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Northern Ireland Assembly

Tuesday 28 September 2021

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

Members observed two minutes' silence.

Members' Statements

Mr Speaker: If Members wish to be called to make a statement, they should do so by rising in their place. Those Members who are called will have up to three minutes to make their statement. Members are reminded that statements will not be subject to debate or questioning. Interventions will not be permitted. I will not take any points of order on this or any other matter until the item of business has finished.

Furlough Scheme: Extension

Dr Archibald: Thanks for the opportunity to speak this morning. I will use the opportunity to call again for an extension to the furlough scheme. According to the most recent statistics, at the end of July, 36,100 jobs here were still furloughed, and that was evenly split between full furlough and flexible furlough. That is unlikely to have changed a great deal since then. Those furloughed jobs are across a number of sectors, including manufacturing, construction, retail and other services. Some of those sectors with workers still furloughed are not yet in a position to return to normal operations, and they will not be for some time due to some restrictions remaining in place, demand still being low or global issues outside their control.

While we all hope that no further lockdowns will be required, nothing is certain in that regard. It is unfair that support for those businesses, and, consequently, the jobs and livelihoods of workers and families, is ending at the same time as the cost of living, in particular the cost of heating and electricity, is going through the roof, and inflation is impacting on the cost of food and other essentials. The British Government are completely out of touch with working people: they are withdrawing job support and, at the same time, slashing £20 a week from universal credit. That £20 has been a lifeline for many families over the past year and a half. That cut could not come at a worse

time. Looking towards winter, the picture for many families is bleak.

The British Government are not only out of touch but out of step with the approach of other countries, including the South, where job support will remain until at least the end of December and may be extended.

Germany has extended its scheme until the end of the year, while in France, job support continues into 2022. Even the United States, not known for government intervention or its social security safety net, is taking a stimulus approach to economic recovery. Meanwhile, the British Tory Government are removing job support, slashing universal credit and hiking National Insurance, all of which will hit lower-income workers and families the hardest. Boris Johnson's Government are pushing the cost of the pandemic disproportionately on to the shoulders of those who can afford it least —

Mr Speaker: The Member's time is up.

Dr Archibald: — and that is punitive and grossly unfair.

Ulster Day

Mrs Dodds: Today, 28 September, is Ulster Day. I acknowledge the great movement of those who joined forces in the battle against home rule. The people came from all sections of society with the single purpose of signing Ulster's Solemn League and Covenant on 28 September 1912.

One historian described the scene in the City Hall, Belfast:

"In the City Hall of Belfast the people were signing at the rate of about a hundred and fifty a minute; here there was no hypnotic force of dense masses, no whirlwind of emotion, only the unadorned and individual action of those who had left their fields and taken their lives and liberties in their hands

laying them forth in the open sunshine as the measure of their resolve."

That is no archaic, lifeless history lesson. Like many others in Northern Ireland, when I searched the register, I saw the names of my grandfather and great uncles, men who left the linen mills and fields of County Down to register their views. This day connects me to those people and their resolve. The Union that they cherished looks different now. The economy that they knew was dominated by shipbuilding and linen manufacturing. Today, Northern Ireland's economy has reinvented itself, and we are a world-class hub for the tech industry. However, common to both is our belief in the Union.

I am a constitutional unionist but also one who believes that the Union is culturally and economically the best place for Northern Ireland and its citizens. The preservation of that Union is at the core of my political life. A Northern Ireland that is prosperous and that looks after its citizens is the best way to preserve that Union. Let us strive to make Northern Ireland the best place that it can be for all its people.

COVID-19 Memorial

Mr Catney: Thank you, Mr Speaker, for giving us the opportunity of Members' Statements. It is a great move and gives democracy a chance to be accountable. Thank you from us lowly Back-Benchers.

I will speak about a COVID-19 memorial. Some 2,548 lives have been lost to the pandemic over the past 18 months. That is 2,548 people who cannot be here, living their life, because of the pandemic. That is 2,548 stories that have been cut short before their time. That is 2,548 families who will have to go on without loved ones to share in their joys, miseries and the mysteries of what the future brings.

That number also records 2,548 families who have not been able to grieve properly due to the restrictions caused by the pandemic, and that is a double whammy. I agree with restrictions, and they are completely necessary to guard against more unnecessary loss of life. However, we cannot comprehend the loss and lack of closure that has been felt by families across our community. They have not had the chance to attend the funerals of their loved ones, come together as families to support each other in person in those terrible times. They have not held a hand or said goodbye to loved ones.

Last night, I had the opportunity to meet those who have lost loved ones. They have come together to create the Memory Stones of Love group. The small, hand-painted tokens were placed at the heart of the steps of Stormont.

It was impossible not to feel the grief of all the families who were there.

It is one of the few moments on this hill when I have had to just stop and take it all in. I listened to the families share their memories of their loved ones. I listened to Brenda Doherty tell the story of her mother, Ruth Burke, who died in March 2020. Brenda talked about the importance of the memory stones as unique and individual. I listened to Aoibhinn O'Sullivan talk about how the pandemic had robbed her not only of her father Hugh Higgins, a teacher from Newry, but of the opportunity for her and her family to grieve him. I listened to them talk about their campaign for a permanent memorial to the people who were lost during the pandemic to be created in the grounds of Stormont.

I thought back to the debate that we had previously on how this place should better reflect the Northern Ireland that we all live in and about the need to get away from the petty squabbles of "us and them" and whataboutery.

Mr Speaker: The Member's time is up.

Mr Catney: This week, we are now fighting about what we call this place. When I listened to those families in their campaign —

Mr Speaker: The Member's time is up.

Mr Catney: — I just thought, "Surely —". Thank you, Mr Speaker.

Mr Speaker: Thank you for that, Mr Catney.

Sewerage Infrastructure: North Down

Mr Chambers: I want to talk about problems with the sewerage system in my constituency, particularly along the coast. Bangor, Ballyholme and Groomsport used to be blighted by raw sewage that was being pumped straight into the sea. There was no treatment whatsoever: it just went through a grille. You can imagine the quality of the seawater back in the day. Northern Ireland Water made a huge investment in a new treatment plant in Donaghadee, which we thought would solve the problem. Generally, it did, but, at times of heavy

rainfall, the pumping stations along the line from Bangor could not cope, valves were opened and the sewage went straight back into the sea. Northern Ireland Water addressed that problem by making a huge investment in creating huge storage tanks right along the line, which meant that, even in heavy rainfall, the pumping stations could still cope and could store the rainwater. That mitigated the risk of any sewage getting into the sea.

The problem has now shifted down the coast to Donaghadee. The little seaside town of Donaghadee had been in decline. However, in recent years, it has really lifted itself. The council and local traders have sought grants. They have created a niche for themselves with hospitality and restaurants. Recently, as some Members may be aware, a big investment was made in the Moat, which will have a camera obscura in it — the only one in Northern Ireland. That will be a big tourist attraction. However, alongside the main street in Donaghadee, the beach is covered constantly in sanitary items, babies' nappies and cotton buds that are being washed up. That is unacceptable in this day and age.

I wrote to the Minister and asked how many outlets there were along the coast from Donaghadee to Millisle that facilitated raw sewage to flow into seawater. I was told that there were 17 pumping stations that had a licence to allow raw sewage to flow into the sea in order to prevent flooding. A further four had the same type of licence. Therefore, 21 outlets along that coast have the potential to allow raw sewage to flow into the sea, and it does. It is totally unacceptable. The Minister has proposed that there be a new pumping station somewhere down the line in Millisle. However, what is really needed is for the pumping stations — they are not treatment works — to be upgraded and to have the same storage capacity that was granted to the pumping stations on the Bangor line. I call on the Minister to give that serious consideration.

Mr Speaker: I call John Blair.

Mr Blair: *[Inaudible.]*

Mr Speaker: My apologies: I will let you speak next time. I call Jim Allister.

Unionist Leaders' Declaration

Mr Allister: Today is indeed Ulster Day, 28 September, when we mark the occasion when unrelenting determination was shown by unionists that this territory should be neither

squeezed out nor cheated out of its place in the United Kingdom.

It is therefore fitting that, on this date, we have seen a unified display across unionism of opposition to a protocol that seeks to do the same in respect of our constitutional position — to squeeze and cheat us out of the United Kingdom.

10.45 am

The essence of the objection to the protocol is, in large measure, the same as the objection that was declared in 1912: an objection to the other part of the country of which we are supposed to be an integral part being declared and decreed to be a third country. That is what the protocol does. It says that, in respect of all the matters that it governs, the rest of the United Kingdom, from the Northern Ireland perspective, is a third country. That may well fit the nationalist narrative, which, of course, wholly explains the enthusiasm for the protocol from those quarters, but it utterly offends your constitutional status and position as an integral part of the United Kingdom if a protocol comes along and tells you, "In fact, the other part is a third country — a foreign country". That is why the protocol can never in any of its parts be acceptable to the greater number in the Province. That is why there is and will continue to be unrelenting opposition. That is why the equilibrium of the kingdom is upset and disturbed and, ultimately, will be destroyed by the protocol. Likewise, the equilibrium that is supposed to prevail in the Belfast Agreement east-west and North/South, has been undermined by the protocol.

Quite apart from the multiple economic damage done by the protocol, there is a fundamental constitutional point: Great Britain is not a third country from Northern Ireland's perspective, and it will not be permitted to be. That is the united determination of those opposed to the protocol.

AUKUS Defence Partnership

Mr Carroll: I want to raise the Australia, UK and US deal that creates a pact to develop nuclear submarines. It should go without saying that nuclear weapons of any kind, including nuclear submarines, should be decommissioned and put completely out of use. Nuclear weapons and nuclear submarines pose huge dangers to people across the world, and we should be well beyond the point of states threatening to use those weapons of mass terror.

What seems to be driving the deal is the US belief that it should flex its muscles firmly after its disastrous interventions in and occupations of Iraq and Afghanistan. The US cannot stand being seen to be weak on the global stage and wants to show that it is still the big dog by ensuring the purchase of weapons of mass destruction. Despite Joe Biden talking after the Afghanistan withdrawal about ending the "forever wars", he has no problem pivoting the US to pit it militarily against China in a modern-day, ramped-up cold war, with Australia also playing a role. That further pivot against China is cause for huge concern. You do not have to be a fan of Xi Jinping or his Government to understand how catastrophic a further escalation of war would be for the people of China, Asia, the US and the world.

The US has 400 military bases in or around China, and Biden is looking for a US military budget of \$750 billion. In order to justify that huge spending, the US and Britain need an enemy, and what better enemy for the US than one of the fastest-growing economies in the world, which is set to outstrip the US's standing as the great capitalist power? Wars of any kind are not only a colossal waste of public money, with exorbitant spending on nukes and missiles when citizens do not have enough money to put food on the table or heat their homes this winter, but a colossal loss of life, with people forced to sacrifice themselves for some often jingoistic, unidentifiable or unobtainable goal. They also disguise who the real enemy is. The main enemy is at home. We should be railing collectively against the elites in the US, Britain and China, criticising their hoarding of mass wealth and their inaction on other problems.

In the run-up to the Conference of Parties (COP) 26 and at a time when we need China, the UK and the US to drastically reduce their emissions to stop the planet straying into further climate chaos, the further escalation of tensions or even outright attacks would make that highly unlikely. I have to say no to war and no to the ramping-up of war machines and war rhetoric. We need international solidarity from below to rid us of the perils of capitalism and climate chaos.

Online Transaction Fees

Ms Ferguson: I would like to speak about the ongoing concerns about online transaction fees. PayPal is the latest company to announce a hike in online transaction fees, with similar increases from Visa and MasterCard due to come into effect within weeks. That will see huge increases in fees for EU card

transactions, which has a particular impact here, given our reliance on North/South trade. It is yet another direct cost and consequence of Brexit. Brexit facilitated the credit card rip-off by removing the EU's consumer protections. If it goes ahead, ordinary families and workers will once again pay the price whilst multinational companies will reap the rewards.

The Assembly has already made clear its opposition by endorsing the Sinn Féin motion opposing the hikes. Today, I invite Members to reiterate that opposition in light of the latest announcement by PayPal. I also invite Members who championed Brexit and continue to oppose the protections provided by the protocol to reflect on the folly of that position now that, every day, more and more of the real-life consequences for families, workers and businesses are becoming clear.

Unionist Leaders' Declaration

Mr Buckley: I rise to proudly mark and, indeed, wish Members across the House and people across Northern Ireland a very happy Ulster Day. One hundred and nine years ago, our forefathers signed Ulster's Solemn League and Covenant and, indeed, the declaration, which have been widely recognised as the foundation stone for the Northern Ireland that we call "home" today. The declaration and covenant can be seen as the cement that has held together the Union that we have cherished over the past 100 years.

Our forefathers stood united in their opposition to the threat of home rule. Today, on the 109th anniversary, I am so glad to see a united declaration on the Northern Ireland protocol by the unionist leaders. One hundred and nine years ago, our forefathers put aside their differences, egos and personal desire for power to work together within the unionist community to ensure that we still have this place called "the United Kingdom of Great Britain and Northern Ireland". I want to read into the record of the House the declaration that was signed today as we face the threat posed by the Northern Ireland protocol and the damage that it, too, could do to our integral place in the United Kingdom:

"We, the undersigned Unionist Political Leaders, affirm our opposition to the Northern Ireland Protocol, its mechanisms and structures and reaffirm our unalterable position that the Protocol must be rejected and replaced by arrangements which fully respect Northern Ireland's position as a

constituent and integral part of the United Kingdom."

The declaration is signed by Sir Jeffrey Donaldson MP, the DUP leader; Doug Beattie MC MLA, the UUP leader; Jim Allister QC MLA, the TUV leader; and Councillor Billy Hutchinson, the PUP leader. I welcome the statement. While Members across the House will bemoan the approach taken by unionist leaders in a united front and people in the media will throw obstacles in our way, it is incumbent on us, as unionist representatives in the Assembly, 109 years on, to stand unified to oppose the Northern Ireland protocol and protect Northern Ireland's place in the United Kingdom.

Brexit

Mr O'Toole: It is perhaps appropriate that I speak after the Member who has just spoken, because what I want to talk about is a successful reality distortion project that is going on in Northern Ireland and has been going on for some weeks and months. In a sense, it is more distorted than many reality TV programmes that we watch. It is the project of asserting that the consequences of the project of Brexit — a project about ripping asunder the whole United Kingdom from the European Union — are being uniquely visited on people in Northern Ireland. It is a reality distortion project to distract from the effects of Brexit more widely.

We have heard today from several Members the reality distortion that the only consequence of Brexit is the protocol. What nonsense. What a falsehood is being peddled by Members here today. Anyone with a television set or a screen open to them can see forecourts across England with people queuing. Anybody, if they want to turn on their TVs or open a newspaper, can hear the Agriculture Minister — the DUP Agriculture Minister and, briefly, the DUP leader — bemoaning a lack of labour. Where did the lack of labour that is affecting our agri-food industry come from? It came from Brexit, not the protocol, as asserted by the reality distorters opposite and the reality distortion that says, as Mr Allister asserted, that North/South has somehow been exclusively promoted in the protocol: a falsehood. A falsehood.

