionally, we want to avoid the mistakes of the past, where victims and

survivors were required to wait for too many years before they could access financial redress. That is why the scheme will provide for a more immediate and standardised payment initially. A further, individually assessed payment will also be made available following the work of the inquiry.

Victims and survivors have long campaigned for justice, and, while we are aware that it has taken too long to get to this point, we want to recognise some of the work achieved since the Executive agreed the truth recovery design panel's recommendations in November 2021. Notably, the first phase of the investigation has already begun, with the appointment of the Truth Recovery Independent Panel in April 2023. We thank the panel for the publication of its interim report last month. For both the independent panel and the statutory inquiry to carry out meaningful investigations, it is vital that they have access to records that they can assess in order to make evidence-based recommendations.

For that reason, we are pleased to update Members on the significant progress that has already been achieved in that area. Since the House passed the Preservation of Documents (Historical Institutions) Act 2022 in March of that year, PRONI has been able to engage with institutions and begin the process of accessing, preserving, digitising and cataloguing approximately 4,500 private records, with over 3,000 of those items having already been deposited.

All of that work is being progressed in parallel with the delivery of dedicated and specialist support for victims and survivors through the Victims and Survivors Service (VSS), in partnership with WAVE Trauma Centre and Adopt NI. Those services have been designed with victims and survivors' groups and others to make sure that they are survivor-led, accessible and responsive. Over 300 people have been able to access those support services to date.

Yesterday, the deputy First Minister and I met victims and survivors from the consultative forum. We felt that it was important that they hear first-hand about the next steps for the public consultation, and we wanted to thank them for all their efforts to this point. They now need the establishment of a public inquiry and delivery of the redress scheme without delay.

Members will know from our statement on the legislative programme in recent weeks that we hope to see the draft Bill to establish the public inquiry and the financial redress scheme introduced in the Assembly before the end of

this year. The consultation will run for 12 weeks. It will involve a series of online and in-person events that will allow those affected to ask questions and gain a better view of the proposals and help them to contribute. We encourage everyone who has an interest in the shape of the inquiry and redress scheme to get involved. That includes those directly or indirectly affected by the institutions, members of statutory and non-statutory organisations, health and social care professionals and the wider general public. All views expressed as part of the consultation will be fully considered before finalising the draft Bill. The Bill will be brought to the Executive for agreement before being introduced to the Assembly.

Finally, in launching the consultation, we acknowledge again the tireless and effective campaigning of all the victims and survivors that has helped to bring us to this point. Their patience, determination and dignity throughout these years have been absolutely remarkable. We hope that the steps announced today will provide them with some comfort and reassurance that we, as an Executive and Assembly, are committed to supporting them.

Madam Principal Deputy Speaker: Thank you, First Minister. Before I bring in Members to ask questions, I must explain that a lot of Members rose in their places at the same time. If Members bear with us and try to get up and down again, we will try to ensure that they are listed to speak.

Ms McLaughlin: I thank the First Minister for her statement, which is really welcome and long overdue. Will she give a commitment that, if any religious order does not contribute fully to the redress scheme, the state will pursue its assets to secure payment in full? Will you confirm the date when we will know the value of the final payments?

Mrs O'Neill: The public consultation is about gathering all the information, about the framework on which we will proceed and about giving powers to the panel and the inquiry to scope out all the information on how women ended up in the institutions and what happened to their children in mother-and-baby cases. We need to find out all that information to take it forward.

We have already started the work of engagement with the institutions. As I said in relation to historical institutional abuse, we need to pursue the institutions. They have to pay redress, because that is also part of the healing process. That will be an ongoing piece of work

as we move through this area of work now. The priority for the consultation is to put a shape to the inquiry: what the inquiry will look at, what its scope should be and the panel work as well. This is very informative, but it is absolutely an opportunity for us to get this right in this instance. We are all determined to do that.

Ms Bradshaw: Today is an important milestone for the birth mothers, adult adoptees and their families, who have campaigned for many years for truth, justice and accountability. Given that there is a long road ahead, will the First Minister establish a role for an interim advocate to provide individualised support to those seeking to contribute to the inquiry and/or seek redress?

Mrs O'Neill: It is really important that we look at how we are accessible in the consultation. Yesterday, when we met the victims and survivors forum, we made it clear to them that we want to be accessible. We will establish ways for them to engage, and there will be someone to help them to do that. Language is important when we talk about a horrific time in people's lives. We have to be sensitive to that. I want to make sure that we are sensitive in the consultation. We will work with the victims and survivors' group and with the engagement forum and make sure that we create space so that people can sit down and, in their way, put across their views on what should happen. I am absolutely determined and think that we can do the right thing by victims and survivors and make sure that everything that is required for them to participate fully is done.

Ms Ennis: I welcome today's statement and wholeheartedly acknowledge the significance of this for the victims and survivors. Will the First Minister set out what powers the public inquiry will have?

Madam Principal Deputy Speaker: The deputy First Minister will respond.

Mrs Little-Pengelly (The deputy First Minister): I thank the Member for her question. There will be bespoke legislation on this, albeit it will be similar to the powers provided for in the Inquiries Act 2005. There were elements of this that required bespoke legislation, and that is exactly what we are consulting on. There are 40 pages of consultation that goes through each of those clauses in detail. On many of the issues, no doubt, there will be consensus, but there are key questions on which we will seek the views of the public but, absolutely and in particular, the views of victims and survivors and those most impacted.

11.00 am

Mr Kingston: I welcome the statement, which launches the consultation on proposals to establish a public inquiry and a financial redress scheme. The First Minister mentioned access to records. Many of those who presented evidence to the Executive Office Committee raised that matter and their frustration about it. Will the First Minister say more on how the Executive Office will assist people in accessing their personal records?

Mrs O'Neill: Thank you for that question. We all recognise the difficulties caused by not having access to records. For many victims and survivors, it has been a real cause of distress and, for obvious reasons, frustration. As the Member will know, access to adoption records is the responsibility of the Department of Health, which, we understand, worked closely with victims and survivors of mother-and-baby institutions, Magdalene laundries and workhouses to revise the guidance used by the health and social care trusts, which was published in November 2023. The updated guidance has been implemented, so it is now in effect. Officials will continue to closely monitor the situation. There seems to have been some positive movement on it, and we hope that that is maintained over the monitoring period, which ends in November 2024. We are, however, aware of continued issues in some areas. Individuals are being supported with those issues as well.

Mr Chambers: I am delighted that my private Member's Bill, which passed in March 2022 and was enacted as the Preservation of Documents (Historical Institutions) Act (Northern Ireland) 2022, is making a significant contribution to initial investigations into that terrible blot on our past. No such legislation exists in the Republic of Ireland, and records are being lost. Will the Executive Office lobby the Government in Dublin to close that gap and make sure that any salvaged records are made available to the inquiry? We have also talked about compensation. Will compensation come from the public purse or from the organisations involved in that stain on our care of those who were some of the most vulnerable people in our community?

Mrs Little-Pengelly: I thank the Member for his question and pay tribute to him for his private Member's Bill. The feedback on that legislation has been hugely positive. It is facilitating very valuable work. The First Minister and I should certainly raise that legislation with the Republic of Ireland Government as a good example of

what needs to be done. Access to personal information will be critical not only to the families and those impacted who want to get a better understanding of what happened but to the inquiry. It will feed through to the redress payments. It may not necessarily feed through to the standardised payment, although it might, but it will feed through to individually assessed payments in particular. It is good legislation, and other jurisdictions should certainly take account of it. In this context, in which there are cross-border elements, it is important that the Irish Government also consider that issue.

Mrs Dillon: I thank the First Minister for her statement. As others outlined, the statement will be welcomed by victims and survivors, who have suffered for many years, particularly the women and their adult children. First Minister, you outlined that you met members of the Victims and Survivors Consultation Forum yesterday. Can you confirm that victims and survivors will have access to the consultation document before anyone else?

Mrs O'Neill: Yes. That is really important. The deputy First Minister and I listened to that request very carefully when we met the victims and survivors yesterday. They were eager, for the right reasons, obviously, to have sight of the document before it becomes public, given the sensitivity around the consultation. We committed to ensuring that that is the case. After we have given this statement to the House, we will immediately get the consultation document to the Victims and Survivors Consultation Forum, so that its members will, hopefully, have it a full two days in advance of its being made public on Thursday.

Mr Dunne: Will the deputy First Minister detail what support services are in place for the victims and survivors? I join others in welcoming the statement and the progress that has been made so far.

Mrs Little-Pengelly: I thank the Member for his question. A key aspect of the work has been to recognise that, for many of those who have been most impacted, going through the process can be a very traumatising and retraumatising experience. I have no doubt that there will be many difficult times ahead for many of those victims and survivors as well. It was really important that, from the outset, a process was in place to offer help and support. I am pleased to say that we have been working through the likes of the Victims and Survivors Service, and over 300 victims and survivors have reached out for help and support. We anticipate that, as the process rolls forward and there are, for

example, advertisements to encourage people to come forward, more people, other than the 300 whom I mentioned, will make themselves known. The demand on the support mechanisms will increase as we go through the consultation, and we must meet that need.

Ms Egan: I thank the First Minister and deputy First Minister, and I welcome the announcement; it is progress. How will they ensure that a trauma-informed approach is taken in dealing with victims and survivors of the institutions as they navigate the public inquiry and redress scheme?

Mrs O'Neill: Thank you for that. The Department is committed to ensuring that we adhere to the five guiding principles of trauma-informed practice: safety, trustworthiness, collaboration, choice and empowerment. All members of the truth recovery programme team have undertaken training in trauma-informed practice, and they endeavour to provide a safe and respectful forum.

As we all know, these are very difficult and sensitive areas. We absolutely acknowledge — we did so again yesterday, when we met victims and survivors — that language is crucial when we talk about such a sensitive topic. We understand that, even within the victim and survivor family, there is, perhaps, a difference in how people come at the issues to do with suitable terminology. We do not want to add to anybody's distress, so it is important that we are guided by the trauma-informed principles, which help to ensure that we take the best possible approach.

Mr Gildernew: I thank the First Minister for her statement, which is important for the victims, survivors and campaigners of so many years. Will social security benefits be disregarded for the purpose of payments?

Mrs Little-Pengelly: I will answer that question. Yes, we aim for social security benefits to be disregarded, in common with other payments in the redress schemes that the Department has rolled out. We are confident that that will be done. It has been discussed a number of times, and, indeed, the consultation will touch on it. We are confident that those benefits will be disregarded for the purpose of payments.

Ms Forsythe: How will the Executive Office ensure that the ongoing work is trauma-informed?

Mrs O'Neill: As I said, it is really important that everything that we do is trauma-informed and

that we adhere to the five guiding principles of safety, trustworthiness, collaboration, choice and empowerment. All members of the truth recovery programme team have undertaken their training in that area. The issues are sensitive and difficult, so it is crucial that we are all guided by that.

Mr Sheehan: Gabhaim buíochas leis an Chéad-Aire as ucht a ráitis. *[Translation: I thank the First Minister for her statement.]* Will the First Minister outline the process for standardised and individually assessed payments?

Mrs Little-Pengelly: I thank the Member for his question. There will be a twin-track approach to the schemes, with the process for standardised payments to roll out at the same time as the substantive inquiry. That may be an unusual approach, but it is very much based on our experience of the Historical Institutional Abuse Inquiry. In that case, the inquiry came first, and a huge amount of valuable work was done during it, but it took years, and we are conscious that the victims and survivors have needs right now. That made its way into considerations of the issue and the recommendation, which was accepted, that a standardised payment should be rolled out at the same time as the inquiry, with a second stage — an individualised payment — after completion of the inquiry process. That would be consulted on, and the initial legislation would make provision for it, with the aim of rolling out the standardised payment at the same time as the public inquiry is established and carries out its work.

Miss McAllister: I thank the First Minister and deputy First Minister for their statement. It will bring some relief for victims to hear that we are well on the road to truth and accountability. One of the core questions that the First Minister outlined is, "What happened?". Last week, at the Executive Office Committee, we heard about the infants who died in mother-and-baby homes and are buried at Milltown Cemetery, where their remains are, potentially, being destroyed —.

Madam Principal Deputy Speaker: Is there a question, Nuala?

Miss McAllister: What will the First Minister and deputy First Minister do to enable the public inquiry to ensure that the remains are left in peace?

Mrs O'Neill: I thank the Member for her question. Absolutely, the protection of all

unmarked graves in cemeteries is of the utmost importance. We have seen across the island of Ireland how that has been exposed as being a very real issue, and we are alive to what has happened in our shameful past and how women on this island have been failed. The protection of unmarked graves in cemeteries has to be part and parcel of what we do. Powers and duties in relation to burials mainly fall under the responsibility of the Department for Communities. However, it is proposed that this will be an area of investigation for truth recovery, and that, again, hopefully, is a moment of progress.

The truth recovery inquiry will have the powers to inquire into how the institutions operated, including any burials of persons with institutional links in unmarked graves. That is a clear commitment and a strength of what the inquiry can do. We are also aware of a specific concern, and our officials remain in contact with colleagues in the Department for Communities and the diocese to establish the facts of the matter. Any evidence of such issues should always be brought to the Truth Recovery Independent Panel or to the PSNI, if information becomes available, so that they can investigate any allegations of criminality if there are specific concerns to be raised.

Mr Harvey: Will the deputy First Minister please detail what advertising and publicity will be put in place for the consultation?

Mrs Little-Pengelly: I thank the Member for his question. It is critical that all those impacted are aware that the process is ongoing, have the opportunity to feed into the consultation process and the inquiry and can get access to the redress scheme that will come out of it. During the consultation process, we intend to hold eight face-to-face meetings throughout Northern Ireland. There will also be five online meetings, the first of which will kick off on 9 July. The consultation will be available in a number of formats, and there is a telephone line for those who want to raise issues about the format that they need in order to maximise access to it. We will also run a series of newspaper advertisements and use existing channels, such as the mailing list that we have through the Victims and Survivors Service and other contacts that we have for a range of organisations that work with victims and survivors. We are really keen to hear from people, so we appeal to everybody to please make yourselves known, because support is there, and we really want to hear from you in the process.

Mr McGuigan: When the recommendations in the truth recovery design panel's report were agreed nearly three years ago, First Minister, you talked about:

"all the victims and survivors who were so grievously failed and have lived for many years with the unimaginable pain and trauma inflicted on them. Their needs are our absolute priority."— [Official Report (Hansard), 15 November 2021, p14, col 2].

Will the First Minister confirm that that is still her position?

Mrs O'Neill: Yes, absolutely. It is a source of shame for us as a society that women were so horribly failed. The historical treatment of and discrimination against women and girls is alive for us all to see, but this is our opportunity, as an Assembly and an Executive, to bring some healing to all the women, victims and survivors who were impacted by that experience. That is why it is important that we get this work right, are sensitive about how we work our way through it, are as inclusive as we can be, reach out as far as possible and listen wholeheartedly to the views of the victims and survivors, because this is about them. We have a chance not to fix but to bring some light to what happened to them and to their journey.

To all victims and survivors we can say only this: we are so thankful for your tireless campaigning and for the fact that you did not give up and that, despite all your setbacks through many decades, you continued on that path. As we move into the consultation and public inquiry, we are now walking the journey with you so that we can get to the bottom of how those things were allowed to happen, make sure that lessons are learned and provide the full facts and information for victims and survivors.

This is one of the most important areas of work that the Executive and Assembly will be engaged in during the mandate. We must get this right for victims and survivors, because they have been failed at every turn, and I know that we are all determined to do that.

Madam Principal Deputy Speaker: That concludes questions on the statement. Members should take their ease. We are running a bit ahead of time, so we are trying to ensure that the Minister of Agriculture, Environment and Rural Affairs is here to make his statement. Please take your ease.

North/South Ministerial Council: Environment

Madam Principal Deputy Speaker: I have received notice from the Minister of Agriculture, Environment and Rural Affairs that he wishes to make a statement. As with the previous statement, I remind Members that they must be concise in asking their questions and that it is not an opportunity for long introductions. Without further ado, I call the Minister to make his statement.

11.15 am

Mr Muir (The Minister of Agriculture, Environment and Rural Affairs): With your permission, Madam Principal Deputy Speaker, I wish to make a statement in compliance with section 52 of the Northern Ireland Act 1998 regarding the twenty-fourth North/South Ministerial Council (NSMC) environment meeting, which was held in the NSMC joint secretariat offices, Armagh, on Monday 10 June 2024. Junior Minister Aisling Reilly MLA, junior Minister Pam Cameron MLA and I represented the Northern Ireland Executive at the meeting. I thank them for coming along with me. The Irish Government were represented by Eamon Ryan TD, Minister for the Environment, Climate and Communications, and Malcolm Noonan TD, Minister of State at the Department of Housing, Local Government and Heritage. Minister Ryan TD chaired the meeting. The statement has been agreed with junior Minister Reilly and junior Minister Cameron, and I make it on behalf of us all. It was a very positive meeting, and a lot of progress was made. I will take each paper in the order in which it was discussed.

The NSMC noted that officials from the Department of Agriculture, Environment and Rural Affairs, the Department of the Environment, Climate and Communications and the Department of Housing, Local Government and Heritage have reviewed the work programme of the NSMC environment sector. Ministers noted that both jurisdictions place a strong focus on efforts to tackle the challenges surrounding climate change, biodiversity loss and pollution and agreed a revised work programme for the environment sector.

Ministers were invited to welcome the presentation on climate change and biodiversity, entitled 'A Shared Island approach to Climate and Biodiversity Research', which highlights the potential benefits of a collaborative approach to environmental challenges, particularly in respect of climate change and biodiversity, through the themes of

shared ambition, shared experience and shared opportunities and challenges.

On research funding opportunities, the NSMC welcomed the ongoing collaboration and continued delivery of environmental priorities such as those through the PEACE PLUS programme 2021-27 and the Shared Island initiative. Ministers noted the shared challenges faced in both jurisdictions and recognised that there are opportunities to work together on research to manage and protect the environment through informed, evidence-based policy development. Ministers welcomed the strong links between research bodies in both jurisdictions in the field of environmental research and agreed that both Administrations will continue to work together to maximise opportunities in environmental research, including those offered by PEACE PLUS, Horizon Europe, Ireland's North/South research programme and the jointly funded research co-centres.

The NSMC noted that improving air quality is a key priority for both jurisdictions and acknowledged the progress achieved and the challenges faced by both Administrations in improving air quality and, in particular, strategies, initiatives and collaboration to tackle air pollution on a cross-border basis. Ministers also agreed to continue collaboration on the key issues affecting air quality such as solid fuels, communication and policy alignment.

On water quality and waste water management, the Council noted the significant issue of blue-green algae and its impacts on water quality and the safety of water use and the new approaches needed to address its causes and manage monitoring. The current position in relation to the particular challenges surrounding Lough Neagh was highlighted. The NSMC noted that departmental officials and wider stakeholders across both jurisdictions are actively sharing knowledge and expertise on water quality issues including through the North/South water framework directive coordination group.