The impact of card transaction charges on our economy has just been mentioned. Yes, I am not a reality distorter, unlike those opposite: there have been issues regarding the movement of goods from Britain to Northern Ireland. I want to see those addressed,

because I want to deal with the practical consequences of the Brexit that they championed and the reality distortion that the primary motivating concern of everybody on the streets of Northern Ireland is the protocol and getting rid of it and not, for example, ensuring that we do not have fuel shortages like they have in England or that we have a proper, planned approach to COVID. Yes, I want to see solutions to the movement of goods under the protocol, but I want to see it done practically.

The final reality distortion is that you can go back in time. The distorted reality — the falsehood — is that you can go back in time to 2016 and have trade like we had then. We cannot. We cannot have it on a North/South basis or an east-west basis like we had it then.

Finally, it saddens me to say this, because I want to wish Members a happy Ulster Day — I completely respect the importance and the solemnity of the day for them — but the idea that we can go back to 1912 is also wrong. That is gone, I am afraid. This is a plural society —

Mr Speaker: Time is up.

Mr O'Toole: — and some of us are not going to allow —

Mr Speaker: Time is up.

Mr O'Toole: — the falsehoods and reality distortions of Members opposite —

Mr Speaker: The Member's time is up.

Mr O'Toole: — to continue to go unchallenged
[*Interruption.*]

Mr Speaker: Order in the Chamber, please. That concludes this item of business. Members, take your ease for moment or two until we get ready for the next item of business.

11.00 am

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

Private Members' Business

Small-Scale Green Energy Bill: Second Stage

Mr O'Dowd: I beg to move

That the Second Stage of the Small-Scale Green Energy Bill [NIA 33/17-22] be agreed.

Mr Deputy Speaker (Mr McGlone): In accordance with convention, the Business Committee has not allocated any time limit to the debate.

Mr O'Dowd: Our society is on the cusp of a massive transition from being one that is powered by fossil fuels to one that is powered by clean, renewable energy. It will be a mammoth task, but it will also provide us with many opportunities for meaningful social change. If we embrace its potential, the green economy will bring new jobs and industries, new technologies and newly empowered communities.

One of the greatest areas for potential improvement comes from the opportunity that we now have to create greater energy democracy. Energy democracy will, over time, decentralise power generation and put it, quite literally, in the hands of the people, whether that be through farms, small businesses, schools, community co-ops or individual homes.

The Executive previously set a target of achieving 40% of electricity consumption from renewable sources by 2020. The Department for the Economy is developing an energy strategy for the period up to 2050, which is to be published by the end of the year. The 2019 report on decarbonisation from the Climate Change Committee (CCC), 'Reducing emissions in Northern Ireland', explicitly recommended a supplier obligation and feed-in system. Legislative intervention is necessary to grow rapidly the share of renewables on the grid. One way of doing that is to expand the share of microgenerated renewable energy. The energy market has evidently failed to provide sufficient price incentives for homes, businesses and farms to switch to microgeneration systems.

The removal of the Northern Ireland renewables obligation (NIRO) and other renewables

obligations have produced a stagnant community energy sector. The Bill is intended to be the first step in reversing that trend. It will incentivise the growth of micro renewable energy generation in homes, farms and businesses by creating a minimum tariff that major suppliers must pay for power generated from such sources.

The Bill will also place an obligation on major suppliers to source at least 5% of their total electricity from microgeneration. Climate experts around the world agree that microgeneration must play a role in the decarbonisation of our planet. The Climate Change Committee's 2019 report specifically recommended supplier obligations and a feed-in system for the North. Not only can the growth of renewable microgeneration help us to reduce greenhouse gas emissions, it can create additional income for families and communities, and it can reduce our reliance on fossil fuels, which, as we have seen over the past few weeks and months, are prone to erratic and extreme cost swings that place additional and unexpected burdens on already struggling homes.

Despite all the advantages that the Bill offers, and the path to long-term reform that it sets us on, the scheme will cost the taxpayer nothing. It provides a win for families, farms and businesses, for climate action and for energy democracy. With all the positives associated with renewable energy, why is a private Member's Bill required? The Department's green energy strategy is important, but it remains aspirational. The Department confirmed that it has no plans to legislate on any aspect of that strategy within this mandate. The Bill before the House today is a practical measure that the Assembly can take now to help to tackle climate change and, through additional income, support homes, farms, businesses and families.

I turn to the clauses. Clause 1 establishes a small-scale green energy scheme and lays out the scheme's main goals, which are the provision of a minimum price tariff for microgenerated renewable power exported to the electricity grid and the requirement for major electricity providers to source at least 5% of their electricity from microgenerated renewables. It also sets a number of definitions of terms used in the Bill, such as microgenerated and renewable power. A microgenerator is defined as a renewable generator with a maximum generation capacity of 50 kW. That is the standard definition in many countries that are introducing microgeneration legislation, including Britain

and the rest of Ireland. A major provider is defined as any provider with a market share of 5% or above. That covers all providers in the North, with the exception of Click Energy, which currently has a 3.4% market share. When I carried out the consultation on the Bill, more than twice as many respondents favoured a definition that specified 5% over one that specified 3%.

Clause 2 sets out the supplementary regulations for the scheme and a list of stakeholders who must be consulted when regulations are being set. Clause 3 commits the Department to reviewing the scheme as and when economic conditions change. Clause 4 outlines the rules for the suspension of the scheme, and clause 5 outlines the guidance that the Department may give in relation to the operation of the scheme and its goals. Clause 6 sets out the meaning of specific words and phrases in the Bill. Clause 7 sets out the timing for when it must come into operation, and clause 8 confirms the Act's short title as the Small-Scale Green Energy Act 2021.

In conclusion, the Bill has —

Mr Allister: Will the Member give way?

Mr O'Dowd: I will, yes.

Mr Allister: I would like clarification. The Member said that there will be no cost to the taxpayer. I have two questions. Take a house that hosts solar panels, for example. Who will pay for their provision? Could large providers take control of individual provisions on a collective basis, meaning that those provisions become a moneymaking proposition for large providers?

Mr O'Dowd: The Member's intervention could have been covered in his contribution to the debate, but I am happy to respond to it.

The Member mentioned costs to the taxpayer. If the Department introduces a grant scheme, there will be a cost. However, no direct cost is associated with the Bill in front of Members today, other than the cost of its implementation by the Department.

In answer to the Member's second question, the scheme that the Department will develop, if the Bill passes, will involve consulting widely with all interested parties, and any suggestions or objections — whichever the Member may have about the point that he raised — can be dealt with at that stage. The scheme will give the detail of the programme's operation. If the Bill is

passed, it will give the Department only the authority to establish the scheme; it will not set its parameters other than in a couple of minor points. Earlier today, I said to the Minister, "We will ask the House to do a, b and c, and, if the Bill passes, the Department will have to do d, e, f, g, h, i, j and the whole lot".

The Bill has the potential to do tremendous good in tackling carbon emissions and promoting green energy, and I look forward to hearing Members' contributions on the ideas in it. It is worth remembering that, as I said, the Bill is not the scheme under which microgeneration will be delivered. It instructs the Department to bring forward a scheme, fully consulted on and evidence-based, which will come into operation by January 2025. The Bill sets out the path that will help to decentralise electricity generation, empower local communities, provide additional income for families and help to tackle climate change. I look forward to the debate.

Mr Weir: There is no doubt that there are good intentions behind the Bill. No one will argue against the concept of microgeneration or the greater use of renewables that will reduce the pressure to use carbon. It is an entirely environmentally friendly Bill. In bringing it forward, the Member has very much embraced the spirit of recycling: the Bill's wording is the same as that used by his colleague in the Dáil. It therefore did not have a great production cost in Northern Ireland. No one will disagree with the intentions behind the Bill, but, as the old saying goes, the road to hell is paved with good intentions. To that extent, I have considerable concerns over aspects of the Bill that, should it pass today, we would want to tease out. There are also a number of flaws.

The Member summed up how he sees the lie of the land quite well when he said that the Bill asks for a, b and c today and that it will be thrown to the Department to do d, e, f, g, h, i and whatever. It is, therefore, somewhat disingenuous to say that the Bill costs the public purse nothing. Its passage may not immediately create a bill, but there will undoubtedly be a major cost to the public purse in effectively indicating to the Department the expectation that a tranche of regulations and schemes will be brought forward.

Mr Beggs: Will the Member give way?

Mr Weir: Yes, I will give way briefly.

Mr Beggs: While there may be limited cost to the public purse, does the Member agree that

we also need to be concerned because there will be a cost to electricity purchasers, whether they are homeowners or businesses?

Mr Weir: I completely concur. I was going to come to that point later.

We need to look at the timing and overall context of the Bill. As the Member conceded, the Department has been working on an overall energy strategy, of which microgeneration is one component. The Member indicated that that strategy is due to be published before the end of this year; indeed, it may be only a few weeks away. Dealing with one small aspect of it is putting the cart before the horse. It would have been an awful lot better if microgeneration had been put in the overall energy strategy. The Bill is a micro solution, but we need a macro solution. That is one of its weaknesses.

There is considerable concern about where the Bill will lead on state aid. I will be interested to hear the Minister's views on that later.

Concerns have been raised about whether it breaches state aid rules. It envisages a subsidy for the production of electricity. While that may not necessarily be direct government funding, nevertheless, it could be interpreted as state aid under article 10 of the protocol.

11.15 am

What I would say about the Bill and the electricity directive is that restrictions are currently placed on Northern Ireland, particularly state aid restrictions, because of the protocol. I would be happy to do a deal with the Member if he wanted to join with some of the rest of us and say that, to alleviate those fears, he would support sweeping away the protocol so that Northern Ireland is not put in that restrictive position. If that were the case, I would wholeheartedly back the Bill.

While that creates an opportunity, it would mean that we would need to tease that out with the state aid unit in the Department for Business, Energy and Industrial Strategy. We are not saying that it is necessarily a very clear-cut breach of state aid rules, but it may be. Consequently, that is a concern.

Leading on from that is the pre-existing electricity directive. Article 5 of that directive states:

"Suppliers shall be free to determine the price at which they supply electricity to customers. Member States shall take

appropriate actions to ensure effective competition between suppliers."

Similarly, article 9 states:

"Member States shall ensure, on the basis of their institutional organisation and with due regard to the principle of subsidiarity, that electricity undertakings operate in accordance with the principles of this Directive with a view to achieving a competitive, secure and environmentally sustainable market for electricity, and shall not discriminate between those undertakings as regards either rights or obligations."

Again, the question is whether the Bill breaches existing law because of its interference with, or contravention of, articles 5 and 9.

I turn now to the impact of the Bill. We are aware that the costs are ultimately passed on to consumers. We also know that the analysis of the Utility Regulator would note that small-scale generation and microgeneration has been four times more expensive to incentivise through the one-off costs for the initial connection to the grid and the ongoing costs, and there is a danger that that proportion of electricity would be produced at a much more expensive rate. The reality is that companies will look to pass those costs on to consumers. We need to get assurances about that as well.

On the broader element of the energy market — it has been very prescient over the past number of days — we have seen hikes in energy costs and the pressure on consumers has grown greater. Therefore, we need to question whether we should take actions that will further pressurise consumers. We also know that those costs bear down most severely on vulnerable customers who can afford them least. If we look at the connection costs for those in remote areas, those who are in poverty and those who live, perhaps, where multiple connections are needed, we see that, sometimes, those people bear the greatest costs. We also need to tease that out.

Finally, I want to speak about the route to market and, indeed, the existing provisions. A figure of 3.4% was mentioned, but I suspect that that figure is now higher. There is existing provision here and in Great Britain, and the regulator approves the price that is offered to microgenerators annually. There is an opportunity to make the arrangements similar to those in GB, where the small export guarantee scheme to microgenerators requires that a zero price be offered. Consequently, there are

opportunities for generators as well. It means that the question is this: is this trying to do something that is not particularly necessary? We are edging closer and closer to 5%. While the Member quoted an older figure of 3.4%, I suspect that, today, the figure is probably a lot closer to 5%, if it is not above that. That leads to the question of why it is needed now, particularly in light of the energy strategy that is about to be produced by the Department.

There are question marks over the value of this legislation and over the detail. Some of that is, as I indicated, about things like state aid or the electricity directive. There are initial concerns that will need to be teased out, but I question whether what we see today will be fit for purpose to be finally proposed as legislation when it comes to the end. I will wait to hear what others have to say during the debate, particularly the response to some of those points from the legislation's sponsor and from the Minister. However, there is a level of scepticism, and we believe that the Bill is considerably flawed at this point.

Ms McLaughlin: I support the Bill, but I believe that, exactly as Mr Weir said, there are many issues that need to be teased out. The Bill sets a pathway and, at this point, is a positive concept, and I would be happy for it to move to Committee where it can get thorough scrutiny and we can see whether we can make it much more robust.

The SDLP is strongly committed to taking tough action against climate change, and that is why my constituency colleague Colum Eastwood has tabled a climate change and green jobs Bill in the House of Commons. Taking effective action against the climate crisis requires a comprehensive package of measures. Some of those are needed at the macro level and others are needed at the micro level. The effectiveness of those measures will be assisted by the financial incentives that are put in place. It is necessary for homeowners, leaseholders and owners of commercial properties to be promised financial incentives to switch to renewable heat systems.

Before I go on, however, I will stress that the first and immediate priority must be a reduction in energy use. That means that the Minister for Communities must, as a priority, reform the affordable warmth scheme to support the installation of effective insulation in properties. Similarly, the Minister for the Economy must reform Northern Ireland's sustainable energy programme so that it is focused on making properties more energy-efficient rather than merely switching from oil to gas. However,

those concerns about current energy policy are no reason not to get on quickly with the adoption of more installation of renewable heating systems. Those will include solar panels on roofs, wind turbines in small areas of land and district heating schemes that, for example, make use of waste heat from anaerobic digestion (AD) units.

None of this, of course, justifies some of the perverse incentives that we have seen in the past that flowed from the former Department of Enterprise, Trade and Investment (DETI) into the current Department for the Economy. Paying landowners more for having smaller rather than larger wind turbines clearly did not make sense and was just wrong. However, that is not a criticism of this Bill. My party supports the use of financial incentives to encourage wider adoption of micro schemes of renewable energy.

Indeed, I will go further than that and encourage Members to learn more about two of the best-practice community energy schemes in the North of Ireland. One of those is Drumlin Wind Energy Co-operative, and the other is Northern Ireland Community Energy, which is also known as NICE. I hope that a third community energy scheme may progress, as I have been approached by a constituent who believes that there is enough force in a local water source to develop a small hydro scheme. Those are excellent projects, but it is a shame that there are so few of them. While community energy is a significant sector in England, it barely exists here in Northern Ireland. In England and Wales, around 200 MW of electricity capacity are produced by community energy projects. That is equivalent to about 50 of the most effective large offshore wind turbines, which means that they are significant sources of additional energy.

While we should support the Bill, it is important that all parties join together to demand much more effective and urgent action now from the Department for the Economy and the Department for Communities. Let us really make the necessary progress and act much faster than we have to date.

Mr Nesbitt: First of all, I will make a declaration. I was an early adopter of a domestic wind turbine and, for some years, a recipient of Northern Ireland renewables obligation certificates (NIROCs), which is the government subsidy, although I believe that the machine has not been active for a couple of years now.