Ministers welcomed the overall continued high quality of the bathing waters in both jurisdictions and noted the continued engagement between the Department for Infrastructure, the Department of Agriculture, Environment and Rural Affairs, the Department of Housing, Local Government and Heritage, Irish Water and Northern Ireland Water on exploring opportunities for cooperation, including applications to access funding under the EU's PEACE PLUS programme. The NSMC welcomed the opportunity for cross-

jurisdictional collaboration in the pilot catchment work plan to be undertaken in the Newry, Fane, Glyde and Dee catchment.

The Council agreed to hold the next meeting in this sector in autumn 2024. I welcome the re-establishment of formal NSMC meetings and look forward to working with my counterparts in Ireland in all areas of cooperation in the environment sector. I commend the statement to the Assembly and welcome any questions.

Madam Principal Deputy Speaker: Thank you, Minister. OK; there you go. I was going to ask Members to rise in their place. I did not know who wanted to speak. OK. I call Patsy McGlone.

Mr McGlone: Gabhaim buíochas leis an Aire. *[Translation: I thank the Minister.]* Minister, paragraphs 11 and 14 of your statement are to do with cross-jurisdictional research projects between the Republic of Ireland and the Government in the North. In particular, paragraph 14 refers to blue-green algae. I know that that is a problem that affects not just Lough Neagh and that there are waterways in the Republic where a similar problem arises. Is there potential there for cooperation — the Small Business Research Initiative (SBRi), now Innovate UK Contracts for Innovation, has been mentioned — between both jurisdictions around the science and remedial work associated with blue-green algae?

Mr Muir: I thank the Member for his question. There is potential. Work is already ongoing in the co-centres, for example, where there is that collaboration. It is vital that we collaborate on research and science, North/South and east-west, not only to bring forward potential solutions but to understand the scale of the problem so that we can work together to address it. This is key, and I want to work on it with my colleagues in the South at NSMC meetings and outside those. When it comes to water quality, we are aware that Lough Neagh's catchment area extends beyond Northern Ireland. There is a need for cooperation on that matter, and that is high on my agenda.

Mr Elliott: I thank the Minister for bringing this forward. Have there been any discussions around the illegal dumping of waste in Northern Ireland that emanates from the Republic of Ireland: for example, at Mobuoy? I know that there is potential for the repatriation of that waste.

Mr Muir: I thank the Member for his question. I am aware of the issues around that. There was

not a substantial discussion of those matters, but they are a matter of concern for me, and I want to pick them up with my colleagues in the time ahead. There was quite a lot to deal with in the meeting because we had not had any NSMC meetings for a number of years. The illegal trade in the dumping of waste and the impact that it can have is a key issue North and South. I want to work on those matters with my colleagues, and I am happy to engage with the Member on them in his capacity as Committee Chairperson.

Mr McAleer: I thank the Minister for his statement, paragraph 12 of which refers to the importance of improving air quality. He will be aware that his Department is working on ammonia emissions, which is a key, live issue. Were there any discussions with his counterparts on an all-island approach to reducing ammonia emissions?

Mr Muir: Ammonia emissions from agriculture and their impact on protected sites are an issue common to both jurisdictions. The PEACE PLUS programme may present an opportunity to share knowledge and experience in that area. An additional aspect of ammonia emissions is their potential impact on human health through the formation of fine particles. It is hoped that research commissioned under PEACE PLUS will help to provide more certainty in that area.

Madam Principal Deputy Speaker: I call John Blair. I am sorry; I call William Irwin.

Mr Irwin: Paragraph 12 of the statement mentions that the NSMC "acknowledged the progress achieved" on improving air quality. Will the Minister update us on what progress has been achieved?

Mr Muir: I thank the Member for his question. Air quality is important to me, and I am engaging with officials on our air quality strategy for Northern Ireland. I want to get that finalised so that we are able to make progress on it. It is one of the issues that officials have been working on, alongside water quality. Resources are a challenge for my Department, but we are working through that, and I was reading through the responses to the consultation just last night.

The NSMC meeting had a significant discussion around air quality, given that the challenges exist North and South. Air quality does not stop at the border. We need to deal with it, particularly when it comes to the actions that the South has taken on the burning of fuel. We

were able to discuss those issues. I will have to work on those issues with my Communities and Economy colleagues. We have had fruitful discussions to date, and I want to make progress on those matters. We need to take action on air quality: it has a real impact on human health in Northern Ireland.

Mr Blair: Can the Minister give us more information about what was discussed in relation to Lough Neagh, given the sheer scale of its catchment area and the transboundary nature of the issues surrounding it?

Mr Muir: I thank the Member for his question. Water quality in Lough Neagh was discussed in some depth at the meeting, because we face challenges on a North/South basis. We looked at the interventions that have been made in the South and at research issues. As part of that, we updated attendees at the NSMC on the efforts that have been progressing to finalise and publish the Lough Neagh report and action plan.

I am disappointed that it looks unlikely that there will be an Executive meeting on Thursday to agree that report and action plan. Time is not on our side, and, as a result, I will write to the First Minister and the deputy First Minister to request the use of urgent procedure to approve the report and action plan. If the Executive meeting does not occur this week and urgent procedure is not granted, I will have to consider my options, because the blue-green algae issue at Lough Neagh is of extreme concern to me. It is a real problem, and we need to act on it. I will have to explore every way in which my Department can take the necessary actions.

It is important that I take the opportunity to outline the approach that should be taken. I have said in the Chamber that it is based on four pillars: education; investment and incentivisation; regulation; and enforcement. That is a balanced approach and one that we should take. We can all be part of the solution, but we need to take action. The Executive will hopefully meet this week. If they do not, the Lough Neagh report and action plan will hopefully be given urgent approval. The Executive need to step up and back me on the actions that I need to take.

Miss Brogan: Gabhaim buíochas leis an Aire as a ráiteas. [*Translation: I thank the Minister for his statement.*] It is great to hear that Lough Neagh was discussed and that it is still a priority for the North/South Ministerial Council.

The Minister will be aware that, over the weekend, Mr Nicholas Ashley-Cooper made comments about his ownership of the lough and his intention to transfer it into the hands of the community. He also commented on how no body is set up to take on ownership of the lough. Does the Minister have any intention of discussing that with the stakeholders, including councils, that would be involved in creating a body to take over ownership of the lough?

Mr Muir: I thank the Member for her question. I am aware of the public discourse on the ownership of the bed and soil and of what the Earl of Shaftesbury has said in recent days. I have reached out to him to seek a meeting to discuss the issues further. I am conscious of the issue and its importance to many people. My preference is for community ownership. I am aware that the Lough Neagh Partnership (LNP) is undertaking an initiative on the future management and ownership of the lough, and I intend to engage with that initiative.

The primary focus of the Lough Neagh report and action plan is on water quality issues in the lough. The ownership of the bed and soil is largely not within the report's scope. There are, however, issues that we will address as part of the report, and, as part of that work, I am taking forward an independent scientific review of the impact of sand dredging. It is important that we do that.

Let us view the situation as presenting us with lots of opportunities for action. I look forward to engaging with the Earl of Shaftesbury on the issue, but, most importantly, in the here and now, we need to get the Lough Neagh report and action plan agreed. Let us get it published and give people hope that we can deliver for the citizens of Northern Ireland by turning the situation around. I am aware of the scenes of blue-green algae in Lough Neagh that have been reported today. The Assembly and the Executive have been re-established, so let us use the institutions to deliver good for the people of Northern Ireland.

Mr Tennyson: Every party in the Chamber has called for a plan to tackle the issues in Lough Neagh; indeed, that call appeared in the DUP's Westminster manifesto, which was launched yesterday. What is your assessment of who is responsible for blocking progress on the Lough Neagh action plan?

Mr Muir: I brought the Lough Neagh report and action plan to the most recent meeting of the Executive, and it was discussed at that meeting. I was given some feedback, which

included the need for further engagement with stakeholders. I did that: last Wednesday, I met Northern Ireland Environment Link (NIEL), the Lough Neagh Partnership, the Ulster Farmers' Union (UFU) and the Northern Ireland Agricultural Producers Association (NIAPA). I engaged with those organisations and received feedback. I will update the report and issue it to Executive colleagues, hopefully today. Hopefully, we can then get it agreed at the meeting on Thursday, because it is really important that we take action.

Lots of parties have come forward to say that we need to take action on Lough Neagh, and I am up for doing so and for working with people to deliver that action. I will not shy away from difficult decisions. I will confront the difficult decisions that we need to take, because that is what we need to do to address the issues associated with water quality.

11.30 am

The Lough Neagh report and action plan is balanced. It focuses on issues such as those we have outlined — education, investment and incentivisation — but it also talks about regulation and enforcement, and it is important we do that, because we have to take a balanced approach to the issues. Hopefully, everyone can come together. Let us have an Executive meeting on Thursday. Let us get the report and action plan agreed. Let us work together as an Executive and deliver for the citizens of Northern Ireland, because that is what the people want. I understand that people may have concerns about the way forward, and I am happy to engage with people, as I did last week on the issue. Together, we can turn the situation around, engage and match manifesto promises with actual delivery.

Ms Forsythe: I want to speak about the commitment on continued high-quality bathing water in paragraph 15. I welcome the inclusion of that, but I represent the South Down coastal area, and, coming into the summer, there are recurring issues with the bathing waters, particularly around Newcastle. I know that those issues also reach into North Down. Can the Minister clarify what opportunities were discussed for addressing bathing waters and how that will affect us here, particularly on the County Down coast?

Mr Muir: I thank the Member for her question. The issue of bathing water quality is close to my heart because it has been raised by constituents in North Down. Down South, there have been initiatives that target areas with poor

water quality in order to turn it around. One of those, the ASSAP initiative (agricultural sustainability support and advisory programme) — I apologise for the acronym — involves one-to-one engagement with the agriculture community. That was one of the discussions in the meeting. There would be real benefits to expanding a similar scheme of one-to-one engagement led by the Rivers Trust in the upper Bann catchment area to other areas of Northern Ireland. I need funding to do that. I will engage with the Finance Minister on that, because one key way we can improve bathing water quality is by engaging with people.

Can I be clear about this, folks? My heart and soul are in education and incentivisation. It is much better that the problem does not occur in the first place and that we do not have to resort to enforcement. That is not where I want to go, OK? It is really important that I put this on the record: the overwhelming majority of farmers are good custodians of the countryside — they are fantastic custodians of the countryside, and we would be lost without them — but, if people are breaking the law, it is important that we take enforcement action. That is why I am talking about a balanced approach, but I really want to engage one-to-one with people and bring people with us. That is where my focus is on the issue.

The other aspect of bathing water quality is waste water infrastructure. Ultimately, I will stand here as Minister and make a bid for funding for another Department: John O'Dowd and the Department for Infrastructure need more funding for waste water infrastructure so that we can invest in that infrastructure to improve water quality. I will stand with John at every opportunity to make that case, because that is how we will turn the situation around. That is where, I genuinely believe, we can work together to turn this around. I have seen what has happened in the South. I will go down South and see some of their initiatives and what they are doing, because, with practical interventions and by working together, we can turn the situation around, give people a bit of hope and move on from a blame game to solutions.

Mr O'Toole: Minister, I welcome your robustness on Lough Neagh and other matters. In the days after that meeting, the EU passed its Nature Restoration Law. We still do not have one in Northern Ireland, but, in the South, they have signed up to those targets. Will you agree with, support and work to implement at least alignment of those targets North and South? We know we are effectively in exactly the same place on biodiversity loss across Ireland. Will

you support at least those targets going into law here?

Mr Muir: There are real benefits to enshrining in law statutory targets for nature restoration. Ultimately, I have to work within a reduced mandate and reduced resources on that legislation and get agreement from Executive colleagues. There is discussion of a private Member's Bill; I attended an event recently on that.

I am up for doing anything we can to protect our environment, but I have to work with a tight budget, tight resources — as I have outlined, the officials dealing with Lough Neagh are also dealing with air quality — and a reduced mandate. The reduced mandate is the consequence of this place not sitting. We have lost two years, so we only really have three left from that mandate. That is why we also need reform of the institutions, so that, when they are back, they operate and deliver for people, and we do not have the politics of veto and blocking things.

North/South Ministerial Council: Aquaculture and Marine

Madam Principal Deputy Speaker: I have received notice from the Minister of Agriculture, Environment and Rural Affairs that he wishes to make another statement. Before I call the Minister, I ask Members to continually rise in their place until we get them sorted.

Mr Muir (The Minister of Agriculture, Environment and Rural Affairs): With your permission, Madam Principal Deputy Speaker, in compliance with section 52 of the Northern Ireland Act 1998, I wish to make a statement about the thirty-first meeting of the North/South Ministerial Council (NSMC) in the aquaculture and marine sectoral format, which was held on Monday 10 June. The Executive were represented by junior Minister Cameron and junior Minister Reilly, as accompanying Ministers, and by me, as lead Minister and chair of the meeting. The Irish Government were represented by Minister Ryan from the Department of the Environment, Climate and Communications. The statement has been agreed with junior Ministers Cameron and Reilly, and I make it on behalf of all of us. Again, I thank them for coming to the meeting and for working together on these issues and other matters. It is a joint endeavour, as everyone knows.

The NSMC welcomed the report on the activities of the Loughs Agency, including its

ongoing conservation and protection efforts, and the investment in the agency's scientific fisheries monitoring programme, including the introduction of new technologies, such as artificial intelligence. Ministers noted, in particular, the fisheries improvement projects that help to address climate change and biodiversity loss; the successfully delivered CatchmentCARE and shared waters enhancement and loughs legacy (SWELL) projects; the wide range of environmental education and outreach programmes; and the pioneering work undertaken in the SeaMonitor project to improve marine research and produce the first Atlantic salmon management plan for the island of Ireland.

The Council approved Loughs Agency business plans, budgets and cash grants for 2022, 2023 and 2024, as well as the Loughs Agency three-year corporate plan. Those approvals regularise spend for plans that were unable to be approved in the absence of the NSMC. The NSMC noted that all plans were completed in accordance with guidance issued by the Department of Finance and the Department of Public Expenditure, NDP Delivery and Reform and that they have been agreed by sponsor Departments and Finance Ministers.

The Council noted Loughs Agency annual reports and accounts for the years 2019, 2020 and 2021, which have been laid before the Northern Ireland Assembly and both Houses of the Oireachtas. The Council noted the review of the framework for processing Loughs Agency emergency regulations and agreed that the framework is not required for the Loughs Agency to carry out emergency functions.

The Council welcomed the adoption of the science strategy framework, which provides research to inform management decisions on the management and conservation of salmonid and other fish stocks, native oysters and aquatic ecosystems. The NSMC noted the multidisciplinary nature of Loughs Agency scientific delivery and the importance of taking an ecosystem-based approach to the management of the Foyle and Carlingford catchments. Ministers agreed that the Loughs Agency will provide an update on activity under its science strategy at the next meeting in the sector.

The Loughs Agency's climate action plan was launched at the meeting. The Council noted the importance of the work of the Loughs Agency in addressing the impacts of climate change on the aquatic systems, flora and fauna in the Foyle and Carlingford catchments. The Council welcomed Loughs Agency's contribution to

addressing climate change and the loss of biodiversity and its commitment to supporting obligations to reduce greenhouse gas emissions in both jurisdictions, including through the use of nature-based solutions for catchment management.

The NSMC commended Loughs Agency for its positive advances in data, knowledge and marine research following the successful completion of the SeaMonitor project. Ministers noted the presentation on Loughs Agency participation in international research projects. The Council welcomed the agency's continued commitment to scientific excellence through research, including its work with international partners on key projects, including the strategic infrastructure for improved animal tracking in European seas or "STRAITS" project — we are good at acronyms in the Department — the north-east Atlantic tracking network or "NorTrack" project; and the digital twin of the ocean animal tracking (DTO-Track) project and its work to establish the cross-border marine observation network using acoustic telemetry to monitor key marine species.

The NSMC agreed to hold its next aquaculture and marine meeting late in 2024.

Mr McGlone: Gabhaim buíochas arís eile leis an Aire. *[Translation: Once again, I thank the Minister.]* Minister, we all want to support you as you continue your work, but will you indicate who refused to sign off on the Executive meeting on Thursday and the reason that was given for that?

Mr Muir: That is a matter for the First Minister and deputy First Minister. What goes on in Stormont Castle is a matter for them to respond to.

Mr Elliott: I thank the Minister for bringing this to our attention. There was quite a bit in his statement about the Loughs Agency, which, I know, was working on a project with the Forest Service. There seem to be some difficulties around mapping the forestry areas: is that anything to do with the projects that he mentioned?

Mr Muir: I am aware of the issue that the Member has outlined. I will write to him and outline some more information on that, because it is a bit complex and there are potentially some legal issues around it. If that is OK, I will engage with him and get that letter off this week.

Ms Á Murphy: I thank the Minister for his statement this morning. I note with interest that the Loughs Agency's climate action plan was also launched at the meeting. Has it been developed entirely independently by the agency, or has it been designed or co-designed with existing climate target plans and action plans North and South?

Mr Muir: The climate action plan sets out clear climate ambition to reduce greenhouse gas emissions by 51% by 2030 and to be a net zero and climate-resilient agency by 2050. The Loughs Agency plans to implement nature-based solutions to address the loss of biodiversity, including the implementation of buffer strips, tree planting, constructed wetlands and habitat improvement schemes.

The Loughs Agency launched the plan at our meeting, and it outlines a number of initiatives, including in relation to buildings and property; travel and fleet; catchment adaptation and biodiversity; supply chains; and people, stakeholders and communities. I will come back to the Member on the engagement that has taken place around that and what is planned for the time ahead. It is an important question, and I will give her a fuller answer on that.

Ms Forsythe: I thank the Minister for his statement and answers so far. Can he advise when he expects the Loughs Agency annual report and accounts for 2022 and 2023 to be laid in the Assembly? Are there any issues of concern in those that, the Minister thinks, should be highlighted at this point?

Mr Muir: There were quite a lot of corporate governance matters to be regularised as part of the meeting. That is what happens when the Assembly does not sit and the institutions collapse: these things build up. That is why I was keen to come to the Assembly after the meeting to give an update, because sometimes there is a bit of a lag between the meeting and the update.

At the meeting, the NSMC approved the Loughs Agency's 2024 business plan and associated budget. The NSMC also approved the 2023-25 corporate plan and the 2023 and 2022 business plans, and the Loughs Agency annual report and accounts for 2019, 2020 and 2021 were noted. I will make enquiries on the other matters the Member outlined and come back to her, because it is important that I am able to give a full response.

Mr Blair: I thank the Minister for his statement and all involved in the inter-agency work on

aquaculture and marine. Directly related to that, is there an update on the recent fish kill in the River Roe?

Mr Muir: This is an issue of concern, and it has been reported in the media. I will go back to the Member with further information on the River Roe. Investigations are ongoing. That is yet another fish kill in Northern Ireland, and there have been too many of those, not just in recent years but in recent weeks. That is why we need to be able to take a clear approach to the issue of water quality and why the Lough Neagh report and action plan is key. It is about that balanced approach between education and incentivisation, as well as regulation and enforcement. That can be used as a model for other rivers, lakes and loughs in Northern Ireland affected by water quality issues. It is absolutely fundamental.