I am certainly in favour of tackling the climate crisis, aiming for net zero carbon and doing what we can in various ways to achieve those aims. On that basis, I am very open to the Member's Bill. The Ulster Unionist Party will certainly at this stage support the Bill going to Committee for its scrutiny phase, not least because the Bill does not propose a scheme. Rather, it would place an obligation on the Minister and the Department for the Economy to create a scheme, although it is prescriptive in one sense in that in clause 1(4) it aims for "5% as the specified percentage" and specifies 1 January 2025 as the date for reaching that target. The Committee would like to examine and hear witness testimony on the potential for achieving that goal, on whether there will be a cost and, indeed, on whether the Member is right to assert in the explanatory and financial memorandum that he:

"anticipates the Minister can design the scheme to address any potential increased costs associated with electricity generation."

Perhaps the current Minister will address that during the debate, although I accept that it is the Member's intention that the scheme will not come forward during this mandate but will be something of a legacy for the next Minister, whoever that may be.

We are content with the clause on the establishment of the scheme, with the exception of that specified percentage and date. Clause 2 refers to supplementary regulations, including the provision to have:

"different minimum prices for different purposes;"

I have asked the Member what his intent with that is. I believe the response was that it is about taking account of emerging technologies for electricity generation, so there may be something that we have not yet invented that we will consider to be highly desirable but that, at least in its initial phases, will be expensive. Therefore, the Department will have a facility to adjust the subsidy or price range to accommodate the development of that technology.

I note that in clause 4, "Suspension and revocation", the Member is making room for the Department to suspend or re-evaluate the scheme because of "unintended and harmful consequences". I commend the Member for that. He is clearly bearing in mind previous incentive schemes in energy generation.

In clause 6, he defines "community project" as:

"a project organised for the benefit of a group of individuals comprising at least 5 households".

Again, I commend the thought process behind that. It would be a good idea if citizens were more engaged in thinking about where their electricity comes from, how it is generated and the extent to which they can take control of it.

Mr Allister made reference to a scheme; I think that it was in England and Wales some years ago, where large companies were installing solar panels, or photovoltaic equipment, on roofs. They were basically renting domestic roofs, and any electricity that the household generated, they were using at no cost. The rest went back into the grid and was to the profit of the large organisations.

While that scheme had merit in principle, in operation it was weighted far too heavily in favour of the major organisations.

11.30 am

Mr Frew: I thank the Member for giving way. That scheme was here and not just in GB. It had two aspects: the owner of the property could buy the solar panels and install them on their roof, thereby claiming the renewables obligation certificate (ROC), or a company could, effectively, rent your roof, install the solar panels and take the ROC, which would have been accumulated somewhere else — probably offshore — with the wealth directed away from the domestic property and the householder and into the pockets of the big companies.

Mr Nesbitt: I thank the Member for the intervention. I was unaware that the scheme had been applied in Northern Ireland. When I was first aware of it, it did not apply here. He is right to point out the downside of the scheme. However, I still think that the principle has merit to discuss. Perhaps, it could be some sort of social enterprise initiative.

My party is happy that the Bill should go forward for scrutiny at Committee Stage. There is, perhaps, a potential Achilles heel with regard to the grid. My colleague Mr Aiken will focus on that. It is my understanding that, when a load change application is requested, the total cost of the new load is borne by the applicant. That was certainly my experience some years ago when buying an old house. The electricity came in overhead, but I wanted it to come in underground, and I had to arrange for the tunnel to be dug out with a digger. However, the quote from Northern Ireland Electricity (NIE) for

its part of the work was absolutely eye-watering. If a new electricity line is required, NIE Networks will request that the applicant negotiates the way leave for the new line as well as the associated costs. In other areas, the electricity supplier has right of way in that regard.

Self-generating electricity with integrated battery or car battery storage could, of course, reduce the generating load and, perhaps, reduce the cost of network upgrades. However, we really need to consider the impact on the network, and, as I said, Mr Aiken will touch on that in greater detail.

Finally, one of the reasons that the Bill should go forward for Committee scrutiny is the Member's reference to the consultation in his explanatory and financial memorandum (EFM). The consultation was conducted by SurveyMonkey. The weakness with SurveyMonkey is that you cannot be absolutely sure or verify who has issued their response to your consultation. That is a weakness, though not a fatal one, not least because clause 2(3) puts an obligation on the Department to consult the relevant people before it brings the scheme forward.

That is all that I have to say. We will support the Bill at this stage.

Mr Dickson: Very much in the spirit of what I have listened to in the debate so far, I can confirm that, at this stage and looking forward to Committee Stage, the Alliance Party will also support the Bill. I thank the Member for bringing the legislation forward.

We should not be behind the door in noting the success that we have had in growing renewables in Northern Ireland. Over half of our generation now comes from renewable sources, chiefly wind. However, it has become abundantly clear that we are not moving fast enough to tackle greenhouse gases and the resulting climate crisis. Clean energy represents a major opportunity for jobs and provides sustainable and clean sources of heat and electricity. Northern Ireland is missing out due to a lack of ambition. The Alliance Party believes that we need a green new deal for our whole society in order to accelerate the transition to a clean economy, including building a skills base and eliminating fuel poverty, ensuring that no one is left behind. The Bill is a step in that direction.

One of the key parts of my party's green new deal is microgeneration — the decentralisation of our power system and, in a way, its

democratisation. We have all watched on with horror at the sharply increasing prices over the last few weeks, especially of natural gas. This will be a particularly difficult winter for vulnerable households in Northern Ireland. Our Communities Minister will need to be proactive to prevent a major rebound in fuel poverty. With greater indigenous microgeneration, however, we can become much less dependent on imported fossil fuels and thus better insulate ourselves against the swings of the world markets; indeed, households can become energy-independent.

The Bill will essentially establish a small-scale green energy scheme with minimum tariffs for microgenerators, giving certainty to enable planning and rewards for generating renewable electricity and contributing to the grid. That said, it is not without difficulties and problems, and those are issues that, I genuinely believe, we will need to tease out at Committee Stage. My understanding — Members have referred to it — is that similar schemes have been operating in GB for nearly 10 years. By and large, we appear to have missed out on that in Northern Ireland. I believe that there is demand here and that we just need to provide the financial incentive for the installation of solar panels or small-scale turbines. This could be a major step change in how our power is generated and will hopefully provide more resilience. Resilience is important: businesses and households will not forgive us if there are interruptions in power supply.

I note from clause 1 that the scheme will set targets for energy suppliers to have a specific percentage of microgenerated electricity. I am not opposed to that, and it would be helpful for suppliers to have a real investment in promoting the scheme, but the Committee needs to look specifically into how that will be run and, ultimately, at how it will be enforced.

I welcome the provisions in clauses 2 and 3 that require the Department to consult other bodies and to review the operation of the scheme. That relates, however, to one of my major concerns regarding the Department for the Economy's capacity to deliver on energy policy and on our upcoming energy strategy.

There are also issues that, I hope, the Member will address either directly in this debate or at Committee Stage, should the Bill move to that point. They are the connection issues. Comment has already been made about the cost of connection, but there are also technical issues around connection. At some households and some points where generation is good and can be made, it is difficult to make connections

to the grid, particularly in the case of wind sources. We need to work out how that will be achieved and how the cost of that will be met. I look forward to the Bill sponsor dealing with that area today and, more specifically and in detail, at Committee Stage.

The recent University of Exeter report on the green transition made recommendations that, from what I can see, the Department has unfortunately totally disregarded. If we are to deliver on our clean energy ambitions, we need a Department that is ambitious and actively leads in this area. We need expertise and policy in relation to energy, and we need to tackle climate and fuel poverty in one place. That is why, going forward, I will advocate a specific Department in Northern Ireland for energy and climate change, but that digresses from the purpose of this Bill. I have been disappointed by the lack of ambition shown by the Department, but I recognise that civil servants are working hard on our energy strategy. Unfortunately, departmental silos are more of an issue in Northern Ireland as we try to make legislation like this as successful as possible. Having one energy and climate change Department would help to overcome many of those problems.

The spectre of the renewable heat incentive (RHI) disaster haunts this place. We must never forget that. Clause 4 sensibly speaks to that by allowing for the suspension of the scheme where there are "unintended and harmful consequences" or where:

"urgent action needs to be taken to control the operation of the scheme".

That is a powerful acknowledgement.

I note that a major public cost is not anticipated, but, like others, we await the detail of that at Committee Stage. There will be administrative costs to be considered. We live in difficult and strained times for public finances, and there is a need to recognise that.

Clause 5 allows the Department to give guidance on the operation of the scheme. Perhaps the Bill's sponsor will outline what role he sees for the Utility Regulator in the legislation and in setting prices etc. I understand that a fair amount would be delegated to the Department by way of regulation, so that would give the Committee an opportunity to investigate.

Decentralising our energy grid would have greater benefits. It would make energy generation local. Others have referred to this, but it would be remiss of me not to note the

potential contribution of local organisations and households coming together on the microgeneration landscape and not to acknowledge the emerging work of cooperatives and social enterprises. It is vital that they be encouraged through the legislation and the regulations that may follow, if it is successful. That may face us away from some of the concerns that have been expressed about the big players in the energy generation market. We should genuinely encourage local groups, such as cooperatives and social enterprises, to come together. Indeed, as Chair of the all-party group (APG) on social enterprise, I believe that those local organisations have a major role to play in not only promoting microgeneration but in generating electricity from their premises and reinvesting. How we involve local community groups, co-ops and social enterprises will be a key consideration in the legislation. I hope that we can consider that further at Committee Stage.

We need to do more than talk about the generation of electricity in the format that is proposed in the Bill. It is a difficult area at the moment, because of the increase in energy prices, but we need to look at expanding. We have not seen it yet in Northern Ireland, but GB has seen some of its small electricity providers go to the wall. There is room for social enterprise to deliver price comparison and the price for electricity in Northern Ireland. That is an issue that Social Enterprise NI is looking at. Although it is not part of the Bill, it is an area to which we need to give consideration. It may well become part of the consideration at Committee Stage.

I welcome the legislation and thank the Member for tabling it. Given the lack of action from the Department, it fills a space that needs to be filled. I look forward to considering the Bill in more detail in Committee. As I have outlined, there must be much more concerted action to deal with two issues that are stark at the moment: fuel poverty and the urgent need to ramp up the insulation of homes. Until we do that, generating electricity and heating the atmosphere is not the way forward. There needs to be a holistic approach to the production of energy in Northern Ireland. I look forward to the Bill coming to the Committee and to addressing those issues and many more there.

Dr Archibald: I welcome the opportunity to contribute to the debate and speak in support of my colleague John O'Dowd's Bill. The context in which the Bill has been introduced is that of the climate and biodiversity crises that pose an

existential threat to the planet and how we live. That was set out starkly in the recent Intergovernmental Panel on Climate Change (IPCC) report, which the UN Secretary-General described as nothing less than:

"a code red for humanity. The alarm bells are deafening, and the evidence is irrefutable".

The Paris Accord requires countries to take action to limit global warming to 1.5°C by the end of the century. Achieving that will require resolute and meaningful action right now. The energy strategy that the Department for the Economy is developing will set the direction of travel until 2030 and is therefore crucial. We must not miss the opportunity to embed in it the expansion of our renewable capacity and end our reliance on fossil fuels. That type of upscaling of our renewable capacity will require significant investment.

As Mr Dickson said, we have made good progress to date, and we need to build on that. Investment will come from the public sector and the private sector, and the private sector will include individuals, families, small businesses and communities. That will require incentivisation and support for those who can least afford it. It is crucial that the move to net zero is based on the principles of just transition. Legislative change will be required to ensure that that happens.

11.45 am

The Bill is an important step in the right direction. As John outlined, the Bill will, first, place a requirement on major providers to source at least 5% of their electricity from renewable microgenerators, and, secondly, require major providers to pay a minimum price for electricity generated by those microgenerators. The potential for additional income for homes, small businesses, communities and the cooperative social enterprises that Mr Dickson referred to provides them with a small incentive and places little burden on providers.

Empowering communities must be at the heart of our new energy strategy. Decentralising and democratising power generation, including through microgeneration, has to be a key part of the new energy strategy to make that necessary move away from fossil fuels and to deliver more affordable energy and the ending of fuel poverty.

Ensuring that people and communities have ownership and a stake in the process of decarbonisation will help to ensure the type of buy-in that will be necessary to deliver on our energy and climate targets. Microgeneration projects will also help to reduce dependency on the overall grid, as well as helping to reduce emissions from power generation. It can also, if paired with the electrification of heating, lower emissions from homes, farms and businesses.

Currently, there are no active green energy support schemes in the North. Certainly, there are none that incentivise the installation of small-scale renewable systems. The Bill looks at one aspect of how to incentivise the uptake of small-scale green energy projects. The energy strategy also needs to consider the type of support that will be required to ensure that the upfront equipment costs create no barriers, particularly to those on lower incomes.

With respect to the broader energy strategy and policy framework, it is crucial that the final strategy sets us on the right trajectory to deliver net zero. In the current context of soaring wholesale gas prices that, due to global demand, are hitting record highs, and with coal and oil prices also rising, it has never been more apparent that tackling fuel poverty is strongly interlinked with the need to end our reliance on fossil fuels. There should be no further investment in fossil fuel infrastructure. The obligation to promote the development of the gas industry here needs to end, and we should not encourage more people to rely on an energy source with such fluctuations in price. Instead, we should have an obligation to promote decarbonisation.

As others have said in the course of the debate, we need to improve energy efficiency, particularly in housing for families in fuel poverty. We must ensure that those on lower incomes have access to affordable heat and power sources that are not vulnerable to the same global forces as fossil fuels.

As I said, the Bill is a small step on the right path towards delivering on the objectives of empowering communities, increasing uptake of small-scale green energy technology, and diversifying our energy sources. Therefore, I urge Members to support the Bill, and I am very encouraged that, going by the contributions so far, we can look forward to its coming to Committee for us to explore it in further detail. Hopefully, it will be the first practical step to net zero.

Mr K Buchanan: I welcome the opportunity to discuss the Bill. I will not go into great detail. I

appreciate that a lot of points have been raised. I ask, rather, for clarification from the Bill sponsor. I will not ask a list of questions. I would just like clarification on some points, if he does not mind.

I presume that the 5% in clause 1 is a minimum export capacity to the national grid. Obviously, a dwelling will use a percentage of what is created. Perhaps the Member could clarify that.

Under 50 kW is referred to as "microgeneration". The average domestic dwelling can be fused, as in a single phase supply, of 63, 80 or 100 amps. If you do some calculations based on 25 kW — I will not blind you with science — it works out as roughly 104 amps. Therefore, you need infrastructure. Our colleague referred to creating a tunnel for his machine. You need infrastructure at your private dwelling to do that. It is not as simple as putting 50 kW in every domestic house in Northern Ireland, because we do not have the infrastructure to do that.

I will not refer to any specific energy supply companies, but it is extremely expensive to do any modifications to the grid, whether it be for new builds or any other modifications. That is something to bear in mind. It is not as simple as sticking 50 kW on top of a domestic dwelling. Infrastructure has to be to put in and capacity within that. It is worth bearing that point in mind.

My colleague referred to state aid implications. We have concerns about that, and other Members raised the issue. Maybe that can be addressed.