On fish kills, if people become aware of any, I urge them to urgently report them to the Northern Ireland Environment Agency (NIEA) and its pollution hotline, because it is important such issues are investigated. One of the reasons behind the resources that I have been putting into enforcement in my Department is that investigating such issues to get a level of evidence that would be satisfactory to the Public Prosecution Service (PPS) to take forward a prosecution is extremely resource-intensive. That is why we need to have resources to do the investigations around us. It is therefore key that people report, and then, hopefully, we will have the resources to investigate. There are too many pollution incidents, and, as an Assembly, an Executive and a society, we need to make sure that we have a zero-tolerance approach to pollution and encourage people to report such incidents so we can investigate them.

11.45 am

Mr McAleer: The Minister will be aware that Lough Foyle is still a disputed territory. I know from previous discussions that that fact was inhibiting the Loughs Agency from fulfilling its full range of functions. I also know that it is beyond the Minister's remit to sort out a territorial dispute, but is he aware of any conversations about the matter and whether there are any conversations with the Loughs Agency about its not being able to fulfil its full remit on the preservation, protection and promotion of Lough Foyle?

Mr Muir: I thank the Member for his question. That was one of the issues that I was briefed about in my first weeks in post. There are lots of

things in the Department that I have to deal with, including issues arising from partition in 1921. I do not know whether I have an immediate solution to that. Other people may say that they do, but it is an ongoing issue with the Loughs Agency and what is essentially unregulated oyster farming in Lough Foyle. It is inextricably linked to the jurisdictional issue, which is a reserved matter. It is not within the competence of my Department or the Northern Ireland Assembly.

I am aware of the concerns about it. Officials from my Department met the Foreign, Commonwealth and Development Office in October 2023 to discuss the challenges. I understand that discussions between the Foreign, Commonwealth and Development Office in London and the Department of Foreign Affairs in Ireland have recently recommenced on a draft management agreement that would enable authorities to exercise criminal and regulatory discussions about the bed of Lough Foyle. Those discussions are positive, but progress needs to be made soon to prevent further impacts on the environment and to enable the Loughs Agency to regulate aquaculture in Lough Foyle.

I will focus on solutions to the issue with any new Government that come in on 5 July. It has been going on for quite a while. I believe that there are potential solutions, but they are a reserved matter.

Mr O'Toole: It is interesting to hear that the Minister is looking for solutions to partition. I am happy that I have one that I can sit down and chat to him and his Alliance Party colleagues about any time. *[Laughter.]* If they want to have a conversation with me, I think that I can think of one off the top of my head. In any case —.

A Member: It is not a ghost story.

Mr O'Toole: Exactly. You do not even need to go to a funfair to hear about it.

Does the Minister think that the Loughs Agency's statutory responsibilities should be broadened to include Lough Neagh in order to align all the things that I know that he wants to make happen around it?

Mr Muir: I am here to answer questions on agriculture, environment and rural affairs. Those other matters are for outside the Chamber.

When the institutions were established in 1998, it was an oversight that no body existed to

cover Lough Neagh. Navigation is not one of the key issues in the Lough Neagh report, but I get that, and I want to engage with colleagues on it over the time ahead. Let us be clear: my immediate focus is on the water quality issues that are associated with Lough Neagh and taking immediate action on that, but I get that it is rather unusual that Lough Neagh has not been covered by a body such as the Loughs Agency or Waterways Ireland. That needs to be considered, so it is a legitimate point to make.

Madam Principal Deputy Speaker: That concludes questions on the statement.

Executive Committee Business

The draft Working Time (Amendment) Regulations (Northern Ireland) 2024

**Mr C Murphy (The Minister for the
Economy):** I beg to move

*That the draft Working Time (Amendment)
Regulations (Northern Ireland) 2024 be
approved.*

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

Mr C Murphy: Go raibh maith agat, a Phríomh-
Leas-Cheann Comhairle. [*Translation: Thank
you, Madam Principal Deputy Speaker.*] I am
seeking the Assembly's approval of the draft
Working Time (Amendment) Regulations
(Northern Ireland) 2024. All Members will be
aware that workers' rights are at the forefront of
my economic vision, and I will continue to work
towards improving them throughout the
mandate.

The Retained EU Law (Revocation and Reform)
Act 2023 (REUL) revoked aspects of EU
retained law from 1 January 2024, together with
the principle of the supremacy of EU law and
some other legal concepts. As a result, the
Department identified that certain commonly
accepted principles relating to annual leave and
pay could be at risk of misinterpretation if action
were not taken to provide domestic legal clarity.
Some of our annual leave rights are EU derived
and, as such, could be restated using the
powers in the REUL Act. My Department did
that prior to 1 January 2024, and it included the
issues of maternity and parental leave. Some
other leave rights are domestically derived and
require a statutory rule to be affirmed by the
Assembly in order to be restated, and that is
what I am seeking to do today.

The draft Working Time (Amendment)
Regulations (Northern Ireland) 2024 seek to
provide clarity in our legislation and restate
certain statutory rights in relation to shared
parental, parental bereavement, adoption and
paternity leave. The purpose of the regulations
is to remove any potential uncertainty in law
about previously agreed and accepted annual
leave entitlements following our exit from the
EU.

The statutory rule amends regulations 2 and 17
of the Working Time Regulations (Northern
Ireland) 2016. The amendment to regulation 2
provides clarification that the definition of
statutory leave within those regulations is the
same as that within Part 9 of the Employment
Rights (Northern Ireland) Order 1996. The
amendment to regulation 17 provides that
compensation related to an entitlement to leave
will cover unused leave at the point that a
worker's employment is terminated if the worker
is entitled to carry over that unused leave into
the next immediate leave year by virtue of a
relevant agreement.

The draft Working Time (Amendment)
Regulations (Northern Ireland) 2024 will provide
legal certainty regarding leave entitlements. I
look forward to the Assembly's support.

Ms McLaughlin: I will speak briefly on behalf of
the Committee for the Economy.

As the Minister said, the regulations address
problems that arise from the Retained EU Law
(Revocation and Reform) Act 2023. The Act
may have removed certain interpretative
effects, creating a risk that the case law
defining what should be included in normal
remuneration would fall away. Consequently,
the statutory rule amends the Working Time
Regulations (Northern Ireland) 2016 to clarify
what is meant by maternity leave, adoption
leave, shared parental leave, parental leave
and paternity leave. The rule also clarifies that
compensation related to an entitlement to leave
will cover unused leave at the point that a
worker's employment is terminated in certain
circumstances.

The Committee considered the rule on 15 May
2024 and later noted that the Examiner of
Statutory Rules had no concerns in respect of
the regulations. The Committee indicated that it
was content for the regulations to be affirmed
by the Assembly.

Mr Kearney: Tacaím leis na rialacháin seo le
cearta oibrithe a chosaint agus le buíochas a
thabhairt don Aire Eacnamaíochta, Conor
Murphy, as an obair thábhachtach sin a chur
chun cinn.

Cosnaíonn na rialacháin oibrithe ar fud an
Tuaiscirt ar an éiginnteacht fostaíochta a
chruthaigh Breatimeacht. Cosnaíonn siad
cearta na n-oibrithe chun saoire bliantúla le pá;
an ceart saoire bhliantúil, saoire mháithreachais
agus saoire aithreachais a thabhairt ar aghaidh;
saoire uchtaithe; agus cúiteamh bainteach le
teidlíocht ar bith ar shaoire bhliantúil.

Is iomaí buntáiste don fhostaitheoir agus don fhostaí a thig ó bheith ag cosaint chearta na n-oibrithe chun saoire le pá. Ó thaobh an fhostaitheora de, cuidíonn sé le saineolas agus le scileanna a choinneáil, agus ardaíonn sé táirgiúlacht sa lucht saothair. Cuireann táirgiúlacht ard le brí agus le fuinneamh na heacnamaíochta.

Tá an cuspóir sin i gcoílár an chláir oibre atá ag Conor Murphy don fhás eacnamaíochta agus don rathúnas ar fud an Tuaiscirt agus i gcomhthéacs eacnamaíochta uile-oileáin. Tá tábhacht ar leith leis na cosaintí seo do fhostaithe agus dá dteaghlaigh, nó cuireann siad ar chumas fostaithe aghaidh a thabhairt ar chúrsaí tábhachtacha teaghlaigh ar a éascaíocht. Lena chois sin, cuidíonn na cosaintí le fostaithe sásamh a bhaint as a gcuid oibre, agus cuireann siad le dea-bhraistint na bhfostaithe.

Má bhíonn oibrithe sona sásta, beidh siad táirgiúil, agus is treise agus is cothroime don eacnamaíocht nuair a dhéantar cearta na n-oibrithe a chosaint mar is ceart. Leag an tAire Eacnamaíochta amach an mhian atá aige Poist Mhaithe a chruthú agus eacnamaíocht a fhorbairt sa Tuaisceart a bhainfeas tairbhe as an acmhainn atá i gceart Windsor.

Má tá clár le bheith ann le Poist Mhaithe a chruthú, ní mór lán-chosaint chearta na n-oibrithe, pá mhaith, cinnteacht phoist agus cearta cinnte ar chomh-mhargáil bheith ina gcuid lárnach de. Tá na cosaintí sin riachtanach má táimid le teaghlaigh rathúla fholláine a chothú in eacnamaíocht bheo bhríomhar.

Molaim an tAire as an chúram atá sé a dhéanamh de na tosaíochtaí sin.

[Translation: I support the regulations to protect the rights of workers and thank the Minister for the Economy, Conor Murphy, for progressing this important work.]

The regulations protect workers across the North from the employment insecurity created by Brexit. They specifically protects workers' rights to paid annual leave; the right to carry over annual leave, maternity/paternity leave; adoption leave; and compensation related to any entitlement for annual leave.

There are many benefits for the employer and the employee from the protection of workers' right to paid leave. In the case of an employer, it helps in the retention of knowledge and skills and promotes higher levels of productivity in the workforce. Higher productivity contributes to a stronger and more vibrant economy.

That objective is at the heart of Minister Conor Murphy's agenda for economic growth and prosperity across the North and in the context of a functioning all-island economy. Those protections are of particular importance for employees and their families because they provide flexibility in addressing important family matters, as well as contributing to an overall sense of job satisfaction and well-being.

Happy workers are productive workers, and our economy is stronger and fairer when workers' rights are properly protected. The Minister for the Economy has set out his ambition to create a good jobs programme, to build an economy in the North that capitalises on the potential of the Windsor framework.

An integral part of any good jobs programme must be the full protection of workers' rights, good pay, job security and guaranteed collective bargaining rights. Those are essential to sustaining healthy and prosperous families in a vibrant economy.

I commend the Minister for his attention to these priorities.]

Madam Principal Deputy Speaker: Go raibh maith agat as sin. *[Translation: Thank you.]* No other Members wish to speak, so I call the Minister for the Economy to conclude the debate.

Mr C Murphy: Go raibh maith agat, a Phríomh-Leas-Cheann Comhairle. *[Translation: Thank you, Madam Principal Deputy Speaker.]* I thank Sinéad McLaughlin for speaking, and go raibh maith agat *[Translation: thank you]* to Declan Kearney for his contribution as well.

As I said at the outset, the Working Time (Amendment) Regulations (Northern Ireland) 2024 will clarify statutory rights in relation to leave. I commend the motion to the House.

Question put and agreed to.

Resolved:

That the draft Working Time (Amendment) Regulations (Northern Ireland) 2024 be approved.

The draft Proceeds of Crime Act 2002 (Search, Recovery of Cryptoassets and Investigations: Codes of Practice) Order (Northern Ireland) 2024

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

That the draft Proceeds of Crime Act 2002 (Search, Recovery of Cryptoassets and Investigations: Codes of Practice) Order (Northern Ireland) 2024 be approved.

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

Mrs Long: Thank you, Madam Principal Deputy Speaker. The purpose of the order is to bring into operation three codes of practice for the use of powers under the Proceeds of Crime Act 2002, as amended by the Economic Crime and Corporate Transparency Act 2023.

By way of background, the Proceeds of Crime Act 2002, which is otherwise known as POCA, is a UK-wide Act designed to provide law enforcement partners with tools to recover the proceeds of crime and deny criminals the opportunity to accumulate assets secured by illegal means. POCA contains a wide range of provisions that deal with, amongst other things, cash seizure; forfeiture; asset freezing; the disclosure of information by financial institutions during investigations; and requirements on professionals in the regulated industries to submit suspicious activity reports. POCA has, since its inception, proven to be an integral part of the response to organised criminality, which, as Members will know, is driven by sheer greed and a disregard for the harmful impact that crime has on our society.

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

The POCA regime has been further enhanced by the Economic Crime and Corporate Transparency Act 2023, giving law enforcement partners new powers to seize crypto assets when investigating the proceeds of crime. Crypto assets are digital assets that can be transferred, stored or traded electronically. They exist electronically and use a peer-to-peer system. Perhaps the most commonly known are those such as bitcoin. Crypto assets are increasingly being used by criminals to move and launder the profits of various crimes,

including drug crime, fraud and money laundering.

Members are invited to approve the three codes of practice that give guidance to officers in Northern Ireland who are exercising POCA functions following commencement of the relevant provisions relating to crypto assets. Those officers are primarily PSNI officers and accredited financial investigators in the PSNI, the Department for Communities and the Northern Ireland Environment Agency. The designation of the powers is subject to ongoing training and accreditation. Taking into account appropriate jurisdictional differences, the codes are closely aligned to those prepared by the Home Office for officers exercising POCA powers in reserved agencies or on behalf of other bodies in England and Wales.

Two of the codes relate to existing codes that have been subject to minor updates to reflect how the new crypto asset powers should be exercised in relation to search, seizure and detention, as well as investigations. One new code advises officers on how to exercise powers in respect of the recovery of crypto assets. It is anticipated, subject, of course, to the Assembly's approval today, that the two revised codes and one new code will take effect on 17 July, with draft codes of practice having been made available online since the new crypto assets powers were commenced.

Whilst I do not propose to go into the full technical detail of each code, Members may find a brief summary of their content helpful.

12.00 noon

First, the search, seizure and detention of property (Northern Ireland) code of practice is issued under section 195T of the 2002 Act and provides guidance to constables and accredited financial investigators on the exercise of powers to search, seize and detain property that may be needed to satisfy a future confiscation order following conviction. Secondly, the investigations (Northern Ireland) code of practice, issued under section 377ZA of the 2002 Act, provides guidance to constables and accredited financial investigators on the exercise of the investigation powers in POCA. Finally, the recovery of crypto assets search powers (Northern Ireland) code of practice is a new code of practice, issued under section 303Z25 of the 2002 Act. The new code provides guidance to constables and accredited financial investigators on the exercise of powers to search for crypto assets. It also provides guidance on applications by officers to judicial

officers or senior officers for prior approval to exercise the powers.

POCA stipulates that the Department of Justice must prepare and publish a draft of any new or revised code of practice. My Department ran an eight-week public consultation on the three codes, from 15 February until 10 April 2024. No adverse impacts were mentioned, and no amendments were suggested, so there were no material changes made to the codes as a result of the consultation.

Setting aside the technical detail, it is important to reflect on what the codes help deliver. We know that criminals are motivated by greed and personal gain. Removing the profits from their criminal activity reduces incentives and has a disruptive effect on the cycle that sustains serious and organised crime. In turn, that reduces harm to individuals, families and businesses across communities. It is therefore important to recognise that the POCA regime is an integral part of the overall response to tackling organised criminality in all its forms. Enhancing the POCA framework is also consistent with what my Department and its partners on the organised crime task force (OCTF) seek to achieve under the organised crime strategy for Northern Ireland, particularly on pursuing offenders.

The codes are important safeguards that underpin the whole POCA regime and are specifically intended to deal with the new and emerging issue of crypto assets. Collectively, we must ensure that organised criminality is both socially unacceptable and economically unviable. I therefore ask the Assembly to support the strengthening of POCA in Northern Ireland and approve the order. We need to send a clear, consistent and collective message that crime will not pay and that we will do everything in our power to ensure that law enforcement agencies have all the powers that they need to deny criminals the use of their assets, to recover the proceeds of crime and to disrupt and deter criminality. I commend the order to the House.

Mr Deputy Speaker (Mr Blair): Minister, thank you for opening the debate.

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

The Committee was first alerted to the Department's intention to propose the rule at its

meeting on 16 May and raised no issues with its so doing. The Committee then considered the draft statutory rule (SR) at its meeting on 30 May. We were advised that the reforms that would be made as a result of the rule would enable officers to seize crypto assets and other property during an investigation. It would also enable officers to seize crypto asset-related items and enable the courts to better enforce unpaid confiscation orders against a defendant's crypto assets. The rule would also bring crypto assets within the scope of civil forfeiture powers, as outlined in Part 5 of the Proceeds of Crime Act 2002, and would ensure that forfeiture powers were accompanied by supplementary investigative powers, as outlined in Part 8 of the 2002 Act, similar to investigatory powers that exist to support the forfeiture of cash, listed assets and funds in certain accounts.

The Committee was informed that a public consultation on the changes was conducted between February and April 2024 and that only one response, which did not contain substantive comments, was received. Furthermore, the Committee was notified that codes of practice equivalent to those that are being introduced through the rule are in place in England, Scotland and Wales and that, because the parent legislation applies UK-wide in order to ensure that there is consistency of approach and language across jurisdictions, the Department closely followed the codes for England and Wales, with appropriate adaptations.

At that same meeting of 30 May, the Committee for Justice formally agreed to recommend that the rule be approved by the Assembly, subject to the report from the Examiner of Statutory Rules (ESR). Subsequently, the Examiner reported on the rule in her report, which was published on 4 June 2024, and raised no concerns regarding its technical aspects. On behalf of the Committee for Justice, therefore, I support the motion before the House.

I turn now to the views of the Democratic Unionist Party. Our position is reflected in that of the Committee. Where assets, including crypto assets, have potentially been acquired through crime, it is right that they are seized until such times as that is determined or otherwise, and that any ill-gotten gains are forfeited. That said, where assets are seized, investigation should be progressed as quickly as possible so that there is no reason for the money to be retained, and it should also be returned without delay. Of course, crime should not pay, and any sanction should serve as a deterrent. Hitting such criminals in their pockets

is certainly a worthy and valuable part of that. As the cyberworld and that of crypto expands, so must the instruments and powers to detect and address criminality within that arena. We support the rule.

Mr O'Toole: I will speak briefly on behalf of the Opposition to say that we support the order and welcome the fact that it has been brought forward. Clearly, it is important that the investigatory powers of the police reflect the changing technological landscape. There is clear evidence of the increased use of crypto assets by criminals here in holding their assets, so it is welcome and right that this updated provision and code has been brought forward by the Minister. I welcome the fact that it has happened speedily. It illustrates the importance of having a devolved legislature and serving Ministers who can bring forward necessary legislation or secondary legislation or codes under legislation, as this is.

Will the Minister update us on a couple of things when she is wrapping up? First, section 7 of the updated order makes clear that an officer who fails to comply with the code is not going to be held legally responsible. That is clearly a reflection of the fact that it is not a legally binding or justiciable code, in that sense. It would be helpful if the Minister reminded us what penalties there are, or how it will be viewed, if an officer does not abide by the code. Clearly, it is a code; it is not criminal law. That is fair enough. Secondly, does the Minister have either specific examples or a broader sense of the prevalence of the use of crypto assets amongst criminals? What is the profile of those criminals in Northern Ireland who are making use of these crypto assets? Other than that, the Opposition are, of course, happy to support the order proceeding, and we welcome the fact that the Minister has brought it forward.