The explanatory and financial memorandum uses the word "incentivise". I appreciate that the Bill will go to the Department for it to come up with a scheme, but it depends on the definition of "incentivise". There is a big difference between small-scale and large-scale production, given the economies of scale. I do not disagree with the principle of the Bill or its intent, but "incentivise" can mean lots of different things.

While other Members were speaking, I did some calculations. The average domestic house uses 3,100 kWh, but that depends on how that is calculated. If you do a simple equation of 20p per kilowatt-hour, the average cost for a dwelling in the United Kingdom is £620. If a dwelling can avail itself of that by using its own energy — I am using 20p as a guesstimate — there is obviously a saving for the dwelling, and an export can be put on to the grid.

Without getting into too much science, it depends on how many kilowatt-hours you are using in your dwelling in an average day, after which the remainder can be exported. You would not have to increase your capacity leaving the dwelling, if you understand where I am coming from.

We will see where the obligation on the Department goes. My colleague referred to putting the cart before the horse. We may have bought the saddle, but we do not have the cart or the horse. The energy strategy would probably have been the way to do that, with legislation to follow.

I am interested in the figures, percentages, capacity, kilowatts and all that stuff. It is interesting to me from my previous life. It is about how it will work practically. How we incentivise the scheme is another issue. Members can go away and do some calculations in their own dwellings tonight.

Ms Kimmins: I welcome the opportunity to speak on this important Bill, and I thank my colleague John O'Dowd for bringing it to the Chamber today.

It is no secret that we are on the brink of an environmental disaster. That has been well rehearsed at this stage, but it is important to note that time is precious. We must do all that we can to ensure that we meet our climate targets by reducing our use of fossil fuels and enabling an effective transition to a net zero society.

The Bill provides a real opportunity to take practical steps in the short term that will help us to move towards delivering effective change, which will benefit generations to come. It is particularly important, because the Department for the Economy has indicated that it has no plans to legislate for the green growth strategy in this mandate. Therefore, that remains aspirational at this stage, while the Bill can be passed by the Assembly within the current mandate.

As we are all well aware, the recent extreme hikes in the price of fossil fuels have demonstrated our over-reliance on the major power companies, and the Bill will help to provide greater democracy in that regard.

A lot of what I had planned to say has already been said, but, as other Members said, the Bill provides an opportunity to increase income for families, businesses, the farming community and the broader community right across the spectrum. Most importantly, it will take practical

steps to tackle climate change by incentivising renewable energy and encouraging more homes and businesses to make the transition in the absence of any active renewable energy support schemes in the North. There is nothing to incentivise the installation of small-scale renewable systems. I encourage others to take note of those facts and to support the Bill today.

Mr Dunne: I welcome the opportunity to speak in the Second Stage debate on the Small-Scale Green Energy Bill. While I commend any efforts to develop and enhance our security of supply and to look at all sustainable ways to improve our energy offering, I have a number of concerns about the Bill.

In response to an Economy Committee request about the Bill, the Department confirmed that there are already mechanisms in place in Northern Ireland, through which microgenerators can export excess generation to the grid in return for payment, and they, crucially, have a choice. That brings welcome competition, given that there are a number of suppliers, including Power NI and others.

On page 4 of the Bill's explanatory and financial memorandum, this line certainly jumped out at me:

"it is difficult to project demand for the scheme due to the set-up of the electricity market".

Those words cause me some concern and certainly do not fill me with confidence about the viability, need for and effectiveness of the scheme, should it ever get the green light.

There is also the issue of the costs of any support scheme and how those would be distributed, particularly given that many who are simply unable to install microgeneration facilities — that has been the case for some time; it is not a new problem — may end up having to foot some of the bill. One of the common barriers, right across Northern Ireland, to households generating their own electricity is the set-up costs. There is a real danger that households that simply cannot afford to install microgeneration facilities will end up contributing to the costs involved. That would impact upon our most vulnerable, particularly those who live in apartments and so on, given that it would not be practical for them to go down the road of microgeneration. Those people would miss out on any of the benefits received by those households that are generating.

As has been said, energy issues are all interconnected, and a partnership approach is essential. The issue of rising energy prices, which is a global problem and is having an impact in Northern Ireland, is very important. Certainly, the energy sector must deliver for customers. Effective and sustainable competition in the energy markets is critical for delivering choice, value and innovation. The main factors in the recent energy price increase here have been the rising cost in wholesale markets, the increasing global demand for gas and the challenges in the supply chains. Those have led to a rise in the price of gas in the wholesale and retail markets, which has resulted in the increased cost of electricity generation, with associated impacts in the retail electricity market. The recent rises have demonstrated, once again, the need to move away from our reliance on importing.

It is, however, worth highlighting that, despite some of the negativity across the Chamber this morning, Northern Ireland successfully achieved its 40% renewables target by 2020. Indeed, for the 12-month period from July 2020 to June 2021, 45.4% of total electricity consumption in Northern Ireland was generated from renewable sources located here. That is a positive point that needs to be highlighted and put on the record. Indeed, much work has been done on energy by the Minister and those who have gone before him, and the Department has worked extensively, right across the energy sector, with consumers and stakeholders. I know that that work is ongoing through the upcoming energy strategy, which we look forward to.

The cost and affordability of energy to businesses and households have been key matters of concern for some time. The upcoming strategy provides an opportunity to tackle those issues and to ensure that fuel poverty is left behind. The strategy also provides an opportunity to produce a fair and affordable price for consumers as we begin our journey towards net zero carbon emissions by 2050, which is another ambitious target, as was the 2020 target that was successfully achieved. Affordability will be crucial, and ensuring that a balance is struck will require a lot of work and dedication.

Energy efficiency is another key area. As has been said, the unit of energy with the lowest cost is the one that we do not use. The local energy efficiency sector has the potential to grow significantly over the coming years, providing skills, development and job opportunities. We can certainly develop that, and I look forward to hearing from the Minister

about it. I am sure that it will be a key part of the strategy, going forward. It also has the potential to contribute positively to our economic growth as we look to a post-COVID recovery.

Decarbonisation is yet another key issue for homes and businesses, and it is a future strategic target, with the aim of, importantly, reducing our reliance on oil and natural gas.

Quite a considerable amount of work is ongoing in a number of sectors. Companies such as Phoenix Natural Gas are looking at the potential for the use of heat pumps, geothermal, biofuels, biomass, biogas and hydrogen. Other sectors are also actively looking at that right across Northern Ireland.

12.00 noon

All in all, while I acknowledge the intention and motivation behind the Bill, the timing is not right. I share some of the concerns that my colleagues mentioned. I believe that it is best to wait to see the energy strategy, which has had extensive expert input from across the sector to ensure that we meet our targets and do better.

Mr Catney: I speak in broad support of what the Member for Upper Bann is trying to do with the introduction of his private Member's Bill. The Member is completely correct about the stagnation in the community energy sector, and it needs to diversify into the renewables sector. As the Bill moves through the process, I hope to fully scrutinise how its provisions will help to achieve its stated goal.

It is important to get this right from the start. I do not need to mention the failure of past energy schemes, whether that was in how incentives were set up or how they worked in the real world. Let us just say that we do not have the best track record. We must get it right, so that the scheme has qualitative and quantitative value and because its impact can be much wider than just reaching a renewable energy target. Of course, meeting our renewable energy target is important. However, if the scheme is pitched right and is done in combination with the wider strategy for sustainable energy, we may have the ability to completely transform how communities acquire energy.

My main interest is in how we can use an all-encompassing energy strategy to tackle the devastating levels of fuel poverty in Northern Ireland. Fuel poverty is another area in which Northern Ireland tops the leader board. It is an area in which we definitely do not want to top

the leader board, but 22% of our population is fuel poor. A huge amount of stress and terrible anxiety come with fuel poverty. A huge number of preventable health issues come from living in cold, damp, mould-ridden properties and homes. Every year, we have an average of just over 900 people who lose their life and are recorded in the ridiculous statistic of "excess winter mortality". How can that be acceptable in 2021? How many of those anonymously recorded in that ridiculous statistic have lost their life due to fuel poverty?

My apologies for going a little off-topic, Mr Deputy Speaker. I cannot stress enough the impact that a properly set up small-scale green energy strategy could have. We need a scheme that gives proper incentives without producing the ridiculous situation where people were paid more to produce less. We need a scheme that invigorates our community energy sector to help people to find innovative, local solutions and to realise affordable, renewable energy production that will take our communities out of fuel poverty so that families are not cold this winter.

Dr Aiken: I make a declaration of interest. In previous roles, I represented renewable energy companies, grid suppliers and other companies. For my sins, I also worked on the UK energy strategy for a considerable time. Unfortunately, I worked on five strategies in the space of five years, and that shows that we are not quite where we should be. The answer on the 50 kilowatt-hours issue is that it is based on the international definition of microgeneration.

As Members heard from my esteemed colleague Mr Nesbitt, we support the Bill's moving to its next stage. However, I wish to raise a significant issue that I think might be addressed in clause 1, so the Bill sponsor might consider it. If I may digress slightly, he will be aware that, in Denmark in particular, microgeneration is particularly successful. It works in Denmark and, indeed, in other areas of Europe and across the world in places like California, where there is a specific responsibility for allowing easy access onto the grid and for the grid to deal with microgeneration at 50 kilowatt-hours. There are significant concerns across all of Northern Ireland about getting any form of grid connection with the monopoly supplier, which is NIE. There are considerable costs to trying to get onto the grid for virtually anybody who is considering renewable generation.

One of the most significant issues that has been reported to me and probably to many MLAs is that, if you look at a similar attempt to

get onto the grid in Scotland, where the contractor is likely to be from NIE, you will see that the contractor is also likely to use supplies that were taken from the same resources as everywhere else across the country, including electrical supplies, switching gear, cabling and all the rest of it. You will also see that, although that contractor works to the same outline planning policy, the costs in Northern Ireland will be significantly more. The fact is that some people are being requested connection charges via NIE of between £120,000 and £130,000. Unless we can answer the question about access to the grid and grid connections, it will not matter how much microgeneration we are able to do or what the tariff for it is. If there is no grid connection, it will not be able to move forward. Indeed, if you talk to anybody in the renewables industry in Northern Ireland, you will find that this is the standard refrain: when will we get equitable connection to the grid? The Utility Regulator and the electricity strategy that, I trust, will be on its way fairly soon from the Minister, are important. I also trust that the monopolistic position of NIE and SONI — or, indeed, should I say ESB and EirGrid? — will be looked at very closely here in Northern Ireland, because it is anticompetitive.

Many people and, indeed, businesses in Northern Ireland are seeking to invest in microgeneration. However, some of the most innovative small-tech companies here are investing in microgeneration in Scotland, Wales and England because there is a clear policy and strategy for it and they are not being charged through the nose for grid connection. That is a significant issue that we must deal with and deal with soon because, otherwise, no matter how much we try to incentivise microgeneration and the rest of it, we will not be able to achieve it.

The second issue we must address is storage. We need to be able to incentivise microgenerators to have storage capacity. That is important to provide and for making sure we do not have peaking problems on the grid. I am looking directly at Mr Frew, because some people talk about issues, but, unfortunately, we need to get down to the technicalities of it. The most important things to improve are synchronicity of supply, security of supply and the ability for the system to be smoothed out effectively. The problem is that the more renewables you put on the system, the more potential there is for instability of supply and, therefore, the more baseload or inter-grid connection is needed to be able to achieve it.

Another significant problem in Northern Ireland is that, even though we are part of the

Integrated Single Energy Market (ISEM), we need to be in an all-islands interconnection and distribution system if we are to do this effectively. The reason why the Danish system works effectively is because it has interconnection with a much wider system; it is not a market of six million people, but a market of between 30 million and 40 million people, including in particular Sweden, Norway, northern Germany and the Netherlands.

In fact, we have to also ask an important question about regulation in Northern Ireland. I am looking at the Minister here as well, because this is quite an important piece. Northern Ireland, in many respects, is too small to be able to effectively manage renewables and microgeneration. It has to be done on a sufficient scale to allow us to maintain the integrity of the grid. Put simply, if the wind is not blowing in the west of Ireland, you can be pretty sure it is blowing at the North Sea. We can be certain that, when the sun is shining in the south-east of England, we will be under some kind of cloud. We need that degree of interconnectivity. One of the questions that we will have to ask is this: is the regulation system in Northern Ireland fit for purpose? Is it ready for the real challenges of the 21st century? Is it ready to deal with the very significant issues that we have? That has to be addressed in the Bill.

We cannot have microgeneration in a stovepipe. It must be interconnected with a smart-grid system that is effective enough to deal with the challenge of peaks and troughs of supply. If it is not, microgeneration will do no more than, in effect, go back into the area of subsidy-mining. We need to get away from that. We have had years of the impacts of subsidy mining. We have had issues with wind turbines that have been operating with no load because there is no market for their energy. There is not a properly working integrated system. The Utility Regulator does not have the capacity to address that.

I support the Bill — and I am glad that Mr O'Dowd has brought it before the House — because it raises some very significant issues. It is not just about guaranteeing microgeneration and supply on the grid. It is about guaranteeing access to the grid. However, it is also about looking at where future technologies are taking us. It is about how, if necessary, we look at improvement of storage. My friend here has talked about electric vehicles. One of the easiest ways of storing renewable energy is, of course, on electric vehicles. If we have significant numbers of electric vehicles, we can plug ourselves in.

However, NIE does not allow us to do that. We cannot turn our own cars into battery storage facilities to regenerate on the grid, because that is stopped by the monopoly supplier. It is absolutely ludicrous to be in the position of having technology ready but not doing anything about it.

This is very important legislation, and there are more aspects that we need to link into it. I encourage my friend the Chair of the Economy Committee to look specifically at the grid, grid connection, security of supply, synchronicity and how we can bring the storage element into the Bill. If those things are incorporated — I see the Economy Minister listening — and elements of them get into the strategy and we start thinking seriously about how we regulate the energy system in Northern Ireland as we deal with the challenges of the climate emergency, we could be in a good place. Again, I thank Mr O'Dowd for bringing the Bill to the Floor.

Mr Frew: I am somewhat disappointed. When I heard a whiff of a rumour that there was going to be an energy Bill, I got really excited. I looked forward, in anticipation, to reading its content. I commend the Member for bringing forward a Bill. I encourage every Member to bring forward a private Member's Bill on a subject that is close to their heart. That is a good thing; it is good for democracy. However, when I look at this Bill, it leaves me somewhat dismayed at yet another missed opportunity. For the second day in a row, a Sinn Féin Member is kicking a can down the road to another place and another time, for another person, another Member and another Minister. It is simply not good enough.

Legislation should be powerful and meaningful; it should do something. This Bill, basically, puts an onus on whoever the Minister is, from whatever party, by saying, "There should be some sort of an incentive scheme, and it should look roughly like this, and there is a suspension clause in case something goes wrong". There is not enough detail in the Bill for you to say whether you support it. Everyone in the House will support the generation of renewable energy. Not everybody will know the cost to households and businesses. We have to reflect on the past. Whilst we have been very good at generating renewable energy, my goodness, it has cost us.

Where does that cost fall? The cost falls on the most vulnerable and on our businesses. That is the only place it can fall.

12.15 pm

The electricity market in Northern Ireland — like most places, to be fair — is a complicated beast. It is complicated for a reason: a lot of people make a lot of money out of it. However, it is worse than that. You can take complication, because you can always break down complication. You can always get through it. You can always learn, and you can always make your knowledge greater, but in Northern Ireland we have a lack of transparency with regard to system operation, and that costs us even more. The worst bit about that is that we do not know how much it costs us. That is a scary proposition.

When I saw that an energy Bill was coming before us, I thought, "Great! Is it on grid connection? Is it on the cost of the grid? Is it on electric vehicles and the letting down of people who want to purchase?"

Dr Aiken: I thank the Member for giving way. He raises an interesting point about grid connection. Of course, there was a report by the Utility Regulator, particularly about SONI, that raised real concerns about the governance of how the major grid connector and part of that system works. Does the Member agree that, again, one of the things that we should urgently look at is the monopolistic position that NIE and SONI have?

Mr Frew: I thank the Member for his intervention. I am sure that I will get onto that at some stage in my contribution.

What could the Bill have been? It could have dealt with incentivising for electric vehicles and the state of disrepair that our very young network of chargers is already in. The company that is responsible for maintaining it, ESB, does not maintain it. That puts people off going to electric vehicles. My friend just alluded to the transparency of market systems, which costs us so much and unfairly treats our most vulnerable. We do not talk about greater powers for the Utility Regulator. We have a Utility Regulator that regulates these issues, and, after everything that I have said around complication and lack of transparency, the Utility Regulator, through no fault of the office itself, is massively underfunded and massively under capacity. It cannot cope, especially when there are powerful players in the energy market and the system operation that try to challenge and bully. That is what we face in Northern Ireland.

The Bill could have done much more, but I take the point that, I am sure, the Bill sponsor will make: it is about a specific thing. Granted, that is the case. Let us talk to the specifics of the

Bill. Again, I am disappointed with clause 1, because it basically just places:

"a requirement on major electricity providers and suppliers to provide an obligatory minimum price tariff for exporting micro-generated renewable power into the grid."

That one condition in itself raises a bit of alarm for me for a number of reasons. The fact that it places:

" a requirement on major electricity providers"

means that you are talking about further regulation. The Bill talks about an obligatory minimum price tariff, and that skews and adds a layer of regulation between network costs and wholesale costs. That is basically what we are talking about, because you are talking about generation and you are talking about suppliers. It convolutes and complicates an already complicated system. The Utility Regulator does not have the capacity to regulate what it has to regulate already, through no fault of its own, yet we are going to add and apply further regulation and incentive and tariffs for exporting microgenerated renewable power into the grid. There are massive differences and parameters in generating power to the grid, even in the renewable world. The domestic and all-powerful companies that generate megawatt after megawatt after megawatt are very different.

The Bill also puts an onus on the Minister for the Economy:

"to establish a small scale green energy micro-generation scheme with powers that include setting this minimum price tariff, and to alter it depending on relevant economic conditions".

The Bill says, "Minister, you must do this. You must design it. You must shape it". The reality could be that the Bill sponsor will not like the microgeneration scheme that a Minister, whoever it might be, produces. Where does that leave the Bill sponsor? You could argue that he should have added more detail and more of his thought process and stamped more of his authority on his Bill. We can all say that we want more renewable generation and we want more people to do it at a more micro level — absolutely — but how do we get there? The Bill does not tell us how we get there. It just tells us that the Minister must do something.

Another policy objective is:

"to provide the Minister with the power to determine what providers are eligible for the scheme by setting a minimum threshold for market share."

Again, we start to go into the world of regulation, where we could end up having an anti-competitive edge or stopping or hindering more providers from coming here. Northern Ireland currently has six providers. You are either putting pressure and more regulation onto a number of those providers or starting to twist and tweak the market itself. You do not want to dabble there, when there are already so many problems in the market.

Clause 1 requires the scheme regulations:

"to specify a target of 5% micro-generated renewable power to be sourced by 1 January 2025."

Is that timescale realistic? How far away are we from that target? Does it mean that each provider must be at 5%, or can one provider have less or more? Those are questions that we need answered. What about demand-side units (DSUs)? Where do they come in? How are demand-side units affected when the generation of renewable power is incentivised but the flip side, which is the demand side, is neglected? That is another question.

In the past, we had the best of intentions and produced the ROC scheme — the renewables obligation certificates. We have already talked about how that changes and has the potential to create new industries, which are not always good, in that the householder could be disadvantaged. There is no doubt that the ROC scheme produced an industry — I call it "rent of roof" — where people come and say, "We can install solar panels for you. We'll do it at a very low cost to you, and there'll be no burden on you. We'll just stick them on to your roof. We'll even rent the roof off you. We'll give you money". The condition of the roof means that householders are sometimes in complicated territory. Do they have rights on their own roof? What about if they sell their property? There are issues there. An incentive scheme can be all well and good and exist for all the right reasons, but it can skew things and create industries that are not always good for our people. Of course, the ROC payment went straight into the hands of the bigger providers. It did not go to the domestic property owners or the most vulnerable in society; rather, it went into a big collegiate pot and probably ended up on the other side of the world. That is the truth of it. Those are issues that we have to be mindful of

and careful about when we talk about any future incentive scheme.

What about connection costs? Take, for instance, people who decide that they want to partake in the scheme. They think that it is a good scheme and say, "I want a piece of that". Why would they not? I know that some people who have participated in incentive schemes in the past have been treated as if they were criminal elements, just because they applied for an incentive scheme. That is completely unfair, untrue and unwarranted. Radio broadcasters play creepy music simply because people happened to avail themselves of an incentive scheme. That is not where we want to be and not where we should be. It is completely untrue.

What about connection costs? You decide that you want to install a generator to generate electricity, whether that is through a solar farm, one or more wind turbines or something else — biomass or whatever. You have to ask for a grid connection because, as my colleague stated, your current connection will not work, so you need an upgrade. Alternatively, you want to build a completely new outlet somewhere — a new business — and want to avail yourself of an incentive scheme. You will apply for a grid connection. If you are out in a green field with no grid near you, you will pay for the whole grid. What happens if, a year later, a rival company or neighbour builds a house beside you? They will pay for their connection to the new grid that you paid for. There is something inherently unfair about how we charge for grid connection. Set aside the cost, which is astronomical; it is the unfairness of the system. A new company could come into Northern Ireland from afar, plant itself in a green field and have to pay exorbitant prices. The next year, a rival company selling the same wares comes in, plant itself in the field beside it and pays a fraction of the cost. We should be aware of such things, which are inherently unfair, and we should tackle them, yet we do not. The burden is on business every time. We could rectify that.

On the cost of an incentive scheme, the Bill sponsor can say all he likes about it going to the electricity providers, but the market in this jurisdiction is set up so that most costs fall — they always do — on business and not necessarily on domestic customers. In the Republic of Ireland, it is the other way about. If a Bill like this were to be enacted down South, Sinn Féin could be hurting the most vulnerable, namely families in a domestic setting, the most. Here, if the incentive scheme is not correct and fair, it will impact most on business, which will have an impact on jobs. We have seen that in my constituency. We lost JTI Gallaher and

Michelin, both of which cited energy costs as being either the top reason or one of the top five reasons for leaving. More companies have left. We have to get this right. We have not been getting it right, and the Bill does not get it right.

There are so many other issues. The Bill sponsor claims:

"On the basis of comparable renewable schemes"

— really? —

"and depending on the design of the scheme that the Minister may bring forward"

— passing the buck there —

"it is estimated the administrative expenditure associated with the bill's objectives would be less than £1million per annum."

What evidence is there for that claim? Amber Rudd of the Conservative Party closed down the ROC scheme in GB a year early. That was a manifesto commitment, and I was surprised that she did it, but she did. Mr Deputy Speaker, you know all about this. If we had continued the Northern Ireland ROC scheme for that further year, our businesses and bill payers would have been burdened with in the region of — this is a wide estimate, and I will tell you why — between £600 million and £900 million over 25 years. Using mental arithmetic, that works out at £24 million a year to keep a scheme open for one year — one year — and any successful applicant would have to be paid for 25 years. That burden fell exclusively on the bill payer. The Bill would not do that, and I accept that. In the energy world, however, the cost falls to the bill payer. That is inevitable; it is as natural as the law of physics.

12.30 pm

There are grave dangers associated with any incentive scheme that tries to incentivise what we have been very successful in doing up to this point. Before you consider any other questions around incentive schemes, the principal questions that must be asked are these: why is there a need, and where is the need? What costs will there be? The Bill sponsor talks about administrative costs, and I want to know what that means. Is that an administrative cost to the Department, to the regulator or to any other body, whether that is SONI, EirGrid, NIE, Power NI or any other

provider? Where does that £1 million per annum fall? What about the costs of any network reinforcements that will be required if the scheme is highly successful? Who will pay for that? At the minute, we have a price review mechanism that heavily involves the transmission grids, the network grids and the Utility Regulator, and they basically barter to agree a price and a forward work programme. If the Bill sponsor sets a target for 2025 and moves on from there, how does that skew the forward work programme? Those are all serious questions that need to be asked about the Bill.

Costs will inevitably fall on the bill payer. I talked about the difference in tariffs between the two elements of the single electricity market — Northern Ireland and the Republic of Ireland — and how those two jurisdictions have different network charges, costs and frameworks. We charge our businesses more heavily, whereas the Republic of Ireland basically subsidises its businesses with its domestic customers. Germany does that too, by the way. Strictly speaking, that practice is illegal, and they are queued up to go before the European Court. They will never see the inside of the courtroom. There are massive issues around all that.

What about the current price controls? Will that skew the network and transmission price controls? How will the scheme work when people switch providers? Will the scheme add a layer of bureaucracy that will disincentivise domestic customers from switching providers? We should worry about that, because we need more switching in the retail market. It is not happening, and, when it does not happen, people pay more for their electricity.

While having and meeting renewable energy targets is a good thing, it is costing us, as I said. It also causes the system to be fragile. Surely there is nobody in the Chamber who does not realise the perilous position that the integrated single electricity market (I-SEM) was in over the past three weeks, when the wind stopped blowing. We are in a more precarious position than most of Europe. Why? First, we are small, and, secondly, our mix is not appropriate for alerts like that.

Dr Aiken: I thank the Member for giving way. It is also important that the Member recognises the importance of interconnectors, as, I am sure, many Members in the Chamber do. The interconnector between Wales and the Irish Republic is one of the reasons that the lights on the island have remained on. I am sure that the Member also welcomes the fact that, on 1 October, a new interconnector will be

introduced, connecting Norway directly to the GB market. That shows that an all-islands approach to energy security is vital.

Mr Frew: I agree with the point about interconnection. Interconnection is a good thing. It costs, and there is an upfront cost, but interconnection is a good thing, because it adds flexibility to a system that is quite rigid in island nations such as Ireland and GB compared with Europe and Scandinavia. Those are all good things. Interconnection is good, but we must bear in mind that, if the energy mix is not appropriate on our land, interconnection will cost. You and the consumers would be frightened to know how much EirGrid has paid the GB market over the past three weeks for its energy, when EirGrid has not got its mix right in the I-SEM. That costs us all.

Where does that cost fall? It is not EirGrid paying the GB market: we, the bill payers, pay for that energy. Ultimately, that is where the cost falls. At the same time, our energy costs have increased because of gas prices, which is part of the mix problem in Northern Ireland and, in fact, in the island of Ireland. Today, practically, we have only air and gas. That is our mix.

We need to think outside the box. Does the Bill do that? No, unfortunately, it does not. It might, however, if it were to go to Committee Stage. It might be possible to repair and amend it to the point of doing something meaningful. At the minute, it does not do anything meaningful.

All of it adds regulation and cost. I plead with the House to consider giving additional powers and support to the office of the Utility Regulator, which is being hammered by the system operator, EirGrid, about governance. We will need proper governance of our markets to be able to get through this. We need transparency. We need SONI to look after Northern Ireland consumers. Time and again, over many years, it has failed to do that. I have had enough of it and, to be fair, so has the Utility Regulator. That is why it has published a report with the findings of its investigation into SONI's governance and the ownership of EirGrid. I hope that that will move at pace very soon so that Northern Ireland consumers can get the system operator that they deserve.

Mr Blair: I will follow my colleague Stewart Dickson's earlier comments, which focused mainly on economic themes, and I will concentrate on the Bill's — indeed, the debate's — environmental aspects.

To tackle the climate emergency and protect the environment for ourselves and future generations, we must leave behind the old ways of producing electricity. Northern Ireland has the potential and the resources for a clean-energy future, and I, along with Alliance colleagues, welcome the progress made in unlocking that potential.

The operator of Northern Ireland's electricity transmission system, SONI, has said that investment of hundreds of millions of pounds is required to cope with increased demand for electricity as we move to decarbonise the economy, with the electrification of heat and transport, and strive to meet net zero emissions targets. In order to reach the current target of at least 70% clean electricity by 2030, the grid will require unprecedented change. In fact, the renewable generation connected to the grid is projected to need to double in the next nine years to meet the target.

Although we have a long way to go, in recent years, Northern Ireland has had notable success, which was referenced earlier, in renewable generation, surpassing its target of 40% renewables by 2020 by a considerable margin, setting up community energy initiatives and supporting innovative generation research projects. We can and must go further, however. Northern Ireland can be an ambitious world leader in energy efficiency and clean, net zero technologies. The Small-Scale Green Energy Bill moves us towards that goal. It incentivises microgeneration technologies, such as rooftop solar panels and small-scale wind turbines, and boosts the microgeneration of renewable energy. The Bill also places a legal requirement on major electricity providers to pay a statutory minimum price for the electricity that they purchase from private homes, farms and community schemes, which will help us to tackle the climate emergency and, hopefully, to improve people's living standards across Northern Ireland.

I welcome the Bill's ambitions and support its progression through the Assembly. I am sure that its sponsor will take on board some of the comments made today.

Mr Beggs: I, too, indicate my support in principle for the Small-Scale Green Energy Bill progressing to Committee Stage for further investigation, which it merits. We need to encourage further diversification in renewable energy and the take-up of new technologies in order to minimise the long-term cost to the public and to protect the environment.

A question that we all should consider before encouraging any additional energy generation is whether our homes and businesses are sufficiently insulated to begin with. It might be worthwhile taking that on board and deciding whether any new grant should also look at that aspect. If there is not sufficient insulation, it is pointless to spend money on electricity generation. It will not be good for the environment or the users, who will have to pay for it in the long term.

Why do we need to generate our energy supply? We are over-reliant on gas. Just look at the present times in which we are moving increasingly towards gas as our source of electricity generation. The current model at EP Kilroot will close, and new peakers will be installed over the next few years that will again rely on gas. As said by other Members, Northern Ireland's electricity is becoming increasingly reliant on gas and wind. Those are the two principal generators that we utilise, and we need to be careful that we do not become over-reliant on them.