Miss Hargey: Like everybody else, I support the rule. There was unanimous support for it at the Committee. Obviously, the rule revises two of the codes, and it adds an additional code. As was said earlier, we need to make sure that our justice system is up to date with regard to the evolution of technology. It also allows for assets to be seized during the course of an investigation and enables the courts to better enforce unpaid confiscation orders against defendants regarding those crypto assets. On behalf of Sinn Féin, I support the rule.

Mr Dickson: As justice spokesperson for the Alliance Party, not only do I support the Minister on the introduction of the statutory rule but applaud her and the Department for wishing to

keep ahead with this type of legislation. These items are important. While we may look at normal types of criminality here in Northern Ireland, it is vital to all of us that this order will thwart international and online criminality. I commend the order to the House.

Mr Deputy Speaker (Mr Blair): I thank all the Members who have spoken. I call the Minister to conclude and wind up the debate on the motion.

Mrs Long: I put on record my thanks to all Members for this positive debate and for the contributions that they have made. I also place on record my thanks to the Chair of the Committee for her remarks, as well as the Deputy Chair, and put on record my appreciation for the scrutiny that has been applied by the Committee on these issues.

In response to the question about the safeguards in the exercise of POCA powers, POCA contains a wide range of very important tools to be able to tackle criminal finances. The search and investigation powers are, as acknowledged in the debate, invasive in respect of an individual's privacy, so oversight obviously has to be applied to agencies when they use them. The exercise of powers by the PSNI is subject to the usual oversight of the Policing Board. However, in addition to the codes of practice, which provide an additional layer of protection to the public, there is judicial oversight of the use of those codes.

Organised crime is not victimless and is not conducted in a vacuum. Its detrimental impact can be seen and felt in our communities, where it causes real harm and wrecks lives and livelihoods. It also diverts money away from the public services that we need to use on a day-to-day basis. Organised crime is completely and utterly unacceptable, and we want to do all that we can to stop it. Law enforcement partners in the organised crime task force are committed to tackling organised criminality in all its forms. Removing the proceeds of crime is an important part of our combined efforts. Investigating and removing criminal assets has a powerful disruptive effect on organised criminals, can impact on their so-called status, can cause problems between criminal groups and restricts their ability to fund further criminality.

Whilst the use of crypto assets in the Northern Ireland context has been assessed as still not as prevalent as it is in other parts, it is, nevertheless, a growing area of concern for the PSNI and other investigatory bodies. Therefore, it is important that we keep pace with change and stay ahead of those criminals who are very

agile in how they change their modes of operation to try to evade scrutiny and detection.

The order that is being debated ensures that Northern Ireland officers with functions under the Proceeds of Crime Act can exercise their powers, which are underpinned by up-to-date and effective guidance. The order also ensures that safeguards are in place for those who may be the subject of a POCA-related investigation. I commend the order and ask that the Assembly accept it by approving the motion before the House.

Mr Deputy Speaker (Mr Blair): Thank you, Minister, for that conclusion.

Question put and agreed to.

Resolved:

That the draft Proceeds of Crime Act 2002 (Search, Recovery of Cryptoassets and Investigations: Codes of Practice) Order (Northern Ireland) 2024 be approved.

Mr Deputy Speaker (Mr Blair): Members, take your ease for a moment before we move on to the next item.

Child Support Enforcement Bill: Second Stage

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

That the Second Stage of the Child Support Enforcement Bill [NIA Bill 05/22-27] be agreed.

Mr Deputy Speaker (Mr Blair): Thank you, Minister. In accordance with convention, the Business Committee has not allocated any time limits to the debate. I call the Minister for Communities to open the debate on the Bill.

Mr Lyons: Thank you, Mr Deputy Speaker. The Child Support Enforcement Bill presented to the Assembly today provides for the introduction of administrative liability orders to replace the existing court-based liability order process used by the Child Maintenance Service (CMS). The provisions in the Bill will enable the Child Maintenance Service to make an administrative liability order without requiring an application to the Magistrates' Court. The policy change from court-based to administrative liability orders will reduce the time that it takes for the Child Maintenance Service to initiate its strongest enforcement powers from, on average, 22 weeks to, potentially, just six weeks. The Bill's

overarching policy is aimed at improving the enforcement process by making it more straightforward and faster to recover arrears from non-paying parents.

On a technical level, the Bill repeals articles in the Child Support (Northern Ireland) Order 1991, which requires the Child Maintenance Service to apply to the courts to obtain a liability order. The Bill further paves the way for introducing administrative liability orders by making amendments to uncommenced powers in the Child Maintenance Act (Northern Ireland) 2008.

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

Those amended powers, once commenced, will allow the Child Maintenance Service to make a liability order administratively.

12.15 pm

I move to some of the more technical aspects associated with drafting the Bill. I can confirm that an equality impact assessment has been undertaken. The assessment examined the Bill's proposals in the context of promoting equality of opportunity and good relations, as required by section 75 of the Northern Ireland Act 1998, and no adverse impacts were identified. A regulatory impact assessment has not been carried out for the Bill. The Bill will not impose any costs on businesses or employees.

I turn now to the Bill, which is relatively short and contains two short clauses and one schedule. Clause 1, which is about making and varying liability orders and appealing against liability orders, outlines the amendments contained in the schedule. Clause 1 also identifies the Child Support (Northern Ireland) Order 1991 and the Child Maintenance Act (Northern Ireland) 2008. Clause 2 provides for the commencement of provisions and the short title of the Bill.

The schedule contains provisions that amend uncommenced articles 32M and 32N of the Child Support (Northern Ireland) Order 1991 to alter the basis on which an administrative liability order is made; allow regulations under article 32N to make provision about variation of liability orders; and require regulations under article 32N to make provisions about appeals, whilst repealing previous changes made by the Child Maintenance Act (Northern Ireland) 2008 to the Child Support (Northern Ireland) Order 1991 with regard to dealing with appeals of liability orders.

The Bill makes provision for Northern Ireland corresponding to provisions of the Child Support (Enforcement) Act 2023. The Act was passed by Parliament and attained Royal Assent on 20 July 2023. If the Bill attains Royal Assent, secondary legislation will be required to implement and commence the proposals of the Act. My Department has worked closely with the Department for Work and Pensions (DWP), the Department of Justice, the Northern Ireland Courts and Tribunals Service (NICTS) and the Enforcement of Judgements Office (EJO) on the Bill with a view to developing an appropriate secondary legislation package.

It is expected that regulations will set out the paying parent's right of appeal to a court against a liability order and the period within which the right of appeal may be exercised. It is also expected that the first regulations relating to appeals against liability orders will be subject to the confirmatory procedure, thereby ensuring enhanced scrutiny through debate in the Assembly. I consider it appropriate for those regulations to be subject to the confirmatory resolution procedure to facilitate that level of scrutiny.

Although child support is a devolved matter in general, Northern Ireland's child support policy and legislation operates in line with Great Britain, and there is, in effect, a single child maintenance system in line with section 87 of the Northern Ireland Act 1998. At the moment, DWP is developing appropriate regulations with regard to the introduction and roll-out of administrative liability orders in Great Britain, including provisions concerning a respondent's right of appeal. It is anticipated that any changes in policy and legislation in Great Britain will at least be considered and potentially adopted in Northern Ireland, subject to the necessary ministerial, Executive and Assembly approvals.

Many child maintenance clients and respondents change residence between jurisdictions for work or family reasons. Therefore, it is highly desirable that the same provisions are in place in Northern Ireland to ensure parity across all jurisdictions.

In conclusion, I believe that the proposals in the Bill and its overarching policy aims are something that we can all support. I therefore commend the Bill to the House.

Mr Gildernew (The Chairperson of the Committee for Communities): I rise as Chairperson of the Committee for Communities to speak in support of the Child Support Enforcement Bill and to affirm our commitment

to conducting thorough and effective scrutiny during the Committee Stage.

The Committee received a detailed briefing on the Bill on 6 June 2024 from departmental officials. The briefing provided Committee members with insights into the Bill's objectives, provisions and anticipated impacts. The Bill is intended to align child support enforcement mechanisms here with those already established in England, Scotland and Wales under the Child Support (Enforcement) Act 2023. It was explained to the Committee that the alignment would ensure parity and improve the efficiency of the Child Maintenance Service in securing maintenance for qualifying children. Rather than repeat the details of the clauses of the Bill, which the Minister has outlined, it is clear from the briefing by officials that the Bill's intent is to improve the outcomes and life chances for the affected children by ensuring that child maintenance payments are paid promptly and effectively. It will hopefully help to address child poverty in some part by making it easier and quicker to enforce maintenance orders, ensuring that financial support reaches children in need without undue delay.

The Committee heard that the new system should also allow for more direct interaction between CMS and non-resident parents, minimising the delays associated with court processes and facilitating quicker resolutions. That streamlined process is also expected to increase compliance from non-resident parents. During the briefing, the Committee underlined to officials the importance of continuous engagement with stakeholders, including the Courts and Tribunals Service and the Department of Justice to ensure the Bill's successful implementation. That collaboration will be important for any future secondary legislation and for addressing concerns related to appeals processes and other operational queries.

Members also sought clarification of how the new administrative orders would reduce the processing time and whether they would have the same legal standing as court orders. The departmental officials confirmed that the new orders would, indeed, have equivalent legal status.

Concerns were raised about parents with custody who may have been victims of domestic violence and whether collection arrangements would ensure adequate protection where necessary. The Department assured the Committee that processes are in place to protect parents where needed,

including the ability to halt enforcement actions, if necessary, to ensure their safety.

The Committee also queried the potential resource pressures and the need for staff training. The Department indicated to us that, due to the small number of cases that reach this level, significant resource implications were not anticipated and training would be coordinated with the Department for Work and Pensions.

The Child Support Enforcement Bill represents a positive step in ensuring that child maintenance arrears are collected more efficiently and effectively. I am therefore content, as Chairperson of the Committee for Communities, to confirm that the Committee supports the principles of the Bill and looks forward to considering it in further detail during the Committee Stage.

Mr McCrossan: Rather than rehashing what the Minister and the Chair of the Committee have said, I find myself in the strange position where I agree entirely with the Minister. It does not happen often, but it has happened today. It is clear that the Bill is a step towards a more responsive and effective Child Maintenance Service. It is a commitment to the children who depend on timely maintenance payments for their well-being and future. It is an important alignment, and I thank the Minister.

Mr Lyons: The limited contributions that we had during the debate reflect the straightforward nature of the Bill and the consensus that exists across the Chamber, even to the point that Mr McCrossan and I are in agreement. Perhaps we can make a note of that for the history books. I am pleased with the consensus that we have, and I commend the Bill to the House.

Question put and agreed to.

Resolved:

That the Second Stage of the Child Support Enforcement Bill [NIA Bill 05/22-27] be agreed.

Mr Deputy Speaker (Dr Aiken): That concludes the Second Stage of the Child Support Enforcement Bill. The Bill stands referred to the Committee for Communities.

Since everybody is here, we will move swiftly on to the next item of business.

Social Security Benefits Up-rating Order (Northern Ireland) 2024

Mr Deputy Speaker (Dr Aiken): The next items of business are debates on two motions to approve statutory rules (SRs), both of which relate to social security benefits. I will ask the Minister to move the first motion. The Minister will then be invited to commence the debate on both motions listed in the Order Paper. When all who wish to speak have done so, I will put the Question on the first motion. I shall then call the Minister to move the second motion, and the Question on the motion will be put straight away. If that is clear — everybody is nodding — I shall proceed.

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

That the Social Security Benefits Up-rating Order (Northern Ireland) 2024 be approved.

The following motion stood in the Order Paper:

That the Social Security Benefits Up-rating Regulations (Northern Ireland) 2024 be approved. — [Mr Lyons (The Minister for Communities).]

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

Mr Lyons: The uprating package usually increases the rates of social security pensions, benefits and lump sum payments each year in line with inflation. Uprating occurs around the beginning of the tax year, and these two rules came into operation from April 2024. I seek the Assembly's approval for the two rules, which form the main part of the uprating package for 2024-25.

The Secretary of State for Work and Pensions is required to undertake an annual review of the rates of benefits in relation to the general level of prices. As most Members will be aware, my Department is empowered to make a corresponding order only when the Secretary of State for Work and Pensions makes an uprating order in Britain. The growth in the consumer price index (CPI) is used to determine the amount by which the various rates of benefit should be increased. That allows benefit levels to maintain their value against inflation.

The percentage increase is determined by the CPI rate in the 12 months up to the previous

September. CPI indicated a positive growth of 6.7% for the period to the end of September 2023. For the 2024 uprating package, that means that benefits linked to prices have been increased by 6.7%. Those are generally benefits that contribute towards extra costs that arise as a result of disability or health conditions, notably attendance allowance, disability living allowance and personal independence payment. They also include carer's allowance and the additional state pension.

In addition to increasing certain benefits in line with the increase in prices, the commitment to the triple lock continues to apply to the basic state pension and the new state pension. Those pension payments are increased in line with the highest of the growth in earnings, the growth in prices or 2.5%. The growth in earnings is measured by the increase in average weekly earnings for the quarter ending in the previous July. The UK Government's commitment to the triple lock for the basic state pension and the new state pension means that, for 2024-25, they will be uprated by 8.5%.

Where the Secretary of State for Work and Pensions has discretion to increase other rates of benefits — for example, working-age benefits — those have traditionally been uprated by the growth in prices. For 2024-25, the personal standard allowances of universal credit, income support, housing benefit, jobseeker's allowance and employment and support allowance will also be uprated by 6.7%, as will income-related benefits and the savings credit maximum amount in pension credit, along with statutory payments such as statutory sick pay. The standard minimum guarantee in pension credit will increase by 8.5% in line with the state pension.

As I stated, when the Secretary of State for Work and Pensions makes an uprating order in Britain, my Department is empowered to make a corresponding order for Northern Ireland. My Department has no power to increase the amounts of benefit by a different or greater amount than that in the annual uprating order. The uprating order is the main statutory rule to provide for the increase in benefit rates. However, some technical provisions in relation to the annual uprating are required to be made by regulations and therefore cannot be included in that order.

This debate also encompasses the Social Security Benefits Up-rating Regulations (Northern Ireland) 2024, which make the technical provisions required for the accurate implementation of the increased rates. The

regulations are made as a consequence of the uprating order. They also include an increase to the personal expenses allowance for residents in care homes and the earnings limit in relation to carer's allowance.

As a result of the 2024 uprating package, approximately £703 million more will be paid out by my Department to people in Northern Ireland on benefits and pensions. I understand that we might like to do more for the recipients of social security benefits and pensions, especially during the cost-of-living crisis in which we find ourselves. As I said, however, in relation to the annual uprating order, we have the power only to make a provision corresponding to the one made in Britain. I therefore welcome Members' support for the uprating order and the consequential uprating regulations, so that people in Northern Ireland can continue to receive the increased rates.

Mr Gildernew (The Chairperson of the Committee for Communities): As Chairperson of the Committee for Communities, I support the motions relating to the Social Security Benefits Up-rating Order (NI) 2024 and the Social Security Benefits Up-rating Regulations (NI) 2024. The Committee considered the order and the draft regulations at its meeting on 11 April 2024. The Committee regularly sees secondary legislation pertaining to social security benefits, and it is aware that the order is one of several statutory rules that relate to the annual uprating of certain benefits, pensions and allowances.

Whilst any increase during a cost-of-living crisis is to be welcomed, the Committee continues to hear regularly from witnesses about the ongoing hardship faced by many of the most vulnerable in our communities.

The Committee welcomed the uprating of premiums paid to disabled people in receipt of working-age benefits — universal credit, income support, housing benefit, jobseeker's allowance and employment and support allowance — by 6.7%, in line with CPI, as the Minister said. We also welcomed the fact that certain child and family elements will also be uprated in line with the increase in the relevant HMRC rates.

12.30 pm

It is important to recognise specific adjustments such as the increase in widow's pension and the pension credit minimum guarantee. Those adjustments signify an important step in supporting our most vulnerable citizens,

including widowers, pensioners and those who rely on pensions and allowances. Whilst we acknowledge those positive changes, it is crucial to recognise the ongoing challenges faced by many in our community, particularly in the cost-of-living crisis. Despite the uprating, there are pressing concerns that still need our urgent attention.

We must not overlook the fact that carers and individuals with disabilities continue to struggle to meet their daily needs. The increases in carer's allowance, disability living allowance and personal independence payments are welcome, yet they may fall short in providing the necessary support for those groups. Carers who dedicate their life to looking after a loved one and those who live with disabilities require more robust support to cope with rising costs and the financial pressures that they face daily.

Committee members have been interested in carer's allowance, having been briefed by Carers NI on how unfair that benefit is. Worth only £81.90 a week and available only to those who provide unpaid care for a minimum of 35 hours a week means that the payments are worth a maximum of £2.34 an hour, which is equivalent to nearly five times less than the national living wage. The associated uprating rule introduces a modest increase — from £139 to £151 — in the amount that a person eligible for payment of carer's allowance may earn in the preceding week without being deemed to be gainfully employed and losing their entitlement to that allowance.

Whilst the Committee commends the Department for bringing forward the adjustments, which the Committee supports, we must continue to advocate continued evaluation and enhancement of our social security system to ensure that all individuals, especially carers and those with disabilities, receive the comprehensive support that they deserve. I am content to recommend that the Assembly approve the order and the associated regulations.

Mr Lyons: I appreciate the consensus in the Chamber, as expressed by the Chair of the Committee, and the way in which the Committee dealt with this. There is clearly support for the motions today, but the Chair of the Committee rightly raises carer's allowance. We are all well aware of the issue, and I appreciate and share the concerns that were expressed. I am sure that we will come back to that in other discussions with the Committee and in the Chamber. I welcome the support for the rules applying the annual increases, and I commend the motions to the House.

Question put and agreed to.

Resolved:

That the Social Security Benefits Up-rating Order (Northern Ireland) 2024 be approved.

Social Security Benefits Up-rating Regulations (Northern Ireland) 2024

Resolved:

That the Social Security Benefits Up-rating Regulations (Northern Ireland) 2024 be approved. — [Mr Lyons (The Minister for Communities).]

Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2024

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

That the Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (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.

Mr Lyons: The regulations are part of the annual uprating package and increase the lump sum compensation payable by the scheme under the Mesothelioma, etc., Act (Northern Ireland) 2008. There is no explicit requirement to review the level of payments under the scheme each year, unlike with the main benefit uprating order. The regulations increase, however, the amounts payable by the scheme in line with the rate of inflation. The amounts payable under the scheme have been increased for 2024-25 by 6.7%, which mirrors the percentage increase of industrial injuries benefits in the main uprating order.

Under the scheme, those who have been exposed to asbestos can claim a lump sum payment if they are not entitled to payment under the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979, which is known as the 1979 scheme, and do not otherwise have a civil claim. The scheme provides financial help to persons diagnosed with that horrible disease or, if the person has died, to their dependants within a matter of

weeks of diagnosis and without the need to establish an occupational link or any causative link. Provided that they have not already received a compensation payment from another source, people who suffer from that awful disease are therefore eligible for a payment regardless of whether they were employees, were self-employed or, indeed, have never worked, as may be the case for family members who contracted the disease through secondary exposure, such as from cleaning asbestos-covered clothes.

For 2024-25, by way of an example, the amount payable to a person aged 37 or under at diagnosis has increased from £107,038 to £114,210, which is the same maximum that can be paid out under the 1979 scheme. The regulations ensure that the compensation provided under the scheme maintains its value relative to inflation. I hope that I will have the support of the House in welcoming the provisions.

Mr Gildernew (The Chairperson of the Committee for Communities): As Chair of the Committee for Communities, I support the introduction of the regulations. The Committee considered the statutory rule (SR) at its meeting on 11 April. I will not rehearse the details — the Minister set them out in great detail — but the primary purpose of the change is to increase lump sum payments made to individuals suffering from diffuse mesothelioma, as well as to their dependants. Members will be aware that the regulations are crucial for individuals who are afflicted by that debilitating disease, which often results from asbestos exposure. Under the Mesothelioma, etc., Act (NI) 2008, payments are made without requiring proof of negligent exposure to asbestos or proof that the exposure occurred during employment, as the Minister outlined. That ensures swift and fair payment of compensation to those affected. The need for change arises from the inflation adjustment based on the consumer price index for September 2023, which was recorded at 6.7%. The uprating of payments is consistent with other disability benefits and reflects our commitment to supporting those who have been severely impacted on by asbestos-related diseases.

I will now speak about the rule's purpose and its implementation. It aims to adjust lump sum payments in line with inflation, ensuring that beneficiaries receive adequate compensation that reflects current economic conditions. The Committee was advised that there was no statutory requirement for consultation on the changes proposed by the rule, nor did the rule require an equality impact assessment (EQIA)

to be done. Furthermore, the regulations do not impose any additional cost on businesses, charities, social enterprises or voluntary bodies. As for financial and regulatory compliance, payments under the 2008 scheme are funded through the recovery of amounts from civil compensation, thus ensuring that there is no extra financial burden on public funds. Additionally, the regulations comply with section 24 of the NI Act 1998 and align with the corresponding regulations in Britain, thereby maintaining parity, in line with existing policy. The Committee understands that, in order to maintain legislative parity, the regulations will come into force concurrently with similar amendments in Westminster, supporting an alignment of approach with social security and disability support.

After careful consideration, the Committee was satisfied that the regulations are necessary and beneficial. They align with our ongoing commitment to support individuals affected by serious health conditions such as diffuse mesothelioma, who will continue to experience financial implications associated with the disease. On behalf of the Committee for Communities, I am therefore content to recommend that the Assembly approve the regulations. That approval will ensure that we continue to provide essential financial support to some of the most vulnerable members of our society. I thank the Minister and his officials for their ongoing engagement with the Committee on those and other matters.

Mr Lyons: I am grateful to the Chairman of the Committee for his contribution and, once again, for the consensus that we have experienced around the House today, not just on this but on other motions. I trust that all the proposals and legislation that I bring to the House in the future will have similar levels of support.

Mr Gildernew: We will see.

Mr Lyons: We will see, but it is very positive that we all agree. I commend the motion to the House.

Mr Deputy Speaker (Dr Aiken): Thank you for commending the motion to the House. To the students who have just arrived in the Public Gallery, unfortunately, you are only going to see something very short before we move on.

Question put and agreed to.

Resolved:

That the Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2024 be approved.

Mr Deputy Speaker (Dr Aiken): The next item of business in the Order Paper is the Adjournment. Obviously, that cannot take place until after Question Time. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm.

The sitting was suspended at 12.41 pm.

On resuming (Mr Deputy Speaker [Mr Blair] in the Chair) —

2.00 pm

Oral Answers to Questions

Education

Mr Deputy Speaker (Mr Blair): We will start with listed questions to the Minister of Education.

Enniskillen Royal Grammar School

1. **Mr Elliott** asked the Minister of Education for an update on his plans for a new build for Enniskillen Royal Grammar School. (AQO 652/22-27)

Mr Givan (The Minister of Education): The plans for a new build for Enniskillen Royal Grammar School on the former Portora Royal School site are well advanced, with final technical design, pre-tender construction estimates and decant plans for the former Devenish College being prepared by the appointed integrated consultant team. A planning application for the new build was submitted in March 2023. However, no decision on the application has been taken at this time. Any decision to progress the project beyond the current design stage will be dependent on available capital funding.

Mr Elliott: I thank the Minister for that update. Has any finance been ring-fenced in the current year's budget to help progress the school?

Mr Givan: There is no ring-fenced funding for any school in that respect. I was able to announce 15 projects that could advance to construction in the current financial year, but this school is still not ready to go to the construction phase. It is important that it can get to that point. Then, of course, where finance can become available, it will allow me to move more schools into that construction stage process. That is why I appeal to Members to support me as I make the case to my Executive colleagues for capital funding that will allow me to take forward not just this project but many of the others that I would like to see developed in the school estate.

Ms Á Murphy: I welcome the Minister's recent announcement in relation to a much-needed extension for Saint Kevin's College, Lisnaskea.

Can he give an approximate timescale for the commencement of that work?

Mr Givan: I will come back to the Member in writing on Lisnaskea. I had prepared to deal with Enniskillen Royal Grammar School in response to the original question.

Mrs Erskine: The Minister will be acutely aware that I, too, want to see Enniskillen Royal Grammar School progress. Can he indicate what the timescales may be, once the school completes the planning stage? Decanting to the Devenish College site is not ideal either, given that the college moved to a new site and there are issues with that site as well.

Mr Givan: There are still issues to progress until Enniskillen Royal Grammar School can get to the construction stage. It is not there for bidding for capital, because it has not got to a shovel-ready state. We need to get the processes concluded: the planning permission is still working through the system. Once that is all completed, the school can sit along with other schools in making the application for capital funding. Where capital becomes available, I will be able to announce more new builds. At this stage, the announcements are for this year, but we need to get other schools to the point at which they can commence, subject to the availability of capital.

Ms McLaughlin: Bunscoil Cholmcille in Derry has been waiting for a new school for over 20 years: when can the school expect to have a new build?

Mr Givan: Again, the original question related to Enniskillen. I understand that Members want to draw in every other school, but I will provide the Member with a written update. When it comes to decisions around financing and capital, I ask Members, please, when it comes around the Executive table and to voting through the Budget, to make the case for increasing the allocations to the Department of Education. Then I will be able to take forward more projects. I will provide a written update to the Member in answer to her question.

Programme for International Student Assessment

2. **Mr K Buchanan** asked the Minister of Education for his assessment of the performance of Northern Ireland's programme for international student assessment (PISA). (AQO 653/22-27)

Mr Givan: International studies such as the programme for international student assessment (PISA) provide essential insights into our system's strengths and highlight opportunities to learn from approaches used in other high-performing countries. The 2022 study, published in December 2023, showed that Northern Ireland pupils continued to significantly outperform the majority of education systems in each subject, as they did in the previous study in 2018. In the most recent study, our pupils significantly outperformed 48 education systems in mathematics, 57 in reading and 49 in science.

The PISA 2022 study was especially important in providing the first results for a comparative international study of academic assessment collected during the pandemic for that cohort of 15-year-old pupils. I place on record my thanks to the 80 participating schools for making that possible in very challenging circumstances. While the score for science in Northern Ireland had not changed significantly since 2018, the scores for both mathematics and reading had declined significantly. It is notable but unsurprising, given the impact of the pandemic, that that was also the case, on average, across OECD countries. While those results show our post-primary system to be a strong performer on the international stage, they also demonstrate that we have more to do.

Mr K Buchanan: I thank the Minister for his answer. How did Northern Ireland's results compare with those of other jurisdictions and participating countries?

Mr Givan: In comparison with other jurisdictions in the United Kingdom, results in Northern Ireland were significantly above those of Wales and not so different from those of Scotland. However, Northern Ireland's scores fell significantly below the average scores in England. Scores in England have dropped across all subjects since 2018, but the differential was less than in other UK regions.

An OECD analysis of the PISA 2022 results across the 81 participating countries found that, in spite of challenging circumstances, 31 countries and economies managed to at least maintain their performance in mathematics since PISA 2018. Among those, five countries maintained or further raised already high levels of student performance. Those systems, which were in Australia, Japan, Korea, Singapore and Switzerland, showed common features, including shorter school closures, fewer obstacles to remote learning and continuing teacher and parental support, and they can offer further insights and indications of broader

best practices that can be addressed in the future.

We have performed well, but my ambition for the next 10 years is that Northern Ireland will be the best-performing country in the United Kingdom. I want to see that change to how we deliver our curriculum so that, 10 years from now, we will be the best-performing country in the UK. That is my ambition and, I trust, the ambition of the House.

Mr Baker: How does the Minister plan to address the significant gap in the average scores between the most and least disadvantaged pupils?

Mr Givan: We recently announced the RAISE programme for reducing educational disadvantage. That builds on the 'A Fair Start' report. We are identifying how to provide support through a whole-community approach. There are some really good examples of that. I was at one project this morning in East Belfast with Gavin Robinson, where we looked at how they work in partnership with schools and with all the community organisations and at how they can take that forward. We spoke about that in the House in a recent Adjournment debate about work that the West Belfast Partnership Board (WBPB) does. The RAISE programme that we are moving forward with will give us an opportunity to bring forward further improvements in areas of social disadvantage and educational underperformance.

Mr O'Toole: It is definitely right to say that there are high levels of educational achievement in Northern Ireland in specific areas. We should be proud of that, and no one should doubt it. However, it is also the case that, society-wide, there are real problems with the high number of people leaving school without any qualifications, relative to other jurisdictions, and with the impact that that has on our overall economy. What specific actions does the Minister want to take during his stint in office to address that long tail of educational underachievement?

Mr Givan: I will build on my answer to the Member for West Belfast, Mr Baker. Mr O'Toole is right to want to make sure that we equip our children and young people with the best possible opportunity for career progression in our economy. That is why the Department of Education and the Department for the Economy between them have a framework approach for 14-to-19-year-olds. How do we make sure that they get the right skills to get on and progress economically? We are taking forward work such

as the RAISE programme and early intervention that is vital for equipping our young people with the best possible opportunities.

Children's Services Co-operation Act (Northern Ireland) 2015

3. **Ms Mulholland** asked the Minister of Education for an update on the first report on the operation of the Children's Services Co-operation Act (Northern Ireland) 2015 (CSCA). (AQO 654/22-27)

Mr Givan: I circulated the first report on the operation of the Children's Services Co-operation Act (Northern Ireland) 2015 to my Executive colleagues on 17 June, asking that they provide their views by 21 June. It is my intention to seek formal Executive agreement to publish that report at the earliest opportunity.

Ms Mulholland: Does the Minister agree with the assessment of the Northern Ireland Commissioner for Children and Young People (NICCY) and the Children's Law Centre that, while the CSCA framework and guidelines exist, the Act is underutilised without established regulations from the Department of Finance? Will he give his assessment of work that can be done to improve the utilisation of CSCA?

Mr Givan: When we publish the report, I will certainly welcome feedback on its findings. There are examples of good practice where Departments are collaborating. There are also examples of where we should be doing things better.

Let us focus on the things that we have been able to do, because legislation should not be required for Departments to work collaboratively. We should be doing that, and we are. I can give some examples: the early learning and childcare strategy that was agreed by the Executive, which involves nearly all Departments and for which the Executive have approved £25 million; the RAISE programme, for which we again secured funding and which will have various Departments on its teams; and the THRIVE scheme, which involves voluntary, community and local government agencies. We work together in collaboration. Legislation should not be needed for Departments to do that, and I have given examples of where we did not need it to work together, but it can be a useful tool to underpin some of the services that the public expect us to provide.

Mrs Mason: What collaboration has there been between Health and Education on the provision of wrap-around services for the support of children with special educational needs?

Mr Givan: I am aware of health trusts withdrawing some of their staff from special schools, and that causes me concern. The children and young people are in those schools, and it makes sense for health professionals to come into those facilities. Again, while there is high-level collaboration, we are seeing an outworking that does not reflect the aspirations of the departmental senior team or at ministerial level. That causes me concern. We need to see engagement on it. There are examples of good practice in that area, but we could do so much more, working between the Department of Education and the Department of Health, to try to meet both educational needs and those related to the increasing medical complexities that many children in our school settings now have.

Mr McCrossan: Minister, as Chair of the Public Accounts Committee (PAC), I have heard countless witnesses at the Committee criticise the Executive for a lack of co-operation. Are you confident that your Department has adhered fully to the Children's Services Co-operation Act?

Mr Givan: Yes. I am not aware of any examples of where we have not. We will publish the report, and I would welcome feedback from the PAC, which carries out important work in looking across the Executive to identify where things can be improved. However, I repeat the earlier point: we should not require legislation to force Departments to work together. The Executive have been showing that, where we can work together, we are able to do so successfully. Can things be improved? Yes, they can.

Just this morning, I met Caleb's mother, Alma White. We talked about the campaign to do with Caleb, and I know that Conor Murphy, the Economy Minister, spoke about that yesterday. The Economy Minister, the Health Minister and I need to work in collaboration on how we can meet the needs of post-19 provision. That sits across different Departments, and we should not need legislation to make us work together. As I gave a commitment in that meeting that I would work collaboratively with ministerial colleagues, I will do so, because we need to make sure that we act together. Legislation should not be required to force Ministers to do that, and I am glad that we in the Executive are

able to get on with the job and try to do our best for people.

2.15 pm

End-to-end Review of Special Educational Needs

4. **Mr Tennyson** asked the Minister of Education for an update on the end-to-end review of special educational needs (SEN). (AQO 655/22-27)

Mr Givan: The end-to-end review of special educational needs was initiated in February 2023 and is being taken forward in four phases. Phase 1 is complete. It involved the establishment of governance structures and the scoping of the review and the 12 associated work streams. Phase 2 involves stakeholder engagement to shape the way forward. Phase 3 is the development of options, and phase 4 is the development of an implementation plan.

Phase 2 of the review is nearing completion and has focused on the development of potential solutions to the known issues. The findings from stakeholder engagement are being considered as part of a more detailed implementation plan. In the coming months, I intend to set out some early year 1 actions, with a view to rebuilding confidence and capability across the system. Those early actions will be embedded in a clear plan for the implementation of system-wide reform and will form part of the wider departmental bid to the newly established Northern Ireland Executive interim public-sector transformation board. The plan will focus on a framework that will ensure that children and young people with SEN and/or a disability get the right support from the right people at the right time and in the right place.

It is important that I emphasise the need for sustained investment to deliver the fundamental reforms that are emerging from the end-to-end review of SEN and to deliver a high-quality, efficient, effective and sustainable SEN system for the future.

Mr Tennyson: I thank the Minister for that answer. He will be aware that there have been numerous reports into SEN provision in Northern Ireland over the past decade. What assurance can he give that the recommendations that arise from the end-to-end review will be implemented and will not simply sit on a shelf as others have done? When can we expect to see that implementation plan before the Assembly?

Mr Givan: I have indicated that I intend to set out a number of early year 1 actions in the coming months. I appreciate the sentiment that the Member articulated about wanting to see real and tangible action in that area. We have the reviews and the evidence to show that change needs to happen. I will set out how we can take forward those changes and what we can do within a short time frame, and I will look to the longer-term systemic change that is needed. That includes actions in the areas of early intervention, pupil support, professional support in the classroom, and communication. It is envisaged that, in the first term of the new academic year, the Department will have a suite of alternative approaches for the deployment of classroom assistants, which will be available for schools if they wish to use them. That is just a sample of some of the short-term measures that I intend to outline in due course to help allay some of the concerns that the Member raised.

Mrs Dillon: We had allied health professionals in front of us at the Health Committee last week. They raised some concerns about whether conversations were happening about the provision for children with special educational needs. Minister, although I appreciate that you are having an end-to-end review — the work that has been done by your Department is really positive — will you outline the conversations that are happening with the Health Department? Will it invest in those allied health professionals to ensure that support is there for children? Parents are really nervous about what is going on at the moment.

Mr Givan: I agree with the Member and understand that nervousness; I hear it at first hand from parents when I meet them. It is about how we provide that overall support, not just educationally but when it comes to health needs. The requirement to have speech and language therapists available is one example of where children need support. There also needs to be support for behavioural issues. I am not satisfied with the current provision that exists as a result of the Department of Education and the Department of Health working in collaboration. We need to address that issue. There are local integrated teams that are meant to be there to help to work through those issues with children who have special educational needs, but the situation has to improve. I understand the challenges that the Department of Health is facing, but withdrawing health professionals from educational establishments is a retrograde step.

Ms Brownlee: This is, obviously, a critical challenge for the Minister's Department, and I welcome his response. On stakeholder engagement, will the Minister detail whether he has been working with the voluntary and community sector? As he will know, it is critical to providing support and assistance for parents and children with special educational needs. Are there any methods of best practice that he has integrated into the review?

Mr Givan: The Member outlines the importance of the voluntary and community sector. I know from my constituency the important role that it can play. Therefore, it is important that we harness the support that it can provide. Often, schools independently link in with the community and gain that support. I want to be there to help and facilitate all that, and, where there is best practice, I want to take that and share it across the education system.

Ms Nicholl: Members of the voluntary and community sector have fed back to me that they still feel that the situation is similar to last year. It strikes me that there is a lack of confidence in the sector and, in particular, among parents trying to ensure that their children will be placed. There is an inequality, in that children in mainstream schools are placed in April; those with SEN are not.

Mr Deputy Speaker (Mr Blair): Is there a question?

Ms Nicholl: What reassurance can you give that the Department will not only prioritise placing those children but will place them somewhere that is suitable and appropriate to their needs?

Mr Givan: I recently announced a bespoke capital programme for schools that cater for special educational needs. This term, I am addressing the short-term challenge around school placements for September, and we are working through that process. While it is of no comfort to the children and families who still need a place, we are in a better position than last year. Last year was an appalling place, but we are in a better place now compared with then.

I announced a capital programme with a 10-year plan. I announced that we would assess all 39 special schools, and those that need enhancement should be prioritised for those enhancement programmes. We announced new builds in Knockevan and Ardnashee and have recognised that there needs to be eight new special schools: four in Belfast and four in

other parts of Northern Ireland. This Minister and this Executive recognise the challenge. We are looking to the longer term in having a strategic approach and dealing with the real challenge today for the children who need to be placed in September and their families.

Education: Shared Island Fund

5. **Mr Delargy** asked the Minister of Education to outline the further opportunities to improve education outcomes for children and young people through the Shared Island Fund. (AQO 656/22-27)

Mr Givan: The recently announced RAISE programme provides a significant opportunity to improve education outcomes for children and young people. It will adopt a whole-community approach to supporting those at risk of exclusion, marginalisation and underachievement. The investment will provide funding to some of the most disadvantaged areas in Northern Ireland to ensure that children and young people are happy, learning and succeeding. The programme will also enable the creation of strong collaborative partnerships across schools, community organisations and Departments, working across those eligible areas, supporting area-based partnership approaches over the next two years and potentially extending further, subject to evaluation.