We also need to recognise that any scheme may not have a public purse contribution upfront or have NIROCs paid. However, ultimately, if we create a legal requirement to purchase something, there will be a cost implication. If those who come forward with small generating units — there may be a limited number; we do not know — have ridiculous grid connection costs, guess what? We will have to pay for that, because those will be the best options available to those who are supplying electricity at that time. We need to make sure that we do things efficiently and are cognisant that our electricity users — homeowners and businesses — will ultimately pay for it. We do not want to create a situation in which our businesses are not competitive, nor do we want to drive up the price of domestic electricity because those in fuel poverty will suffer the most. We need to take great care with all of it, because consumers will pay.

Renewable energy has been badly served by previous schemes in Northern Ireland. I am thinking of the RHI scheme, which was to be environmentally friendly but turned into "cash for ash", whereby some actually wasted energy and created emissions to profit, which happened largely because of the inability to adjust the grant tariff. Huge public costs were racked up, and some exploited the scheme. I also point Members to last week's Public Accounts Committee report on renewable energy, which highlighted the absence of digression in the scheme as a key flaw. The scheme was stopped, and the commitments

that were given by the then Minister of Enterprise, Trade and Investment were not honoured. Public confidence in renewable energy schemes has been dented, and any new scheme must be designed so that we can renew that public confidence. Instead of evolving the RHI scheme into something appropriate, all support was cut off, which stymied renewable energy generation in Northern Ireland.

Approximately 50% of Northern Ireland's electricity is generated by renewable means. According to a report from the Northern Ireland Audit Office, some 85.4% of that is generated from onshore wind. That is why I said that we are heavily reliant on wind. I understand that, currently, wind is probably the most cost-effective method of generating renewable energy. In the past, the market was driven by the ROCs or NIROCs subsidy. However, even without there being that subsidy, I am aware of several large-scale planning applications in which the business cases stack up on their own. Therefore, more wind generation is being planned, and there is likely to be more again in the future. Whilst wind energy is a very clean renewable energy, we need to consider an over-reliance on it.

12.45 pm

Why do I say that? As Mr Frew said, we create a potentially unstable grid if we are over-reliant on any particular aspect of energy generation, and wind generation in particular is vulnerable to the weather. Peak demand each winter is on the cold, frosty, calm days when there is no wind, so we are actually creating a situation where we must have a backup supply, meaning that there is an additional cost for a second supply for the entirety of the generation we may be relying on wind for. So it is important that we consider whether we should encourage further wind renewable energy through public grant or whether we are already over-reliant on it. That may need to be looked into.

What is the best economic model for wind generation? When you encourage wind generation, you also have to pay for the peaker units, which are the very expensive units that could be pulled in quickly. At present, that would require using gas for such a situation. It is not just about the cost of encouraging —

Mr Frew: Will the Member give way?

Mr Beggs: Yes, I certainly will.

Mr Frew: The Member raises a very valid point about the mixture of gas and wind. If the wind is blowing, everything is fine, but, when the wind stops blowing or if it is intermittent, which is even worse, it is very hard to crank up a gas unit, even a peaker unit. Even if you do achieve it in a fast time, that has a massive impact on the life of the unit.

Mr Beggs: The Member is correct. If peaker units are turned on and off, that adds wear to them. Also, they are not very environmentally friendly, because they are not the most efficient method of generating electricity. They are the cheapest way of getting power quickly, but we need to understand the full mix in supply, and that is why I am saying that we need to look very carefully at whether we want to pay for encouraging additional wind, whether on a small scale or a large scale. That is an area we need to be careful with.

I will support the Bill's moving forward, so I draw Members' and the Committee's attention to the recent Northern Ireland Audit Office (NIAO) report, 'Generating electricity from renewable energy'. Indeed, last week's Public Accounts Committee report into the matter indicates some of the lessons that can be learned from the mistakes of the past. I draw Members' attention to recommendations 1 and 2, which talk about the need to identify potential environmental or planning aspects in any policy and the need for more formal arrangements and agreements with other related public bodies. That was one of the failures of past renewable energy schemes here.

I will also mention recommendation 3, which highlights Departments' skills gap. One of the issues to come out of previous schemes is that the Department was over-reliant on private-sector consultants, or outside experts, and there was an inability to assess what was coming and develop appropriate policy. My question is this: does the Department have the capability to develop further such schemes? That fundamental question must be answered at the outset before we require the Department to do the work.

I will move on to recommendation 5. The issue in that recommendation arose because there was, dare I say, a dispute over just how profitable renewable energy generation had been. Some were saying that excessive profits were being made, and that point was being countered. The question is this: why do we not build into any scheme a need for confidential information to be passed back to the Department so that there is transparency in the Department on the level of profits being made?

There is no point in the Department continuing to pay excessive profits if those profits are not needed to encourage a scheme.

Another aspect of learning we need to take from the past is on how setting a capacity tariff and the level of grant varying with it can direct what is delivered on the ground.

In Northern Ireland, the maximum ROC was 250 kilowatts, where they got four ROCs. That is why we have turbines up to that size dotted around the countryside. That was the maximum grant and it was the grant, and not the site or the efficiency of the wind turbine, that was driving the system. The construction of 1,209 of those turbines were driven by that grant at that stage, as opposed to there being only 20 of between 250 and 500 megawatts and 53 greater than 500 megawatts.

We need to make sure that we build a system that is environmentally friendly. We have the strange phenomenon of some of those turbines being taken down and replaced with derated larger turbines because even more money can be made. It is questionable why those turbines had to be taken down. The scheme is being maxed out by the operators, which it is perfectly reasonable for them to try to do, but we should not be designing a scheme that will allow for excessive profits. There should be mechanisms in it to stop that and ensure that the public interest is looked after. There were similar issues with anaerobic digesters, so lessons must be learned.

I have attached lots of caveats but there is still potential. When we suddenly stopped our support for renewable energy of any sort, we stymied development and demand. There may well be a need to encourage that once more, particularly in diversification. I question whether we need to have wind, as much as many may benefit from that. I am looking at the overall cost, the sustainability of the grid and the cost to electricity users. There may well be merit in hydroelectrics, solar, biofuel, and combined heat and power, which is an area that has not been heavily looked at. There may well be merit in the scheme but we must do it sensitively and ensure that excess profits are not generated.

Mr Deputy Speaker (Mr McGlone): I call Clare Bailey. I apologise in advance if I have to interrupt you for the business to be stopped for a meeting of the Business Committee at 1.00 pm.

Ms Bailey: Thank you, Mr Deputy Speaker. I have seriously cut down my speaking notes, so

I will not be saying everything that I wanted to say.

Most of us know that we are in a climate emergency in Northern Ireland. In our push to achieve net zero, the energy sector will be able to move far and fast, and renewable energy will be key to achieving that. The Green Party will support the key policy objectives of the Bill to make microgeneration even more affordable and to incentivise the growth of micro-renewable energy generation at household and community levels. Therefore, I support the Bill at this stage and want to see it progress for further scrutiny at Committee Stage. I have to admit to Mr O'Dowd that I have not given as much time and attention to the detail of the Bill as I would have liked, but I hope that my contribution will be of some use to him as the sponsor.

Like others, we have concerns with the detail of the Bill. Our concerns are mainly with the potential for abuse of the scheme, for adverse impacts on nature and for the scheme to impact negatively on low-income households. RHI should have taught us so much. We were also reminded by Mr Frew of the rent-a-roof solar scheme that operated here. Mr Beggs made reference to the anaerobic digester schemes. Those schemes continue to operate here. The financial incentive for anaerobic digestion has caused, and continues to cause, widespread environmental harm. In Northern Ireland, we set subsidies at a rate that was far higher than those in GB. What we have done is to incentivise the likes of venture capitalists from London to come over and build many of these polluting AD plants. We need to keep an eye on that, because the impacts of those are causing destruction to our habitats and waterways and are damaging to public health as well.

Mr Beggs: Will the Member give way?

Ms Bailey: Certainly.

Mr Beggs: Does the Member not accept that, if an anaerobic digester is properly installed with all the planning and environmental regulations in place, it can contribute to renewable energy safely? I ask her to be careful about what she is saying; she seems to be damning all anaerobic electricity generation, but it does have potential.

Ms Bailey: I thank the Member for that. He is really getting into the planning system there, and we are going to go into that one. I have spent a long time looking at AD plants, the pollution and the ammonia-emitting projects. I will be happy to show the Member a picture of

the ammonia map that we have produced for Northern Ireland. We have a lot to do, and while there is a theory, we are not good at the practice. That is where the alarm bells need to be ringing. It is for those reasons that the safeguards should be included in this Bill in order to ensure that a maximum threshold, as well as a minimum threshold, is set for tariffs to ensure that a Minister cannot inadvertently incentivise harmful practice through the setting of disproportionately high tariffs.

We would also like to see limits on the number of microgenerators that can be placed in one household, business or farm, so that gaming of the system does not result in unintended outcomes. Clause 1(6) should include the need for strict and robust environmental impact assessments of any small-scale green energy schemes in order to ensure that renewable technologies are not increasing the threat to nature and biodiversity. That technology must be deployed in the right places and in harmony with nature.

The Green Party also has concerns about the types of technologies that are included under the term "renewable" in clause 1(5). Certain types of electricity generation that may fall under those categories, including AD and combined heat and power, which is explicitly mentioned, are not suited to a scheme like this. A similar scheme is being developed in the South, but this scheme is not as broad in the types of energy generation that it covers, excluding, for example, energy created from biofuel. The primary purpose of domestic generation or microgeneration should be for electricity users to meet their own need for power. Again, there should be a maximum threshold for tariffs paid to micro-producers, otherwise lower-income households could, effectively, subsidise wealthier households that can afford to install microgenerators.

Finally, we believe that the Bill could be enhanced by adding some points — for example, referencing the need to achieve net zero in Northern Ireland and introducing additional environmental safeguards. We know that the planning system is not well equipped to deal with these issues and that many microgenerators may not require planning permission. We could perhaps remove the inclusion in the Bill of energy from sources that are not environmentally friendly or entirely renewable or that cause harm to nature and biodiversity. Of course, this is a narrowly focused private Member's Bill with a targeted purpose, so it is not going to address all things for all people or all of our energy woes. We all need to be mindful of that, but we support the

Bill in principle at this stage and would like to see it proceed for further scrutiny at Committee Stage.

Mr Deputy Speaker (Mr McGlone): The Business Committee has arranged to meet at 1.00 pm. I propose therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time. This debate will resume after the urgent oral question, when the next Member to be called will be the Minister.

The debate stood suspended.

The sitting was suspended at 12.59 pm.

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

2.00 pm

Oral Answers to Questions

Health

Mr Deputy Speaker (Mr Beggs): I advise Members that questions 4 and 5 have been withdrawn.

HSC: Workforce Absence Rate

1. **Dr Archibald** asked the Minister of Health for his assessment of the contributing causes of the current workforce absence rate across the health and social care (HSC) sector. (AQO 2481/17-22)

Mr Swann (The Minister of Health): I thank the Member for her question. Provisional absence figures for the period from April to August 2021 suggest that the total absence rates across the HSC sector are greater this year compared with the same period in recent years. There is a wide range of reasons for that, but Members will not be surprised to learn that the available data points to mental health as being the primary reason for sickness absence in HSC. Just over one third of the hours that were lost to sick absence are recorded against the mental health category.

Although mental health is already a recognised issue in the general population, the situation has been exacerbated by the pandemic. That is not unexpected, given the nature of HSC work and the physical and emotional demands of the job. As I have done repeatedly in the past, I must acknowledge the selflessness, commitment and compassion that our staff have shown throughout the past year. I am aware, however, that such commitment and compassion during a challenging period in our history has not come without a cost.

HSC staff are, first and foremost, people. I fully appreciate the challenges associated with exposure to trauma in the day-to-day work of our health and social care professionals. I also acknowledge their skills, developed with peer support over long careers, and the mentoring of junior staff as being key factors in promoting and maintaining workforce well-being. I remain committed to developing and enhancing psychological and well-being supports for staff and to working alongside the Regional

Workforce Wellbeing Network on that aim. Without sustained and long-term investment in workforce growth, however, safe staffing will not be attainable and the optimum workforce model, as envisaged in the workforce strategy, will not be achieved.

Dr Archibald: I thank the Minister for his response and associate myself with his comments about the commitment and dedication of staff. I also agree with him about the impact that the pandemic is having.

Alarming numbers of patients are waiting for long periods in emergency departments across the North. What interventions has your Department put in place to help staff cope and to reduce waiting times for patients?

Mr Swann: The Member asks two questions there. We take the No More Silos approach to waiting times for patients going into our EDs. That action plan contains the Phone First triage service and other aspects that are working to try to alleviate the pain and the pressure that we see currently in our EDs.

I am sure that the Member is aware that I was joined by the First Minister and the deputy First Minister when I visited the ED in the Royal to see the pressures there. The strain and pressure on those staff is immense, because they are the front line for people. The main stress that they report, which is the same across a number of EDs, is the number of beds that they have to manage. They are almost having to manage a ward in the emergency department before they can move patients through. That puts incredible pressure not just on beds but on staff, as they try to deal with and triage emergency cases. A number of psychological supports are available to all staff across the trusts and the region. I encourage staff to make best use of them.

Ms Hunter: We understand the significant pressures that nurses have faced in the past two years and welcome any steps to support their mental health. I ask the Minister for an update on what strategies his Department has in place to improve the retention of nurses in our health service.

Mr Swann: I thank the Member for her question. She may be aware that, last week, I announced, along with the Chief Nursing Officer, a specific task force to look at nursing retention in our nursing and midwifery task group, because theirs is a specific skill set. We need not just to recruit but to retain. Up until that point, recruitment and retention were

looked at as being the one strategy, but I asked the Chief Nursing Officer, in conjunction with our trade unions, to look at what can be done to retain our nurses in the workforce, taking into consideration the pressures that they are under and the supports that they need, while also recognising the vital part that they play in our health and social care workforce.

Mr Chambers: Will the Minister provide an update on the £15 million that he allocated to trusts earlier this year to support healthcare workers across Northern Ireland?

Mr Swann: I thank the Member for his question. As he states, I provided £15 million of additional funding, split evenly between the five main trusts, to support our HSC staff. Our HSC retains a number of separate and distinct charitable funds across the health estate that cover a multitude of themes and locations. Those funds have an important role in providing services, training and support that cannot ordinarily be funded using public funding. They have made a very significant contribution to healthcare in Northern Ireland. They have contributed to the health sector for a number of years, relying on the general public's goodwill alone. To supplement the work of those funds and to further support staff as we move out of the pandemic, I distributed that funding evenly between the five main trusts to be used specifically to provide support to staff.

As we know, the COVID-19 pandemic has had a major impact on all corners of life and on all ages and professions, but none more so than our health and social care workers. That is in the context of the major pressures, including significant workforce pressures, that remain across our HSC system. Adequately supporting those workers is more important than ever, which is why I utilised that £15 million, split evenly across all five trusts.