Of course, I am happy to consider other funding opportunities as and when they arise. The Shared Island Fund investment to raise achievement and reduce educational disadvantage is, of course, very welcome and will enable a significant programme of work. I am also keen to pursue opportunities for shared working and shared learning from an east-west perspective.

Mr Delargy: Minister, thank you for your answer. We know the fantastic work that schools right across the North do, but it is clear that there is a significant gap in educational attainment between the North and the South. What do you identify as the key reasons for that gap, and how will you ensure that it is reduced?

Mr Givan: Obviously, each jurisdiction will measure outcomes in the way that it does. I have highlighted how, even in the most recent PISA findings, Northern Ireland is performing, within the United Kingdom, at a higher level than Wales and at a similar level to Scotland. However, the trajectory for Scotland is in decline, and it is looking at how it can review its curriculum. I want to make sure that our

curriculum is based on a specific approach that makes sure that Northern Ireland can proceed. It is not necessarily a case of comparing Northern Ireland with the Republic of Ireland. Where we can learn from each other about best practice, we should do that. Where we can learn east-west, again, we should do that.

I am keen to take best practice from wherever it exists, whether that is within the United Kingdom, the Republic of Ireland or, indeed, from international best practice. I recently met the Education Minister for New Zealand at the Education World Forum in London. We were able to engage and talk about what New Zealand, having seen its performance levels decline, is doing to change that and its approach. Wherever best practice exists, we should learn from it.

SEN Placements 2024-25

6. **Mr Chambers** asked the Minister of Education to outline what assurances he can give that all pupils with special educational needs will receive a placement in their school of choice in the 2024-25 school year. (AQO 657/22-27)

Mr Givan: Ensuring that all children with special educational needs have a school placement that is appropriate to meet their needs is, and will continue to be, a primary focus for my Department and the Education Authority (EA).

Around 60% of children with SEN do not require a statement of special educational needs. Those children apply for a school place through the general school admissions process. Some 40% of children with SEN have a statement of SEN, and those children follow a different process, whereby their school placement is named on their statement, based on their individually assessed needs and in consultation with parents and schools. Although parental preference is considered, responsibility for the naming of a place rests with the Education Authority.

There has been a significant increase in the number of children requiring a specialist education place in recent years, and details of the struggle to keep pace with demand are well rehearsed. Almost 4,500 children with a statement of SEN require a new placement or change of placement for September 2024. In February, the Education Authority advised that around 1,000 additional special education places were required to meet that demand, and significant progress has been made through the

creation of additional capacity. The requirement now stands at around 400 places to be established.

Significant progress has also been made on securing appropriate placements for all children with special educational needs for September. As of 24 June, 83% of children with a statement of SEN have a confirmed place. That figure is expected to rise significantly by the end of June. The situation for September remains challenging, however, with particular pressures on special school places. Focused work continues on securing additional special education places across the entire school estate.

Mr Chambers: I thank the Minister for his reply. I am sure that he will agree that the placement of mainstream transfer pupils can be a stressful exercise, but for special educational needs pupils and their families, it is even more stressful. Hopefully, with the help of the House, he can find a resolution to a situation that he has acknowledged is challenging.

Mr Givan: I thank the Member for his comments. He recognises the efforts that are being made to try to meet the need. That work continues, because we have to make sure that, by September, every child has a place. My Department is supporting the Education Authority in doing that.

We have taken steps, including seeking schools to identify their willingness to provide spaces. We are mapping all of that out. We have surveyed a lot of schools on what the need would be in order to provide any change or to put in specialist provision. All of that work has been taken forward by my Department along with the EA. That work will continue, because I am determined that, by September, every child will have a place.

I met the chief executive of the EA, and he told me that the target was to make sure that every child has a place by September. I do not want to be here next year in the same position, because the anxiety and stress for families who still do not know where their child is going to be placed is unacceptable, for them and for me. We need to make sure that, when we get through this year, we are not faced with the same scenario next year.

Mr Dunne: Will the Minister join me in commending the five schools in my constituency of North Down that have come forward to express an interest in establishing new or additional specialist provision classes?

Will he outline what impact those additional classes would have on SEN pressures locally?

Mr Givan: I will happily join the Member in thanking the schools in his constituency that responded positively, as well as all the other schools that expressed a willingness to provide additional capacity for this year and, indeed, for future years. It was a very positive response.

In response to the survey that my Department issued, 400 schools indicated a willingness to establish specialist provision classes. Officials engaged with schools that said that they could establish provision this year, and we are following up with the remainder for the new school term to ensure that provision can be put in place in line with projected need.

Six schools have agreed to establish new specialist provision this year in the Ards and North Down Borough Council area. That will create seven additional classes for up to 60 children with social and communication needs and learning difficulties who otherwise may not have had access to a suitable school place for September 2024. I thank those schools for their proactive approach.

2.30 pm

Mr Deputy Speaker (Mr Blair): That ends the period for listed questions. We will now move on to 15 minutes of topical questions. Questions 1, 5 and 9 have been withdrawn.

Special Educational Needs Places: West Belfast

T2. Ms Flynn asked the Minister of Education for an update on the consultation process about providing additional SEN places at the site of the old Suffolk Primary School in West Belfast. (AQT 442/22-27)

Mr Givan: I am aware of the issue that the Member raises about additional capacity. I am happy to provide a written update. I do not have the exact details on where the position sits, but I am more than happy to engage with the Member and to provide more information.

Ms Flynn: I thank the Minister for that response. Has he any sense of the numbers? If the consultation is successful — the hope is that we will get additional provision; the school is in West Belfast but will take in kids from across the area — how many places might this piece of land provide?

Mr Givan: I do not have the precise details. What I will say to the Member is that, where a consultation process is carried out and where we are able to provide support and it comes to me for a decision, I will not be found wanting in trying to expedite that as soon as possible. We recognise that there is a need to provide additional capacity across Northern Ireland, but there is a higher need in some areas than in others. Where I can support meeting that need, I will not be found wanting in providing the support that is necessary. However, I will happily provide more details to the Member in a more precise update.

Holy Family Primary School, Magherafelt

T3. **Ms Sheerin** asked the Minister of Education, having written to him recently about Holy Family Primary School, Magherafelt, and having been contacted by its principal, whether he will consider a new build at the site, which the school has been requesting for a number of years. (AQT 443/22-27)

Mr Givan: I am always happy to consider new builds. I suspect that the Member has more leverage than I with the Finance Minister to help me to get the funding to do that. Where I can provide support, absolutely I will provide support. I am happy to engage with the Member, as I am, I think, with nearly every Member who corresponds with me about new schools and enhancing provisions. I always want to do more, and, with the right support, I will be able to.

Ms Sheerin: Thanks, Minister, for that commitment. Some classrooms in Holy Family Primary School have been in operation since 1890. Generations of families have used the same classrooms, and grandparents were in the same building as their grandchildren are now. In the interim, if it is not a new build straight away, could we see some sort of help for the dilapidated building that is there?

Mr Givan: If there is any need to make sure that a building is safe, of course the Education Authority will provide the support to do that. The Member will know that the normal process for new builds and school enhancement programmes is that a call is put out by the Department and the managing authorities put forward schools — the Council for Catholic Maintained Schools (CCMS) would put forward a list of schools in that sector — and criteria are applied on the basis of need.

I recognise that there is a need to invest in the school estate. I was pleased to secure an additional £80 million this year. That has allowed me to announce 15 new projects: eight new schools and seven school enhancement programmes. Could I do more? Yes, I could. If more funding becomes available, I will seek to take forward more schemes. I want to provide the support that is needed, and, with the support of the House and Executive colleagues, I will be able to do more.

Special Schools: Summer Schemes

T4. **Ms Egan** asked the Minister of Education, given that special schools are a lifeline for many children and summer schemes are a vital part of that, for an update on the funding for schemes in special schools for this summer. (AQT 444/22-27)

Mr Givan: I thank the Member for raising the question, because I am aware of the need to provide clarity.

I am pleased to announce today that I will support the enhanced summer provision programme for special schools this year. I understand the importance of that provision for children and young people and their families. I thank school leaders and staff for their commitment to the delivery of those activities across the summer. I have asked officials to continue working with colleagues across Departments, local government and the voluntary and community sector to ensure that summer provision and out-of-school-hours activities are accessible to every child with special educational needs and disability.

Ms Egan: Minister, some schools are already communicating with parents that those schemes will not go ahead. Can you confirm that you will be in contact with schools as soon as possible to confirm the funding and that the provision will continue over the summer?

Mr Givan: I can confirm that that official confirmation will take place, but I have announced today that that is the case. Members will be aware of the significant financial challenges facing the Department of Education. We are on a projected overspend of £200 million this year. Difficult decisions will need to be taken, but I am determined that children with special educational needs should not bear the brunt of those difficult decisions. The scheme costs in the region of £655,000, and, this morning, I gave approval for that expenditure to be incurred.

Mr Deputy Speaker (Mr Blair): As was pointed out, question 5 has been withdrawn.

Department of Education: Budget Pressures

T6. **Ms Brownlee** asked the Minister of Education to give the House a further update on the budgetary pressures that his Department faces, which he touched on slightly in the previous answer. (AQT 446/22-27)

Mr Givan: The Department's resource allocation for 2024-25 is significantly less than what is required and leaves a considerable shortfall across the education sector. Education will require substantially more funding during this Budget period if we are to avoid a significant and detrimental impact on our children and young people.

My Department has submitted resource bids totalling £293 million and capital bids totalling £113 million in the June monitoring round. Those pressures include, among other things, additional funding for our schools, including a much-needed school maintenance programme; investment in our children with special educational needs; the EA pay and grading review; and a teachers' pay award for September 2024. The inability to fund those pressures could, in turn, lead to intensified industrial action and a return to action short of strike in the autumn, which has been crippling to our education system. However, given the quantum of the sector's need and the funds available for allocation, I anticipate that any additional allocations received in the June monitoring round will not meet all my Department's inescapable pressures, and many difficult decisions will need to be taken over coming months. I am working through, with my officials, what options are available and what difficult decisions can be taken, some of which will be cross-cutting. To that end, it will be important that my Executive colleagues understand the pressures that Education faces.

Ms Brownlee: I thank the Minister for his honest response. I understand that, in my constituency, a number of schools are waiting for the school enhancement programme to be announced or moved forward. Does he have any more information on where that sits and the pressures on the budget for that programme?

Mr Givan: I have approved the enhanced summer scheme provisions. Despite all the financial pressures that my Department faces, that funding will be made available and those schemes will be able to go ahead. I know that

that is important to many families. I also want to take forward those capital programmes. I visited the Member's constituency, and we have looked at some of the schools there. We are taking forward that capital programme. If I can secure additional funding in the June monitoring round, I will be able to update the Member and the House on where I am able to allocate funding in due course.

Controlled Schools Sectoral Body

T7. **Mrs Dodds** asked the Minister, given that many people are concerned that the controlled sector is disadvantaged in that it does not have a specific body to look after its needs and given that the independent review of education recommended that, at the very least, there should be a function within EA to do that in a separate directorate, whether he will give an update on where that sits. (AQT 447/22-27)

Mr Givan: The Member has articulated the issues well, and I agree with her entirely. Therefore, recognising the concerns that were highlighted by the independent review panel, I am committed to ensuring that the controlled sector is given the support that it requires. I have asked officials, working with the Education Authority and the Controlled Schools' Support Council, to undertake some initial analysis to help me determine how best to proceed. I expect to receive that advice shortly, after which I will bring forward proposals outlining how I plan to address the findings of the independent review. I assure the Member that, while that is a priority area for me, it is important to take time to ensure that the solutions that we put in place are effective and capable of delivering real change.

Mrs Dodds: Thank you, Minister. Will it require legislation to create a separate body for the controlled sector? Is that, potentially, in the long run, the only way forward to ensure that there is equity between all education sectors?

Mr Givan: One of the first steps that can be taken is for a specific directorate to be created in the Education Authority, because it is the managing authority for controlled schools. The EA has that particular function. It is not the managing authority for all schools. Members will know that CCMS is the managing authority for the Catholic maintained sector. Then, we have other sectors that exist for the various needs in the education system, but controlled schools sit within the remit of the EA as the managing authority. I want to see that change; I want to have a managing authority for controlled schools.

Members will know from their experience in their constituencies — certainly, I do — of the frustration in many controlled schools at the lack of support that, they feel, exists when it comes to dealing with issues. It is not acceptable to me that the controlled sector does not get the support that is required. I am determined that change will happen in that area.

School Uniform Policy: Youth Consultation

T8. **Mr Dickson** asked the Minister of Education how he proposes to include children and young people in his recently announced consultation on school uniform policy and how their voices will be heard. (AQT 448/22-27)

Mr Givan: The Member will know that there is provision for people to engage online with that consultation. Recognising that there has to be more detailed engagement with children and young people, the Education Authority will take forward stakeholder engagement events to ensure that the voices of children and young people are heard as part of that process.

Mr Dickson: Thank you, Minister, for your answer. You set out school uniform policy as one of your day-1 priorities. Given that it was a day-1 priority, why is the consultation being launched in June, at the end of the school year?

Mr Givan: It has been taken forward at pace. I instructed officials to carry out the consultation, and work was undertaken to pull all the information together. It is out now for consultation. I want to have proposals brought to me by 30 October. That will allow me to look at the current guidance. It will also allow me to take forward the engagement that I need to have with Executive colleagues on the shape of the legislation. It is important because I have said that it is a priority for me, but, more importantly, the financial costs associated with school uniforms are the number-one issue that comes through in every parent and stakeholder engagement. At a time when cost-of-living pressures are really squeezing people's incomes, we need to ensure that we do everything possible to support families. The overwhelming majority of schools follow the existing guidance, but I have given my support to putting that guidance on a statutory footing and ensuring that it is relevant and up to date. We are also seeking views on what a capped cost would look like. The consultation is an

opportunity for the public to engage with that process.

Mr Deputy Speaker (Mr Blair): I call Harry Harvey and point out that there is one minute to go.

Education Support Staff: Industrial Action

T10. **Mr Harvey** asked the Minister of Education to provide an update on industrial action by support staff. (AQT 450/22-27)

Mr Givan: I was delighted that we had significant progress on the negotiations that took place. I met the trade unions early when I took up office. I indicated my willingness to engage in partnership, because the issues that affect the trade unions affect and concern me. We therefore have had a constructive relationship. We engaged in good faith, and they called off their further planned industrial action. Subsequently, a package is now being consulted on within the trade union membership. I hope that that will be successful.

2.45 pm

Subject to that positive response, stage 1 of the process will see an investment of £52 million this year. That will move everyone on to their new pay scale and will take effect from 1 April. I have been working with the Finance Minister on it, and we will seek Executive approval to meet that investment from the June monitoring round. The second stage of the process is a non-consolidated payment to those staff who have been in post from 1 April 2024. It goes back to April 2022. That will be in the region of £80 million and will lead to a £2,550 payment. That will be welcomed by all members. Those staff are incredibly important to the education system.

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

Mr Givan: They are our classroom assistants, our catering staff and our bus drivers. I trust that the outworking of the ballot will be successful, and then we can implement the new arrangement.

Mr Deputy Speaker (Mr Blair): Thank you, Minister. That concludes questions to the Minister of Education.

Northern Ireland Assembly Commission

Mr Deputy Speaker (Mr Blair): Questions 3 and 8 have been withdrawn.

Energy Efficiency: Parliament Buildings

1. **Mr Irwin** asked the Assembly Commission to outline the progress on improving energy efficiency in Parliament Buildings. (AQO 665/22-27)

Ms Ennis: I thank the Member for his question. The Assembly Commission strives to be an exemplar organisation in sustainable development and has implemented a range of measures to enhance the energy efficiency of Parliament Buildings. Recent projects have included the installation of lower-powered LEDs in the corridors and the Assembly and Senate Chambers. In addition, light sensors have been installed in order to minimise energy usage when required in toilets and other common areas. The Member will be aware that we also replaced the Building's old floodlighting system with a new energy-efficient programmable LED system, and we continue to review the time schedules for all the external lighting that we have control of.

The Assembly Commission sets ambitious targets in energy use and is committed to achieving year-on-year reductions. For the reporting year 2023-24, for example, we managed a 17% reduction in gas usage and a 2% reduction in electricity usage against the baseline year of 2019-2020. The Assembly Commission's sustainable development office works closely with a number of partners to introduce energy-saving solutions and ensure continual improvement in our energy efficiency. One such example is the work with the Department for the Economy on the geothermal technology on the Stormont estate and investigating possible options for heating.

Mr Irwin: I thank the Member for her response. Is the Member aware of any plans to increase the number of electric charging points at Parliament Buildings?

Ms Ennis: I do not know offhand of any such plans. That is discussed regularly at our Commission meetings. I am aware that there are not enough of them and that there may be problems with the timings that are allowed for electric chargers. We will definitely take that back to our Commission meetings, and I am

sure that other Members will be eager to hear the outcomes of those discussions.

Roof Repairs: Parliament Buildings

2. **Mr K Buchanan** asked the Assembly Commission for an update on the roof repairs to Parliament Buildings. (AQO 666/22-27)

4. **Mr Harvey** asked the Assembly Commission for an update on repair work to the roof of Parliament Buildings. (AQO 668/22-27)

Mr Clarke: With your permission, Mr Deputy Speaker, I will group questions 2 and 4. I thank the Members for their questions. The ongoing situation with the roof repairs for Parliament Buildings is an issue that the Assembly Commission has taken extremely seriously and on which it has reviewed updates at its recent meetings. Until recently, the Assembly Commission had refrained from undertaking a full range of remedial works, based on advice that that could prejudice the Commission's legal position. As the Member will be aware, the Commission has issued proceedings against Hamilton Architects and Tracey Brothers for negligence, breach of statutory duty and breach of contract arising from defects to the roof.

The Assembly Commission received advice in February of this year that, due to the ongoing deterioration and associated health and safety concerns, and following the exchange of expert architect and engineer reports with the two defendants, the legal position had changed and that the Assembly Commission could now undertake remedial works to address all the defects. As a result, the Assembly Commission is now moving forward to appoint contractors under a construction and procurement delivery framework in order to undertake immediate health and safety repairs and scope out the full range of remedial repairs that are required. The initial health and safety works will be carried out over the summer. The full remedial works will prevent any further deterioration, address the issues that are related to the damaged stonework and resolve the ongoing issues of water ingress in Parliament Buildings. A detailed plan outlining the timetable for those works will be produced following the scoping work that will be carried out during the summer recess. The Assembly Commission will continue its legal action against Hamilton Architects and Tracey Brothers to recover the full cost of the repairs.

Mr K Buchanan: I thank the — I was about to call you Minister, but that would be a bit much. I thank the Member for the answer. Do you have

any idea of the cost of the remedial works to make the roof safe?

Mr Clarke: The current indicative cost for all the necessary remedial works is in the region of £2.4 million. That costing was produced as a result of the ongoing litigation process. Accurate costings will only be available when the scope of and requirements for those works have been finalised and tendered.