Adult Day-care Centres and Respite Services

2. **Ms Ennis** asked the Minister of Health for an update on the Public Health Agency's (PHA) review of adult day-care centres and respite services. (AQO 2482/17-22)

Mr Swann: I thank the Member for her question. This issue has been raised in this Parliament and at the Pensioners' Parliament. In June 2021, I announced that the Public Health Agency had been tasked with reviewing adult centres, short breaks and transport. The aim of the review is to identify a safe pathway to restoring services to pre-pandemic levels. A

multi-agency task force was established to convene key stakeholders from health trusts, the Health and Social Care Board, the PHA and the Department. Aligned to that, the Patient and Client Council established an engagement panel with families of people with learning disabilities to ensure that the voices of carers informed the guided pathway to restore services. A number of carers were invited to join the task force to ensure that their views were considered equally to those of practitioners and policymakers. A significant exercise has been undertaken to assess the current level of service provision, the implementation of infection and prevention control guidance, vaccination uptake, routine testing participation, and, ultimately, the risks associated with increased service provision. Additionally, the Patient and Client Council conducted a survey of approximately 100 families to understand their views about the restoration of services. Families are clear that they seek a full restoration of adult centres, short breaks and transport, but they want that to be underpinned by good infection control practice, high levels of vaccination and routine staff and client testing. I very much want to see the full restoration of respite services to give those carers a much-needed break.

The review has entered its final stage and is due to submit a final report in the coming days for departmental consideration.

Ms Ennis: I thank the Minister for his response. I am glad that he has reiterated his commitment to the restoration of full access to services. I have been dealing with a number of families and carers across south Down who have been struggling since the start of the pandemic and still struggle today without the full restoration of respite and adult day-care services.

The Minister said that the review is expected to report within the next few days. Will he use that as an opportunity to examine how best those services can be expanded to ensure a definite return to full-time access to those respite and adult day-care services?

Mr Swann: I thank the Member for that point. I am acutely aware that the reduced provision of adult day care and short breaks has placed a significant burden on our carers over the past 18 months. I extend my gratitude to families for the role that they have played in keeping their loved ones safe and responding to the emerging needs during the pandemic.

Trusts are at varying levels of service provision, which is reflective of the availability of physical space and the use of independent sector

contracts. My Chief Social Work Officer tasked trusts to review those rebuilding plans, with a view to replicating effective practice across all trust areas. Our health trusts are also exploring a range of options to increase further the level and range of services provided.

That includes the increased use of day opportunities to provide a meaningful outlet for people with disabilities.

Mrs D Kelly: I speak as a former day-care manager. It is not always about respite services; it is about rehabilitation and improving the quality of life and opportunities for those who attend. Minister, you said that different trusts have different standards in the restoration of services. Will you seek to ensure that there is no postcode lottery for clients and their families? I know that the Southern Trust had a review, and there was concern that that would lead to a reduction in service provision. However, post COVID, surely the demand will be much greater? How is that being taken account of in restoring services?

Mr Deputy Speaker (Mr Beggs): I remind Members to be succinct in their questions.

Mr Swann: I thank the Member for her statement. *[Laughter.]* Her point is well made, and she has often heard me say in the Chamber that I want a regional service and not a postcode provision. The work to review the provision of day-care services is not just about rebuilding what we had but about seeing what more we can do and making sure that it is consistent across all the trusts. That is why my Chief Social Work Officer has ensured that other bodies are engaged, including the health trusts, the Health and Social Care Board, the Public Health Agency, the Department and the users, who include family members and stakeholders who use the service. They will have an input to the review and its outcomes. Rather than its being just an exercise in finishing off where we started, we are taking this opportunity to improve provision.

Mrs Barton: Will the Minister provide any clarity on the level of vaccination uptake among service users and staff in such facilities?

Mr Swann: I thank the Member for her point, which a Member raised in the Chamber last week or the week before. The PHA has undertaken a review of vaccination uptake in adult centres, short breaks and transport. I am pleased to report that there has been a high level of vaccination across service users and staff, which provides a strong platform to

increase service provision further. Options are in development to introduce routine testing for service users, and that will further mitigate the risk of COVID-19 and increase service provision. It will also complement the existing routine testing programme for health and social care staff. Families have expressed concerns over potential service user testing, which is being further explored. We recognise that some individuals may be unable to avail themselves of vaccination or participate in testing. I can confirm that no one will be denied the health and social care service as a result of that.

Mr Dickson: Minister, do you recognise the exhaustion that families and others who care every day experience because respite care services are not available or are limited? We hear the word "review" from you on many occasions, but when will this review turn into action?

Mr Swann: I thank the Member. When he hears the word "review" from me many times it is because work is ongoing and delivery is being made. The Member knows that with regard to what has been delivered over the past 18 months by my Department and people working across the health and social care sector.

In the Chamber I am often asked what engagement there has been with stakeholders. With regard to the review of current provision, I made it clear that we engaged the Patient and Client Council, and it set up an engagement panel of 20 carers. That was established and has met five times since the beginning of August with regard to the review of the provision of what we can bring back and how we will do that.

In addition to that, the Patient and Client Council conducted an online survey throughout August to provide families with the opportunity to shape the restoration of services. Carers responded positively to the draft framework, although they raised some concerns about the proposal to introduce service user testing, which will require further consideration. My officials have been assured that the framework will be submitted shortly for my consideration. We must make sure that the restored service meets the needs of the people who use it, rather than delivering something that departmental officials, trust officials or the PHA think meets the specification that they think it should meet.

2.15 pm

HSC Staff Recognition Payment

3. **Mr McGuigan** asked the Minister of Health for an update on the HSC staff recognition payment for staff in the independent sector. (AQO 2483/17-22)

13. **Mrs Dodds** asked the Minister of Health for an update on the HSC staff recognition payment for those working in the independent sector. (AQO 2493/17-22)

Mr Swann: Mr Deputy Speaker, with your indulgence, I will answer questions 3 and 13 together and ask for additional time.

Members will be aware that, in January, I announced that a special recognition payment of £500 would be made to Northern Ireland's health and social care workers. Payment to the statutory sector employees commenced in July. An additional letter was issued to care home, domiciliary care and supported-living providers in May, advising that work on eligibility and the mechanisms for processing payment was ongoing and that further information would be provided. A further letter was issued in August, providing an update.

Work to deliver the payment to staff in the independent sector has proven to be complex and challenging. Unlike the statutory sector payments, on which my officials were working with a small number of employers, the independent sector has a larger employer base. In addition, workers in the independent sector are much more transient than the statutory sector, and developing a set of standardised eligibility criteria has proven to be more challenging. Likewise, the development of a payment mechanism, particularly in circumstances where an employee has moved between providers or has moved out of the sector completely, has proven problematic.

My officials continue to engage with trade unions and representatives of employers to develop a workable payment process. Whilst that has taken longer than for staff working in the health and social care trusts, that does not reflect any difference in the value of the work done. However, I cannot be definitive about a timescale for delivery of the payments, nor do I want to provide an artificial expectation by being pushed into providing an exact date for the payments. However, what I can assure Members and, more importantly, those working in the sector is that my officials are actively engaged in trying to resolve those outstanding issues without any further undue delay.

In recent days, officials have had further detailed discussions with trusts, the Health and Social Care Board and the Business Services Organisation about the next steps in progressing the payments. Weekly meetings will continue to ensure that those issues are resolved. I remain personally committed to ensuring that the recognition payment will be paid to independent sector staff as soon as is practicable.

Mr McGuigan: Minister, you used the word "challenging" a number of times in your initial response. I accept that, but you also need to accept that it has been over eight months since the COVID recognition payment was announced, and many staff, particularly in the independent sector, are in a state of limbo. I, like probably every other MLA in this House, receive daily messages asking for an update on it. You said that you cannot provide a date. I think that is disappointing.

Mr Deputy Speaker (Mr Beggs): Can we have a question, please?

Mr McGuigan: I would like you to provide clarity today that the independent sector will receive the payment and a date and timescale for that payment.

Mr Swann: I assure the Member that I receive those emails as well. I made the commitment, I have the money there and my dedication, and that of my officials, is there. I cannot provide a date or time — much as I would like to — but I assure the Member that, as I said, the trusts, the Health and Social Care Board and the Business Services Organisation are meeting weekly to ensure that those issues are resolved. We continue to engage with employers, trade unions and those who are represented by trade unions in the sector to make sure that we can get the payment rolled out effectively, efficiently and as soon as possible.

Mrs Dodds: I thank the Minister for his answer. Most people and those who work in the independent sector will be disappointed by what the Minister has said today. I spoke to the Finance Minister in the House yesterday, and he said that there was an indication that the payment should go out this autumn.

Mr Deputy Speaker (Mr Beggs): Can we have a question, please? This is Question Time.

Mrs Dodds: Is that correct? If it is not correct, what does that say about the value that we

place on those workers, who perform a crucial job?

Mr Swann: I thank the Member because, when I first brought the issue to the Executive, she was one of the supporting Ministers who ensured that not only was the money there but additional money was there so that National Insurance was not taken out as well.

It does not and should not take away from the value that we place on those in the independent sector. As I said, it is proving more problematic than simply paying those who work in our health and social care trusts, where there is a small number of employers. The dedication and commitment is there, and, as the Member knows, the money is there to make those payments. It is just how we get the process right to make sure that it is auditable and accountable because, after all, it is still public money that we are accountable for.

Mr Carroll: Minister, what are your views on the workers who, although not directly employed by the trusts or the Department, have been providing essential health work during the pandemic? One of the groups, B-Fast, delivers medical equipment across our communities. I think that you met its staff during the pandemic. Are those workers deserving of a special recognition payment? If so, what steps have been taken to ensure that they get one?

Mr Swann: I thank the Member. Under the eligibility criteria set out for the payment, staff must have worked in an organisation registered with the Regulation and Quality Improvement Authority (RQIA) and hold a contract with a health and social care trust or the Health and Social Care Board for the provision of adult social care or a children's residential care service. In addition, staff working in an organisation with a contract with a health and social care trust for providing day opportunities will be eligible. Staff must have worked at least one month's continuous service between 17 March 2020 and 31 July 2021. Staff employed on a part-time basis will receive a pro rata payment. If the Member wants to send me the exact details of the organisation and the individuals, I will get back to him with clarity on that.

Mr McGrath: I welcome what the Minister has said today. I sure that those words will be of comfort to people in the independent sector, because they know that the payments will come; it is just a matter of when. Given the number of Members who have spoken about it today, will the Minister undertake to write to

Members to detail what will happen? Workers in the independent sector often are not part of a union, so they do not get the information, and that is why they come to MLAs. A standardised letter from the Minister that we could distribute to our constituents would give them great comfort.

Mr Swann: I thank the Member for his point. I have answered many questions through the frequently asked questions on the departmental website. As our weekly meetings progress and as we get more movement, those frequently asked questions are updated.

I want to place it on record that the independent sector is valuable. The payment is in recognition of the workforce that we have there. To date, we have made payments totalling £55.463 million to over 83,000 workers in the HSC system. As I said, that was a complicated process, but it was simpler than what we have to do for the independent sector. However, the dedication and commitment are there, and the support is there to ensure that those workers are acknowledged as well.

Ms Bradshaw: My question is about the removal of free car parking for Health and Social Care staff at some of our hospitals. Minister —.

Mr Deputy Speaker (Mr Beggs): I remind the Member that she is straying from the original question.

Ms Bradshaw: I will be brief. Minister, are you satisfied that the trusts have explored every option to raise that revenue in other ways so that those charges do not —

Mr Deputy Speaker (Mr Beggs): The Minister may or may not wish to answer the question.

Ms Bradshaw: — have to be reintroduced?

Mr Swann: I thank the Member for her point, although it is not connected to the question. She will be aware that we supplemented car parking charges for a considerable time. Not every trust across Northern Ireland applies the same criteria, charging facility or charging mechanism, but I am aware that the trusts that have reintroduced some level of charging for their staff are trying to put in place park-and-ride provision and other alternatives, rather than simply looking to fundraise in order to plug the gap.

Part of the challenge — I have had conversations with trusts about the lack of

parking facilities at some of our hospital sites — is that the provision of parking facilities for staff where we have been able to provide that support negates the number of parking spaces available for patients, those coming in for day procedures or visitors. That leads to long queues and missed appointments, because people wait for so long for a car parking space that they do not get in to get the procedure for which they are attending hospital.

GPs: Face-to-face Appointments

6. **Mr M Bradley** asked the Minister of Health what his Department is doing to encourage GPs to return to face-to-face appointments. (AQO 2486/17-22)

10. **Ms P Bradley** asked the Minister of Health to outline what steps his Department is taking to increase the number of face-to-face appointments in GP surgeries. (AQO 2490/17-22)

Mr Swann: I will join questions 6 and 10 together. Again, I ask for additional time.

I thank the Member for his question. I recognise how important it is that people can access GP services when they need to do so. I want to stress again that GP practices are open and will continue to provide face-to-face appointments and alternative consultation options for patients, as appropriate. Even prior to the COVID-19 pandemic, primary care services were coming under increased pressure. Figures from 2019 indicate that patient contacts were at almost 15 million per year, and that was up from an estimated 12.7 million in 2014. At the same time, the GP workforce as measured in whole-time equivalents has decreased by 8%. The pandemic has accelerated a trend that was already under way of making greater use of technology to help manage the increase in demand in primary care.

General practice "Telephone first" consultations allow patients to seek timely medical advice from their GP. The GP decides how best to meet the need of the patient. Where a face-to-face appointment is appropriate, that will be arranged. That approach has enabled GPs to appropriately manage, treat and support a greater number of people than would otherwise have been the case. Recent figures indicate that approximately 147,000 GP and practice nurse consultations are taking place on a weekly basis.

Feedback from GPs indicates that many patients are presenting with more complex

needs, particularly those with a chronic disease, making it more difficult for GPs to see all the patients whom they would wish to see. I am aware that some patients are experiencing difficulty in accessing their GP by telephone, and I understand their frustration where that is the case. I also share the concern that that causes. Work is under way on a number of fronts to help improve access to primary care services for patients. My Department has invested £1.7 million to upgrade GP telephony services and improve telephone access. Further urgent work is progressing with GPs and the Health and Social Care Board to explore how telephony can be better used to support the service.

Consideration is also being given to ways to better deal with routine requests such as repeat prescriptions to release capacity. At the same time, work is well advanced on a review of GP trainee places to make sure that we have enough GPs to meet our primary care needs in the future. It is anticipated that the review will be completed in the autumn. The work that is already under way is part of a wider programme to help improve patient access to services in primary care, and that includes the wider roll-out of primary care multidisciplinary teams (MDTs) and work to reform the out-of-hours service.

Finally, I reiterate that, if people have symptoms, an unexplained illness or any reason to be concerned, they should, in the first instance, contact their GP, who will be able to provide advice. GPs want anyone with a health concern to feel reassured that they will be able to get an appointment and see a GP if necessary.

Mr M Bradley: I thank the Minister for his detailed answer. However, it would be wrong to label all GP practices generally. As you said, there are some excellent practices operating exceptionally well through the pandemic, but there are some that are not. What additional stress is the lack of GP appointment availability having on our NHS? What additional stress have limited home visits by doctors on call had on the NHS and its excellent staff at all levels, who feel that stress?

Mr Swann: I thank the Member for his comments. Initially, he pointed out the challenges that we have. We have GPs across the country providing an excellent service that is over and above manning out-of-hours services and COVID centres and looking after their own practice. As in many other situations, there are those who present challenges to the reputation of an excellent workforce. The

additional strains and stresses coming from how they are perceived or portrayed as a whole, which is often unfair, are not just felt in GP practices but add to the strains and stresses on our EDs and other parts of our hospital service.