Mr Harvey: Mr Buchanan mentioned the funding, so I will mention the timeline. You mentioned that it will be looked at during the summer recess, which is great. Do you think that the work will be carried out before the winter?

Mr Clarke: There have been various conversations about the time frame. We are only now in a position to do the scoping work and the full procurement process. We anticipate that the work will start as soon as possible after the summer recess.

Mr McGlone: I am glad to hear that at least some work is commencing to address the problems. You referred to remedial works and health and safety works. Any of us who travel through the Building will have seen buckets full of water in the middle of corridors, which is not an ideal situation, and water ingress towards the electrics. Staff are having to work under those circumstances. Mr Clarke, has a structural assessment been made of the damage done to the structure of the Building by persistent water ingress?

Mr Clarke: Various inspections of the Building have been carried out. We will not know the full nature of the damage until some of the areas have been uncovered by stripping back some external materials. I assure Members that the Commission is very exercised about all of that. We would have liked to have moved much quicker, but, following legal advice, we have had to go at this pace to allow both parties from which we are seeking legal redress to respond to each stage.

Mr Deputy Speaker (Mr Blair): Question 3 has been withdrawn. Question 4 has been answered.

Healthy Lifestyle Facilities: Parliament Buildings

5. **Ms Ní Chuilín** asked the Assembly Commission whether it intends to provide

enhanced facilities in Parliament Buildings to promote a healthy lifestyle. (AQO 669/22-27)

Mr Butler: I thank the Member for her question. The Assembly Commission recognises that supporting a healthy lifestyle is crucial for various aspects of life, including physical health, mental well-being and overall quality of life. The Assembly Commission encourages its staff and Members to avail themselves of sustainable modes of transport that contribute to a healthy lifestyle. Staff and Members are able to take advantage of the cycle-to-work scheme; Get Active, which is Translink's TaxSmart scheme for commuter bus travel; and an interest-free loan scheme for annual commuter cards. There is also a bicycle station that has tools to make it easier for staff to cycle to work. I have to commend the Member for West Belfast Gerry Carroll, who zooms to and from here every day on his bike. Staff also have access to the walking trails within the Stormont estate and an outdoor gym area.

As for the physical Building, the Assembly Commission endeavours to ensure the health, safety and well-being of all those working in Parliament Buildings. Offices in Parliament Buildings have natural light and ventilation. Workers have access to drinking water throughout the Building and are encouraged to take breaks away from their workstations. Display screen equipment assessments are undertaken for those working in the Building, which assess an individual's work environment, including light, ventilation, noise and temperature. Unfortunately, there is little capacity in the Building to offer further facilities.

In its restaurants, the Assembly Commission aims to provide users of Parliament Buildings with healthy eating choices through its catering contract. That includes providing a selection of daily menus that offer a choice of healthy options; making every attempt to reduce salt, saturated and hydrogenated fat and sugar content and to increase fibre content in the menus; and using the healthiest possible cooking methods.

Ms Ní Chuilín: Gabhaim buíochas leat, a Robbie. [*Translation: I thank you, Robbie.*] I feel sorry for you having to read that out, to be totally honest. [*Laughter.*] We cannot cycle around Parliament Buildings. I did not ask about that. I asked, "What is happening in Parliament Buildings?" I appreciate what you said in your response about food. I know that this is a grade A listed building, but, for people who walk around here, as I do, could markers be put on the floors to let them know the distance that they have covered? That is the question that I

wanted an answer to. I appreciate that that is the answer that you were given, but can you take my question back and get something more specific? Thank you.

Mr Butler: I have a lot of answers, and this one might talk slightly more directly to your query about distance markers on the floors. The Assembly Commission recognises that it is a positive suggestion to promote a healthy and active environment, and it shares the commitment. Given that Parliament Buildings is grade A listed, the Assembly Commission must be mindful of the architectural integrity and heritage of the Building. Therefore, placing distance markers on floors or walls of corridors would be problematic. However, the Assembly Commission will consider other ways of highlighting distances around the Building. Our schools do the daily mile, which would be a wonderful initiative. As a Commission member, I will take that back to the Commission for the Member.

Mr O'Toole: I echo Carál Ní Chuilín's admiration of Robbie for reading out that entire answer.

At the outset, there are a couple of specific challenges when it comes to promoting a healthy lifestyle here. As fascinating as the Building is, it is very poorly located for public transport; probably the worst legislature on these islands. What more can be done with Translink to encourage greater public transport connectivity with Parliament Buildings? Can the Assembly Commission look at increased shower facilities for people who choose to cycle to work — Mr Carroll was mentioned — and others, including me, who try to use the grounds for running when we get the opportunity? There are very limited shower facilities. Those are two obvious things that could be improved: public transport access to the Building and shower facilities.

Mr Butler: I thank the Member for his question. I agree with the Member about the shower facilities. I am not sure whether he is aware that there are two showers located in the Building. They are communal, and he must make sure that no one is in there when he goes in. I encourage Members to make use of the wonderful grounds for running and walking. His ambition for active travel is a matter for the Assembly Commission to take up with the Infrastructure Minister. As leaders, we should set an example, but the Member will recognise that the Building is a historical one with some limitations. However, the Commission will take

on board the Member's ambition and look into the matter.

Mr McCrossan: Mr Butler, for those of us who have suffered the consequences of putting on the Stormont stone, what advice would you give to keep more active? Does the Commission have plans to bring in, maybe, gym facilities for unfortunate Members like me?

Mr Deputy Speaker (Mr Blair): There is significant interest in this, Mr Butler. We are waiting to hear the answer.

Mr Elliott: He could cycle from Strabane.

Mr Butler: There is a suggestion that the Member cycle from Strabane. There is no capacity to build a gym; I asked about it in 2016. MLAs have busy schedules, but we also have a duty to look after ourselves. This is not advice from the Commission; my advice is to join a gym and allocate some time to that

We can show leadership by looking after ourselves and our well-being and setting a standard. Health and well-being are a priority of the Assembly Commission, and it will continue to look at those matters on an ongoing basis. It is my ambition that the Commission might come up with a solution in the future.

Constituency Office Security

6. **Mrs Mason** asked the Assembly Commission for an update on plans to assist Members to improve personal security across all constituency offices. (AQO 670/22-27)

14. **Mr Honeyford** asked the Assembly Commission for its assessment of the security provision for Members and staff working alone in constituency offices. (AQO 678/22-27)

Ms Ennis: With your permission, Mr Deputy Speaker, I will answer questions 6 and 14 together.

I thank the Members for their questions. I assure Members that the security of staff and Members working in constituency offices is something the Assembly Commission takes extremely seriously and has discussed frequently in recent times. The Assembly Commission recognises that we are in a different environment now from when the Assembly was first established, particularly with social media, and is mindful of the experiences of Members across the House.

The Assembly Commission considered a number of options and agreed that additional funding will be made available to Members for the provision of security measures. As Members will be aware, financial assistance is provided through the Assembly Members (Salaries and Expenses) Determination 2016, as amended by the Assembly Members (Salaries and Expenses) (Amendment) Determination 2020. Currently, Members can claim for health and safety and security measures at their constituency offices from the £7,000 constituency office operating expenses budget or their £4,000 establishment expenses budget.

Both limits were increased in 2020 to reflect the inclusion of security measures in the list of admissible expenditure. The Assembly Commission has, however, agreed that further funding should now be made available to Members to be used exclusively for the provision of security measures at constituency offices and/or Members' private dwellings.

3.00 pm

The additional allowance may also cover the provision of lone worker devices, should Members elect to purchase such devices for themselves or their support staff. Some £4,000 will be made available to Members for that purpose. Further changes to the determination will be required to give effect to that decision. A revised determination will be published once the specifics of the provision and a number of other administrative changes are agreed.

The head of Usher Services has recently been in contact with the PSNI, which has historically taken the lead on personal security matters and crime prevention advice. The PSNI has provided advice on such matters to Members on request. That has included carrying out survey visits to constituency offices and providing advice and recommendations relevant to personal and physical security measures. The PSNI also briefed Members and their office staff at Parliament Buildings on 30 April this year. The briefing was well attended and provided an opportunity for Members and their staff to seek personal security advice and to raise specific issues about their personal security.

Mr Deputy Speaker (Mr Blair): Do you need an extra minute for your answer?

Ms Ennis: No, I will finish up. Assembly Commission officials are in discussion with the PSNI about the possibility of a further briefing

session for Members at Parliament Buildings in the autumn.

Mrs Mason: Given the recent media coverage of security incidents at MPs' offices, what is the position on the provision of personal security advice and funding for Members of other legislatures?

Ms Ennis: Assembly Commission officials have held brief discussions with counterparts at UK Parliaments and the Houses of the Oireachtas. Although all confirmed provision of funding for Member security, including that for constituency offices, only the Scottish Parliament and the Houses of the Oireachtas have released any details. The Scottish Parliament has made provision of up to £5,000 for MSPs for the installation of security measures at constituency offices, with further provision of up to £2,000 for Members' private dwellings and £500 for Edinburgh accommodation. The Houses of the Oireachtas currently provide up to a maximum of €5,000 or 50% of actual costs, whichever is less, for measures installed across all of the Member's property.

Mr Honeyford: Thanks for your answer. Can you give us a timeline for when the additional funding will be available?

Ms Ennis: It is important for Members to know when they can avail themselves of it. The existing determination has to be changed, and the specifics of the new provision have still to be agreed by the Assembly Commission. Once those and a number of administrative changes are agreed, the Assembly Commission will consider a revised determination. It is anticipated that the Assembly Commission will consider that revised determination in September. Members are reminded that, in the meantime, should costs arise that relate to security measures, those are recoverable under the provisions of the current determination. It is anticipated that, if they are incurred prior to the publication of a new determination, such costs can then be transferred to the new cost provision when the determination is published.

Dr Aiken: The member of the Assembly Commission will be aware that many of our staff have expressed a large degree of disquiet, particularly with the recent briefings. I make a declaration of interest: my office has been threatened by paramilitaries. We have had the PSNI come to our office. It has made recommendations similar to those for a Westminster MP, and those recommendations far outstrip the amount of money or consideration of support that is likely to be

available. When will the Commission get serious about this?

Ms Ennis: I assure the Member that the Commission is deadly serious about this.

Dr Aiken: I am not sure.

Ms Ennis: Yes, we are. At the most recent Commission meeting, this was a hot topic, and we have pressed officials to make sure that, as I said in answer to a previous question, should any incident occur, Members feel free to act immediately and not wait for the determination —.

Dr Aiken: Or wait to be attacked first.

Mr Deputy Speaker (Mr Blair): Order.

Ms Ennis: If I may finish, they should not wait for the determination in September. They can recoup those costs once the final determination is made.

Carbon Footprint: Parliament Buildings

7. **Mr Durkan** asked the Assembly Commission for an update on efforts to reduce the carbon footprint of Parliament Buildings. (AQO 671/22-27)

Miss McAllister: I thank the Member for his question. The Assembly Commission strives to be an exemplar organisation when it comes to sustainable development. It has implemented a range of measures to reduce the carbon footprint and improve the environmental performance of Parliament Buildings. Over recent years, the Commission has introduced rainwater collection for flushing some toilets, as well as introducing photovoltaic panels and solar thermal tubes. The heating boilers were also replaced with energy-efficient gas boilers at that time, and, subsequently, the Commission made modifications and improvements to the Building's energy management system (BEMS). We have replaced light bulbs with more energy-efficient LED lamps and installed Hippos in the toilets to reduce the amount of water used to flush.

The Assembly Commission sets ambitious targets to help to reduce our carbon footprint when it comes to energy use, the amount of waste generated and paper consumption, and is committed to achieving year-on-year reductions. For example, in the reporting year 2023-24, we managed a 17% reduction in gas

usage and a 35% reduction in paper usage against the baseline year of 2019-2020. We work with the Stormont estate maintenance unit and the waste contractor, and we have a "zero waste to landfill" policy. The Assembly Commission's sustainable development office works closely with a number of partners to introduce energy-saving solutions and to ensure continuous improvement. One such example is working with the Department for the Economy in relation to the geothermal technology on the Stormont estate and the investigation of possible solutions for heating.

Mr Durkan: I thank Miss McAllister for that answer. It contained a lot of good news and positive actions that the Assembly Commission has taken. The new energy management system is very efficient; it certainly manages to make this place unbearably warm. Will Miss McAllister outline to us or undertake to report back on how the Assembly Commission is progressing towards the eradication of single-use plastics in Parliament Buildings?

Miss McAllister: I thank the Member for his question. That issue arose before my time on the Assembly Commission. I understand that there will be and should be progress on it. I commit to ensuring that that issue is put on the agenda for the forthcoming Assembly Commission meeting.

Mr Deputy Speaker (Mr Blair): As I advised, question 8 has been withdrawn.

Family-friendly Hours: Parliament Buildings

9. **Ms Brownlee** asked the Assembly Commission to outline what work it will undertake to ensure there is a family-friendly working environment for people who work in Parliament Buildings. (AQO 673/22-27)

Mr Clarke: I thank the Member for her question. The Assembly Commission recognises the importance of a family-friendly working environment, as it contributes to a healthier, more engaged and productive workforce whilst enhancing the organisation's reputation and competitiveness. The Assembly Commission also recognises, however, the particular challenges to providing a family-friendly working environment in a parliamentary institution where there is a need to be responsive to developments and it is not always possible to do so strictly within office hours.

The Assembly Commission has a number of policies that its employees can avail themselves of. The hybrid working policy offers staff the opportunity to work from home where possible, carefully balanced with the realities of business need and the importance of colleagues being together for strong team dynamics; the staff hours at work policy affords staff the opportunity to accrue additional time worked, which can be taken during recess or when business is quieter; and the special leave policy gives staff the statutory right to time off for care of dependants.

From a Member's perspective, the Assembly Commission's remit relates solely to the provision of allowances to enable Members to exercise their functions as Members. The Assembly Commission has therefore agreed to provide additional support to a Member who is absent due to parental leave in order to carry out the constituency work that the Member would otherwise have undertaken. It is intended that that provision will be incorporated into a new determination that is to be considered by the Assembly Commission in September.

The Assembly Commission is also aware that there are likely to be issues related to Members' work in Parliament Buildings arising from periods of maternity or paternity leave, adoption leave or shared parental leave. There is limited provision for Members' absences in Standing Orders when it comes to, for example, participating in debates or voting. Procedural matters are, in the first instance, for the Committee on Procedures. Such issues are not within the Assembly Commission's responsibilities. For instance, any proposal to allow a replacement Member to be put in place to cover a period of parental leave would require a change to the Northern Ireland Act 1998, which is outside the Assembly Commission's remit.

Mr Deputy Speaker (Mr Blair): Does the Member need an additional minute for this answer?

Mr Clarke: Yes, if that is possible.

Mr Deputy Speaker (Mr Blair): Of course.

Mr Clarke: Sorry, I should have indicated.

The Assembly Commission has no role in determining the salaries or pensions payable to Members. It should be noted, however, that a Member's salary is not reduced as a result of their deciding to take parental leave.

Members have previously asked about the provision of a childcare facility at the Stormont estate. Following enquiries by the Assembly Commission, the Department of Finance confirmed in September 2023 that it had no immediate plans for a childcare facility on the Stormont estate. The Assembly Commission has not considered the matter further since but remains open to exploring cooperation on such a project. Without other partners, however, the viability of the proposal is questionable.

Ms Brownlee: I thank the Member for his response. Will he provide more detail on parental leave, especially for those who care for a child with a disability?

Mr Clarke: The Commission has looked at parental leave in detail. In the first instance, the Commission will bring forward maternity, paternity and adoption leave proposals, which, we think, would be easier and less complicated than parental leave. Following that, the Commission will do another piece of work on opportunities for general leave for Members, particularly those with parental responsibilities and, indeed, for sickness. We believe that that work will be slightly more complex and take longer. In the short term, we will go for the other proposals that I indicated.

Disability Access: Constituency Offices

10. **Mr McMurray** asked the Assembly Commission whether funding is available for Members to ensure all constituency offices provide disability access. (AQO 674/22-27)

Miss McAllister: I thank the Member for his question. Financial assistance for Members is provided for by the Assembly Members (Salaries and Expenses) Determination (NI) 2016, as amended by the Assembly Members (Salaries and Expenses) (Amendment) Determination (NI) 2020. The determination enables Members to recover costs incurred in carrying out their Assembly duties, including providing constituent services through the establishment of a constituency office.

Members may claim the cost of making adjustments to their constituency office for persons with a disability that were not covered in the terms of the lease. The cost may be claimed from the constituency office operating expenses (COOE) allowance and from establishment expenses provisions. Those allowances are capped at £7,000 per year for COOE and £4,000 over a mandate for establishment expenses. The provisions of the

determination do not prescribe the nature of adjustments that may be claimed for but should be taken to cover any cost that is required but is not covered by the terms of the lease.

The financial assistance provided under the determination is to cover the costs that Members incur wholly and exclusively in carrying out their Assembly duties. While the determination makes specific reference to adjustments at the office, that should not be taken to be the only cost that may be claimed. Should a Member incur other costs associated with providing constituency services to people with disabilities, those costs may also be claimed from the annual COOE budget. That may include but is not limited to sign language or interpretation services.

Mr McMurray: What plans are there to consider further adaptations to Parliament Buildings to approve accessibility?

Miss McAllister: I thank the Member for his question. The Commission is very aware of the need to ensure that Parliament Buildings is accessible to people with disabilities, and a number of alterations and improvements have been carried out for that purpose in recent years, including the installation of external and internal access ramps, alterations to staircases and lifts, installation of the Changing Places facility, upgrading of hearing loop systems and the provision of automatic opening doors in the basement, ground floor and first floor corridors.

The head of facilities management has commenced discussions with the Department of Finance property division on the commissioning of a disabled access survey to determine whether further improvements should be made to enhance accessibility in Parliament Buildings. Following completion of that survey, Building Services will examine possible improvements and consult Members as necessary.

Catering and Cleaning: Parliament Buildings

11. **Ms McLaughlin** asked the Assembly Commission whether negotiations on a new catering and cleaning contract will include discussions on pay enhancements for staff. (AQO 675/22-27)

Mr Butler: I thank the Member for her question. Under the terms and conditions of the contract, which commenced in January 2023, staff employed in Parliament Buildings for the delivery of catering, cleaning, portering and

related help desk services are directly employed by Aramark. Terms and conditions of employment are therefore a matter solely for Aramark. Staff are paid in line with the rates of pay that Aramark submitted as part of its successful tender bid and, if necessary, when it is statutorily reviewed, the living wage hourly rate. Discussions on pay enhancement for staff are held exclusively between Aramark and its employees.

Ms McLaughlin: Thank you for your answer. Will the Commission ensure that any contractor engaged to deliver catering and cleaning services is assessed on the terms and conditions that it offers its employees? We need to show leadership there.

If we are promoting good jobs as part of the economic vision, we need to make sure that we have a framework for assessing any contractors against that criterion.

3.15 pm

Mr Deputy Speaker (Mr Blair): A quick reply, Mr Butler, please.

Mr Butler: I thank the Member for her supplementary question. The Commission takes a number of things into consideration when it discusses such matters. There were several contractual options, including bringing the staff who provide those services under the employment of the Assembly Commission, or in-house. The options were included in the business case that the Assembly Commission considered, but that option was not selected, as the Assembly Commission does not possess the expertise, technology or external upstream partners. The Member's point is a good one, however, and we will take it back to the Commission and ensure that we consider it in every negotiation.

Mr Deputy Speaker (Mr Blair): Members, that concludes questions to the Assembly Commission.

Motion made

That the Assembly do now adjourn. — [Mr Deputy Speaker (Mr Blair).]

Adjournment

Traffic Chaos Affecting Villages in Lagan Valley

Mr Deputy Speaker (Mr Blair): In conjunction with the Business Committee, the Speaker has given leave to Robbie Butler to raise the matter of traffic chaos affecting villages in Lagan Valley. I call Robbie Butler, who has up to 15 minutes.

Mr Butler: Thank you, Mr Deputy Speaker. Do I need to move this? I just get up and open the debate, yes?

Mr Deputy Speaker (Mr Blair): Yes.

Mr Butler: Thank you. I will wait until you change the Chair, if that is OK.

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

Mr Deputy Speaker (Dr Aiken): I call Robbie Butler. You have 15 minutes.

Mr Butler: Thank you, Mr Deputy Speaker. I thank the Minister for giving his time and I thank those Members who have turned up to discuss an issue that strikes at the heart of community safety and well-being: the traffic chaos around villages, not only in Lagan Valley but right across Northern Ireland. I will speak particularly about Royal Hillsborough, Moira and Dromore.

As we all know and the Minister knows, Lagan Valley is renowned for its beauty and vibrant community spirit, yet those very qualities are under threat from an escalating traffic crisis that demands our immediate attention. I begin, however, by addressing a tragedy that deeply affected us all, which was the heartbreaking loss of a one-year-old baby boy in Moira in 2023. That devastating incident is a poignant reminder of the urgent need to enhance pedestrian safety across all our villages. We are discussing villages in Lagan Valley in particular today, but, tragically, that was not an isolated case: numerous serious accidents and an alarming number of daily near misses underscore the dangerous conditions of our roads.

Since 2016, I have consistently raised concerns with the Department about the volume of heavy goods vehicles travelling through Culcavy via Royal Hillsborough. The impact of those large vehicles on our narrow roads is profound. The vehicles pose significant risks to pedestrians, cyclists and other motorists, and their presence is simply incompatible with the quaint, pedestrian-friendly nature of our villages.

The historic village of Moira is hampered daily by horrendous traffic queues that extend way back to the country-bound M1. Evidently, that is not what anyone wants, and I know that it is not what the Minister wants. Drivers sit for an hour or more to travel half a mile, and cars tail back onto the motorway. It simply increases driver and traffic risk, is bad for the environment and is hugely inconvenient.

On-street parking is another critical issue that is worsened by the limited availability of off-street parking in Moira, Hillsborough and Dromore. The situation creates dangerous conditions where parked cars obstruct visibility and force pedestrians to navigate perilously close to moving traffic. Every day, the safety of our residents, especially that of children and the elderly, is compromised.

The regrettable consequences of the draft Belfast metropolitan area plan (BMAP) have further exacerbated the challenges. The plan has led to what can only be described as uncontrolled building without the necessary infrastructure to support the additional pressures on our roads. The result is increased traffic volume and congestion that places an unsustainable strain on our already overburdened road network.

We must confront the reality that, unless we find solutions to alleviate the chaos, we risk hastening the deterioration, destruction and collapse of our roads, pathways, environment and waterways. How can we continue to call Lagan Valley one of the most desirable places in which to live in Northern Ireland when our residents' safety is continually at risk?

In order to address those pressing issues, we need a comprehensive and immediate strategy that includes enhanced traffic calming measures and perhaps implements speed bumps, chicanes and other traffic calming solutions to reduce vehicle speeds, particularly in residential areas and near schools; HGV restrictions that enforce stricter regulations on the movement of HGVs through village centres to mitigate the risks that they pose; improved parking solutions that develop additional off-street parking facilities to alleviate on-street

parking chaos; and infrastructure development that ensures that any future development is accompanied by necessary infrastructure to support increased traffic, including better road designs and pedestrian pathways. Most importantly, perhaps, or certainly up there, is community engagement, which would involve local residents in the planning process to ensure that their voices are heard and their safety is prioritised. The Member for Lagan Valley Mr Honeyford is with me today, and he and I were at a residents' meeting in Hillsborough last week where the overriding call from residents was for community engagement. Regular safety audits of our roads and pathways should be conducted so that potential hazards can be addressed promptly.

As I close, I want to honour again the memory of those whom we have lost by committing today to making our roads safer, particularly around Lagan Valley. It is not just a matter of convenience but a matter of life and death. Together we can work towards a future where the beauty of Lagan Valley is matched by the safety and well-being of its residents. I believe that we must act now to preserve the charm and appeal of our villages and ensure that Lagan Valley remains a desirable and safe place to live for generations. Once again, I thank the Minister for his attendance, and I look forward to hearing his response.

Mr Givan: In speaking on the issue, although I will highlight some concerns, I will point to where significant progress has been made in Lagan Valley over the years. Of course, there have been fatalities, and with each of those is a family that has been deeply impacted. People have been seriously injured on our roads throughout the Lagan Valley constituency. It is about how we seek to find the solutions by working with the Department for Infrastructure and community organisations and how new housing areas are developed and developer-led schemes are tied in.

When I was first elected in 2010 and spoke in the House, one of the biggest areas that we campaigned on was the LD1 development zone in Lisburn. That was along the Prince William Road/Knockmore Road, where thousands of houses were given planning approval. Part of the condition that was attached to that was the improvement of junctions. The Ballinderry Road/Knockmore Road crossroads, the Prince William Road/Knockmore Road junction and the Ballymacash Road/Prince William Road/Knockmore Road junction were three significant junctions that were tied into conditions for that development, but those conditions were not enforced. This goes back to

when I met Danny Kennedy, who was the Minister at the time, and I was not able to get the progress that was needed back then. That is how far back it goes. Houses continued to be developed despite being in breach of that condition, and the planning authority was not enforcing it. It then transferred to the councils, which took on responsibility. They did not enforce the conditions. There was an exponential increase in traffic volumes.

Over the years, we engaged to try to get those junctions improved, and I remember going past that Ballinderry Road junction after a gentleman had just been knocked over and, sadly, passed away. I can visualise that body as I drove past, frustrated that we still had not improved that junction. We got the junction improved. We worked with the Roads Service, as it was then called, and it worked with the developer and designed a scheme. Traffic lights were put in, and the junction was much safer. Then we got to working on the Prince William Road/Knockmore Road junction beside Laurelhill Community College. That was a multimillion-pound enhancement, and we got it delivered. At Prince William Road/Ballymacash Road, only in the past number of weeks, another major scheme has been completed, and we then tied that into a housing development in the Ballymacash area so that that could be achieved.

Therefore, whilst I certainly agree that there are traffic problems in the Lagan Valley constituency, it is about how you go about finding solutions. I have worked over the years with colleagues to get those solutions, but more needs to be achieved. I look at those three major junction improvements and at the north Lisburn feeder road, which was put in many years ago. All of those were funded by developer-led contributions. None of them was funded by the taxpayer. Therefore, the question and the challenge, I think, is to find out why developers are funding all these schemes. On the one hand, I agree with that practice but, on the other hand, it adds to the cost of purchasing a house. We need to look at the balance between developer-led and publicly funded schemes.

To the credit of DFI Roads and the Department for Infrastructure, I think of the Ballinderry Road/Lissue Road/Moneybroom Road crossroads. That was a dangerous junction, but DFI Roads stepped in, widened it and significantly improved it to provide safety. There are examples where the taxpayer has stepped in and changes have been made. However, I share the frustration when I see the daily commute through Moira to Magheralin,

Dollingstown and on into Lurgan. I think of the lost opportunity to have a bypass put in place in Moira, given the significant increase in housing there. Are we ever going to have a publicly funded bypass put in place there? I would certainly support one, but I also know the significant expenditure that would be involved.

My colleague Jonathan Buckley and I were at the public meeting in Hillsborough, and he addressed those who were in attendance. We recognised the frustration that residents were expressing about future housing development. There is a balance to be struck when it comes to allowing development in certain areas if you know that doing so will increase demand on an already overstretched roads network. It is about how we make that safe for people.

Those are the challenges. I know that the Minister will want to support us in Lagan Valley to try to address some of those issues. There has been good work and there are challenges that remain. I am committed to working alongside the Minister and colleagues to find solutions. In Lagan Valley, the public expect us to not just point out the problem but to identify the solution.

Mr Deputy Speaker (Dr Aiken): Thank you, Paul. I call David Honeyford. You have up to seven minutes.

Mr Honeyford: OK. Thank you, Mr Deputy Speaker. I welcome this debate and I associate myself with Robbie and Paul's comments about the loss, in devastating circumstances, last year in Moira. There have been others in the area. As has been said, we have a real problem in our villages in Lagan Valley. That is evident in Hillsborough and Moira, but there are traffic issues in other villages.

This is not a problem that has happened all of a sudden; it is the outworking of decisions to build and extend housing in those villages 20 and 25 years ago. Importantly, however, it is not the building of houses that is the problem, but doing so without the necessary vision and without upgrading the infrastructure in the area to support those houses.

Large amounts of land were zoned for housing without adequate public transport investment or connections, or road infrastructure that was capable of carrying the resulting levels of traffic. Paul just mentioned a bypass for Moira. I will always support that because something needs to be done there, but we are talking about that after the fact; it should have happened first. It is about having the vision to put the infrastructure

in first and then allow housing, rather than the other way around.

Our village centres are expected to be able to cope. Hillsborough has been destroyed by heavy goods vehicles using the main street as the shortest through route. Those streets were designed to carry a horse and cart. The Georgian buildings there were erected without foundations, so they vibrate when large lorries travel through the village. I appreciate that there are lorries that need to drop off goods to the businesses there, but the majority of them are using it as a way through. Something has to be done about that, and I know that the Minister has it on his desk. It is certainly something that we have raised previously with the permanent secretary.

I have to compliment DFI for its work on a stretch of road in Aghalee, which has a weight limit. Heavy goods vehicle were using that road because it was the easiest way for them to go. Those lorries were from a distribution company just down the road that provides a lot of employment in the area, so there was a balance to be struck. To its credit, however, DFI upgraded that road and sorted out the problem, allowing the residents to live in peace. That should have been done as part of the previous planning process; it should not have to be done retrospectively.

When we look at the new local development plan, we have zoned a large amount of land at Blaris, which will, effectively, create a new village in Lagan Valley. A new link road is planned from Sprucefield up to the Moira Road.

Off the top of my head, I would say that approximately 3,000 to 3,500 houses are to be built on that land. A single developer came forward with an application for a new road and to build housing on approximately half of that land. I supported the road application, but, through the planning process, I went up against the DUP MP at that time — in fact, they are still the MP — on the housing application. The reason for that was simply that we were creating another problem.

3.30 pm

We have a problem in Hillsborough, Moira and everywhere else, and here we go yet again. From the start, we are hitting out and building houses that fall outside the development plan. Some of those houses are on a floodplain. We are giving too much economic land over to housing and losing the opportunity to create jobs. Fundamentally, we are not providing any

social housing at all in the area, although that was in the proposal. They have now compromised at 10%, which is still way below what is needed in our area. Additionally, there is no school or GP provision, so the wider infrastructure for the new community that we are building is completely lacking. We have a problem in our villages because of those decisions, which were taken 20 years ago. We cannot start that cycle again. I appreciate that the Department came in and overturned that decision, but Sorcha and I, our council team and, to be fair, every elected Member in Lagan Valley have been trying to raise those issues and find solutions.

The weight limit in Hillsborough could be implemented simply by the Department. The previous Minister agreed to that, but then this place collapsed, and it did not happen. There are parking problems there as well. We need to look at that. If we are to use Hillsborough for tourism, we need to look at parking and at being able to get in and out of the village in a much simpler fashion. Sorcha and I lobbied the permanent secretary on those matters on behalf of residents when this place was not functioning.

I will raise the issue of connectivity between Moira village and the train station again — I raise it all the time. We absolutely, fundamentally support extending that park-and-ride. That needs to happen as soon as possible. To try to provide an alternative to using the car, we also need to link the village to the park-and-ride so that people can walk and cycle safely in a lit environment, as well as ensuring that public transport is on offer, available and easy to access.

Paul mentioned the bypass. We appreciate that that is not a simple thing to do, but there are things that can be done to help, and we should do all that we can to get to work and provide a safe environment for everybody.

Mr Deputy Speaker (Dr Aiken): Minister, you have up to 10 minutes.

Mr O'Dowd (The Minister for Infrastructure): I thank Mr Butler for securing this important debate on traffic issues that affect villages in the Lagan Valley constituency. I thank other Members for their contributions.

The two key transport corridors across the area — the M1 and the A1 — connect Lagan Valley to the regional strategic transport network, which provides long-distance connections to our cities, main towns and major gateways. The Belfast to Dublin railway line also intersects

Lagan Valley, offering access to not only Belfast and Dublin but locations such as Newry, Lisburn, Bangor and Derry. The routes are strategically important to the economy of our island, to businesses and to residents. Although those roads bring economic benefits, their popularity contributes to some of the traffic issues outlined by Members in the debate. While Lagan Valley benefits from those transport connections, which offer accessibility across the North, its proximity to the Belfast metropolitan area also means that many people travel through Lagan Valley and use it as a gateway to Belfast. I am aware that that creates challenges, with a high volume of traffic in villages that are close to key junctions with the A1 and M1, most notably at Royal Hillsborough and Moira. While much of the traffic in those areas is locally generated, a significant proportion of the traffic that passes through the villages does so to access the A1 and M1 routes. I am acutely aware that excessive traffic volumes can adversely affect residents' enjoyment of their areas, and I fully acknowledge the frustration of commuters and the local community who are impacted by it. As Members have said, our towns and villages should be pleasant and, more importantly, safe places in which to live and work.

I will now turn to road safety. A consequence of high traffic volumes in our towns and villages that concerns me most is the impact on road safety, which is an issue that affects all of us in our everyday lives. Although we have a personal responsibility to travel in a way that keeps us safe, we must also appreciate our shared responsibility to other road users. My Department's role in contributing to that responsibility is very important to me.

Unfortunately, road safety statistics have been following a very worrying trend. Last year, 71 people died on our roads. That is the highest figure in the past eight years, and it is significantly higher than in 2022, when 55 people lost their lives. I am also aware of the number of serious road traffic collisions that have occurred across Lagan Valley in recent years. At the forefront of our minds is, as Members have mentioned, the tragic death of an infant in Moira in 2023. I know the family, and I know the devastating consequences that the loss has had on them. Every life lost is a tragedy for those involved, and that is why road safety is one of my highest priorities as Minister for Infrastructure. One of the best ways in which to ensure safety on our roads and to fulfil the long-term goal of eliminating death and serious injury by 2050 is to change the behaviour of road users. As road users, we all have a personal responsibility to behave in a way that

keeps us and others safe. The sad reality is that, if we do not change our attitudes when using the roads, our death toll will continue to rise.

Historically, our transport network has been designed for the private car. There is, however, global acceptance that that approach is no longer sustainable and that more sustainable modes of transport should be promoted. Our transport system is a key enabler and is critical for most aspects of our lives. I am very aware of the impact that excess traffic congestion can have on residents, particularly its impact on accessibility, air quality and noise. To help address those issues, my Department is developing a transport strategy and a suite of transport plans that will establish a framework for making transport policy and investment decisions up to 2035. The plans will aim to drive improvements to our transport network and to favour sustainable modes of transport such as active travel. In developing the transport plans, we will consider how transport can support safe, inclusive and connected towns and villages, including those in Lagan Valley.

I am very aware of, and sympathetic to, the long-standing desire of Royal Hillsborough residents to reduce the volume of HGV traffic going through the village, primarily with a view to improving road safety but also to reduce the impact that such vehicles have on the local environment in Hillsborough. I understand that, in the past few years, there have been a number of proposals to implement a weight limit in the village in order to reduce the volume of HGV traffic. The most recent suggestion proposed a weight limit for the whole village, including Carnreagh Road and part of Carnreagh. Such a proposal would require HGVs to divert on to other local roads around the village. To understand fully the impact of that proposal, my officials have commissioned an assessment of suitability of the possible alternative routes for HGV traffic. That work will help inform the relative merits of the weight limit proposals, in particular the impacts on road safety in the village and on the surrounding road networks. I am pleased to inform Members that the alternative routes study was carried out earlier in June, and I expect the outcome of the assessment to be with my officials by autumn of this year. I will report to Members on its findings.

As I mentioned earlier, road safety is one of my highest priorities. In the past three years, I am aware that there have been two road traffic collisions in Hillsborough that have resulted in serious injuries to pedestrians, while an elderly lady was injured by a HGV in October of last

year. I therefore fully appreciate the importance of having safe pedestrian crossing facilities in the village. I understand that Lisburn and Castlereagh City Council is advancing a proposal for a public realm scheme in the village. In developing the scheme, my officials have worked, and will continue to work, with the council to provide enhanced pedestrian facilities in the village. In a meeting with officials last November, representatives from the local village and district committee requested the provision of controlled crossings at three locations in the village: on Main Street, at the Plough Inn and at the local primary school. I am pleased to report that my officials have recently carried out pedestrian crossing surveys and are now considering their findings to ascertain the most appropriate locations for enhanced pedestrian facilities in the village.

I am also aware of the long-standing concerns of Moira residents about traffic congestion and road safety in the village. I note that there have been 15 reportable collisions in Moira in the past three years, five of which resulted in death or serious injury. That is an extremely worrying statistic, and, as all Members know, behind every statistic is a person and a family. My Department's focus in recent years has been on mitigating the effects of through traffic on the village and improving road safety. My officials commissioned consultants to consider options to improve traffic flow in Moira, especially during the morning and evening peak times. As a result, they carried out the signalisation of the Main Street/Meeting Street junction and road marking schemes to provide right-turn pockets into local retail sites and a garage outlet between the Backwood Road and Old Kilmore Road junction. In addition, my officials are currently considering how the road layout can be improved at the junction of Meeting Street and Main Street in the village.

The future transport needs of Moira village will be considered as part of the eastern transport plan that is being developed by my Department. The plan will take into account the growth and ambitions of Lisburn and Castlereagh City Council and other councils in the catchment area, as was mentioned earlier. We have to work with a plan in mind, rather than simply adding on and adding on without one. The plan will be advanced in conjunction with the local development plans of the five councils, including Lisburn and Castlereagh City Council, and will be subject to full public consultation. Further information about that can be found on my Department's website. In the interim, my officials will continue to monitor traffic and road safety issues in the village.

I thank Robbie for bringing the Adjournment debate to the House, as well as all those who have contributed to the debate today. I assure Members that I will continue to work with them and the local community in Lagan Valley to carry out whatever measures we can within the limited resources and finances that are available to my Department to improve road safety and the lifestyle of the people who live in the villages of Lagan Valley.

Mr Deputy Speaker (Dr Aiken): I thank the Minister and those who took part in the debate.

Adjourned at 3.42 pm.