On the work of 'No More Silos', which is on making an out-of-hours telephone call first rather than going directly to the ED, there are steps that I encourage patients to take before simply turning up at the ED. If patients need to see their GP, there should be access to them. GPs should take the support mechanisms coming from my Department and the Health and Social Care Board in regard to updating telephone services and fully automating repeat prescriptions as much as possible in order to alleviate the additional pressures and time commitments in the work that GPs are trying to do.

Ms P Bradley: I thank the Minister for his answer. Minister, it has been well rehearsed that a lack of GP face-to-face services can lead to an increase in certain diseases and illnesses. For the age group with early-stage dementia, how can we alleviate the anxiety of not being able to see the doctor who knows them best?

Mr Swann: I thank the Member for her point. There are a number of avenues, but the crucial part of her question is the last line about the GPs who know the patient best.

When the son, daughter or carer calls about someone who is suffering from dementia or has additional needs, many GPs will be able to triage the patient, as will the GP's receptionist, because they are known to the service. That is one of the strengths of the GP fraternity. We often underestimate how well they actually know their patients and clientele.

2.30 pm

It is important that anybody who needs to see a GP actually gets to see them. It is not easy, but one thing that we need to be clear about is that it is not just a COVID or post-COVID problem: pre COVID, we had the same challenges because of the reduced workforce in GP practices and high demand for the services that they provide. That is why we rolled out initiatives like the multidisciplinary teams, where individuals in a practice and healthcare professionals could see a wide range of patients in different settings, and not everybody had to go and see the GP in the first instance.

Mr Deputy Speaker (Mr Beggs): That ends the period for listed questions. We now move on to 15 minutes of topical questions. I advise Members that questions 6, 8 and 9 have been withdrawn.

Endometriosis: Eight Years to Diagnose

T1. **Mr McAleer** asked the Minister of Health, who will be aware that it takes eight years for endometriosis to be diagnosed, with a lady who was in contact about the condition saying that "it is eight years of truly horrific pain, eight years of disease growth and eight years of mental anguish", what steps are being taken to ensure that women who have endometriosis receive adequate care and support while they wait for a consultation with a specialist and to give an assurance that GPs will be adequately resourced to provide the best possible front-line service for those with the condition. (AQT 1611/17-22)

Mr Swann: I thank the Member for his question. He has corresponded with me on the matter. I have received a lot of correspondence on endometriosis treatment and diagnosis, and I am very aware of the considerable pain that the condition can cause to women who suffer from it. As patient demand for elective care services currently exceeds funded health service capacity for both new outpatient and inpatient day-case treatment across a range of specialties, including gynaecology, regrettably, it is inevitable that waiting times will increase, as has been seen over the past few years.

Endometriosis services are provided as a subspecialty in gynaecology. The Health and Social Care Board is responsible for ensuring that the National Institute for Health and Care Excellence (NICE) guidelines on the diagnosis and treatment of endometriosis, which were endorsed by the Department in October 2017, are cascaded and embedded in the health and social care system. Therefore, a patient with endometriosis will receive support from their GP to manage the condition until they are seen by a gynaecologist. If their condition worsens, they are referred urgently to secondary care. There are no specific endometriosis services in the Northern Trust and Southern Trust areas. There is a limited service in the South Eastern Trust area. Patients in those areas are usually referred to services in the Belfast Trust and Western Trust.

A small business research initiative is being led by the PHA to develop a digital platform to support people who live with chronic pain in

Northern Ireland. That will include women with endometriosis. As it is expected to take some time before that platform is available, I appreciate that it is not available to anyone in the immediate future. I hope that it nonetheless provides further reassurances that people who suffer from chronic pain from conditions such as endometriosis are not being ignored or forgotten, and that plans have been and are being put in place to help them.

Mr McAleer: I thank the Minister for his response. Will he join me in commending the excellent work of charities such as Endometriosis UK? I want to mention, in particular, Laurene Agnew, who has campaigned endlessly and been living with the condition for 20 years, and indeed her brother Cormac, who is completing a full-distance Ironman challenge for Endometriosis UK, Cormac's IronmanForEndo, on 23 October.

Mr Swann: I will. Since coming into my position, I have seen the work of advocates in the voluntary and community sector to support the work of healthcare. It should not be underestimated. I congratulate the gentleman and wish him well as he undertakes that fundraising exercise. I also wish his sister well in seeking and getting the help and support that she needs.

Vaccine Certification Programme

T2. **Mr Catney** asked the Minister of Health whether, for the avoidance of doubt, he agrees with the SDLP proposal for a vaccine certification programme for entertainment and hospitality venues, underpinned in the COVID regulations, particularly in light of his stark warnings earlier this week about the impact of COVID transmission on winter pressures, with no one wanting to see that situation come to fruition. (AQT 1612/17-22)

Mr Swann: I thank the Member for his question. I need to be clear that the vote that was taken last night was on a scheme that we do not have, for a sector that is willing to introduce the system on a voluntary basis. That sector is actually more than willing to do it. What was done last night does not reflect my position on the development and implementation of a vaccine certification programme. I have been clear about that since 22 April, when I asked Executive colleagues to bring forward a proposal so that, if we ever needed to utilise a COVID domestic certification system, we would have one in place. We are still waiting for that conversation at the Executive.

I welcome those parties that have joined me in the past week in seeking to develop a COVID certification scheme so that, should we need it in Northern Ireland, we have one ready to deploy and utilise, and also so that we do not detract from the opportunity of people in Northern Ireland who have been vaccinated and who want to avail themselves of systems, venues, or sporting or entertainment events in England, Scotland, Wales or the Republic of Ireland should such a scheme be necessary. It is vital for us to prepare such a scheme.

Mr Catney: I thank you for your reply, Minister. I hoped that you would bring that scheme to the Executive meeting last night, but it was not there. I was extremely disappointed by the statement, issued in your name today, that appears to question the sincerity of my party on that issue. You may want to take this opportunity —

Mr Deputy Speaker (Mr Beggs): Have we a question, please?

Mr Catney: — to reconsider your comments. In response to a question for written answer asked on 5 July, the Minister said that his Department estimated that £10.5 million was needed for, among other things —.

Mr Deputy Speaker (Mr Beggs): Have we a question?

Mr Catney: I have a question.

Mr Deputy Speaker (Mr Beggs): Can I have it, please?

Mr Catney: Yes, you are having it, sir.

It was needed for, among other things, features to —.

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

Mr Catney: You are having your question.

Mr Deputy Speaker (Mr Beggs): Order. I remind members that Question Time is an opportunity for a brief introduction and then a question. Please ask your question.

Mr Catney: Thank you, Mr Deputy Speaker.

The Department estimated that £10.5 million was needed for, among other things, features to support an Executive policy on domestic use of the COVID passport. Will the Minister provide

an update on work that has taken place over the past three months?

Mr Swann: Again, I thank the Member. I am not sure where his anger comes from.

Mr Catney: I am sorry. I do not have anger.

Mr Swann: When I saw some of the commentary last night, it reminded me of a line in a poem:

*"Yesterday, upon the stair,
I met a man who wasn't there!"*

Mr Catney: On a point of order —.

Mr Deputy Speaker (Mr Beggs): Order. This is Question Time, and there are no points of order during it. A question has been asked, and —.

Mr Catney: Can you give me —?

Mr Deputy Speaker (Mr Beggs): Order. A question has been asked, and the Minister now has an opportunity to answer. There will be an opportunity for points of order after Question Time.

Mr Swann: There has been a lot of commentary, from politicians and from the media, who seem to be informed of discussions and other things that took place, which does not reflect or correspond to any meeting that I was at.

The Member asked about the value that was placed on introducing a domestic vaccine certification system. That is correct. The policy lead for the introduction of that certificate is the Executive Office. Until I get a policy direction or the Executive agree a policy to develop that domestic certification scheme, should it be for use in Northern Ireland or to allow people in Northern Ireland who have been vaccinated to access facilities or sporting or recreational events in England, Scotland, Wales or the Republic of Ireland, I cannot proceed. I will not proceed with expenditure of over £10 million to develop a scheme without Executive support to do so.

Dentists: NHS Appointments

T3. **Mr M Bradley** asked the Minister of Health for his assessment of the number of dentists who are providing NHS treatment, given that he and other Members have concerns in relation to constituents who have been in contact with them to complain that they can see a dentist as

an NHS patient only in an emergency, albeit the same practices are willing to offer paid appointments. (AQT 1613/17-22)

Mr Swann: I thank the Member for his question. Earlier, he asked a question about GPs, and the pressures put on them have been repeated for dentists across the health and social care system. We have put in place a number of mechanisms to support NHS practices to maintain the levels of work and support that they need to provide, should that be financial support, PPE provision or the additional moneys that were supplied at the start of this year to put in additional ventilation systems. We have always had a struggle with NHS patients accessing dentists, and that is because of the number of dental practices that we have. Recently, I met our interim Chief Dental Officer to see what more the Department and the Health and Social Care Board can do to encourage more people to come into the profession, in order to allow our dentists to expand the provision of their service to NHS patients, should they be in the younger age cohorts or the older age cohorts.

Dentists provide a vital service as part of our healthcare family. The important point to make is that dentists are not just about teeth. They are about checking the mouth for things such as oral cancers. They do so much. Our dentists, because of the vital role that they play and the input that they can have, are included in our cancer strategy.

Mr M Bradley: I thank the Minister for that answer. Have dentists and dental practitioners been overlooked, particularly since commitment payments were removed almost a decade ago, which led to a reduction in income of some £12,000, with nothing put in place since? Is it the case that, in order to survive, dental practices are being forced down the private care route at the expense of NHS patients?

Mr Swann: By way of an update, general dental services have received an additional £13.9 million in funding for PPE alone since April 2020. Fee-for-service and PPE support have also been introduced, and it has been projected that an estimated £4.3 million will be provided to dentists specifically for level 2 PPE for the remainder of this month. Additional financial supports have therefore been put into dental practices over the past 18 months to make sure that they can continue to see patients and perform their work.

HSC Pay Offer: Funding

T4. **Mr Chambers** asked the Minister of Health for an update on his efforts to secure the additional funding that he will require to deliver the proposed 3% pay offer to health and social care workers. (AQT 1614/17-22)

Mr Swann: As the Member will be aware, the NHS Pay Review Body and the Review Body on Doctors' and Dentists' Remuneration both reported and recommended a 3% uplift in the salaries of relevant staff from April of this year. I am fully supportive of the recommended increase for our health and social care workforce and see an early announcement of an acceptance of the recommendations as a small measure of our collective gratitude. As, I am sure, all in the House will agree, in recent years, those staff have faced unacceptable delays in the implementation of pay awards. We cannot be seen to permit that to reoccur this year. Although my Department had included initial budgetary cover for HSC pay awards of 2% for implementation of the review bodies' recommendation of an increase, coupled with the higher baseline pay bill across the year following increased activity, I will require further additional funding. That is why, on 22 July, I wrote to the Finance Minister seeking funding. Recently, I again submitted a formal bid for an additional £70 million for pay pressures from the upcoming October monitoring round. I am currently waiting for a decision.

Mr Chambers: I thank the Minister for that. Is he surprised that a proposal, which was defeated by seven votes to one, was recently put before the Health Committee by the People Before Profit representative on the Committee that urged the Health Minister, the First Minister and the deputy First Minister not to implement the planned offer of 3% for health workers and supposedly find the additional money from elsewhere?

Mr Swann: I am surprised to hear that, and I can assure the Member that the 3% increase was recommended by the independent review body. As I said, I am still waiting for support from my Executive colleagues to be able to make a formal pay offer that can be put in place for the trade unions to consider. I would rather go forward and pay the 3% that I have in hand at that point than wait on any potential additional funding coming from elsewhere.

2.45 pm

Mr Deputy Speaker (Mr Beggs): We have an opportunity for a brief question from Daniel McCrossan.

Schools: Contact Tracing

T5. **Mr McCrossan** asked the Minister of Health for an assurance that the latest changes to contact tracing and testing in schools maintains the maximum degree of safety for the children and staff, especially those who are clinically extremely vulnerable (CEV) and clinically vulnerable (CV). (AQT 1615/17-22)

Mr Swann: I thank the Member for his question. He raised this at the Education Committee, and, apart from the sight of him eating a bun, I think that he had a good engagement with the Chief Medical Officer and the Education Minister.

Contact tracing of school-age children remains very good, with almost all school-age cases completed within 24 hours. The latest performance data is that, as of 26 September at 4.30 pm, with contact tracing continuing at 8.00 pm, of 429 positive cases received, 383 had been successfully completed. Fewer calls have been escalated to the PHA education cell, and none was escalated by the Education Authority over the weekend of Saturday 25 September and Sunday 26 September. The PHA contact tracing service continues to proactively identify schools with a high number of cases, and it is proactively contacting those schools to provide appropriate assistance and guidance. Those processes continue to bed in.

As of 27 September, the PHA education cell was actively following up on 10 schools, most of which are special schools where there is an arrangement to follow up on every case. In a small number of clusters, wider testing has been recommended. That has happened in a number of schools, and the PHA has worked directly with those schools to manage the situation. My officials and the PHA continue to work closely with the Minister of Education, the Department of Education and the Education Authority to embed those new processes.

Mr Deputy Speaker (Mr Beggs): That is the end of our time for questions to the Minister of Health. I advise Members to take their ease for a few moments before our next item of business.

Question for Urgent Oral Answer

Education

Independent Review of Education Panel

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

Mr Lyttle asked the Minister of Education how the independent review of education panel was appointed and how the expertise and experience of the panel members will equip them to deliver on the review's terms of reference.

Miss McIlveen (The Minister of Education): The panel to undertake the independent review of education was appointed following an open public appointment process in line with the code of practice issued by the Commissioner for Public Appointments Northern Ireland (CPANI). The process commenced in March 2021, and the candidate information booklet and methodology for appointing candidates were widely advertised. Minister Weir wrote to the Education and Economy Committees on 1 March to fully explain the process. The candidate information booklet set out the competencies on which candidates were to be assessed during a sift of anonymised written applications and at interview.

The process for selection and appointment was transparent, with a high number of applications received. The selection process was chaired by the DE permanent secretary and included senior officials from the Department of Education and the Department for the Economy as well as an independent panel member selected by CPANI. Following the conclusion of the interview process, the selection panel provided me with information on all candidates whom they deemed to be appointable. That information came in the form of an unranked list.

I am confident that the panel has the breadth of experience and expertise necessary to undertake this very important and complex assignment. Among the panel members, there

is significant experience of the design, delivery and administration of education, both in Northern Ireland and beyond. The panel is experienced in being fully impartial and will work in a collaborative manner with stakeholders and base the review and its recommendations on a wide range of evidence that it will gather during its work.

It is important that the panel members take time to engage with a wide range of stakeholders, who will bring much knowledge and experience of delivering education locally. I hope that all stakeholder groups engage with the panel positively and support it as it delivers this vital task.

Should anyone have any complaints regarding the process, they should direct them to the Commissioner for Public Appointments.

Mr Lyttle: I thank the Education Minister for answering the substantive question. I welcome the overdue appointment of a panel for the independent review of education, which was proposed by my party. Will she set out the specific skills and experiences that the appointed panellists have that make them the best people to review our entire education system, including early years, special education, education other than at school (EOTAS) and youth services, and to make recommendations that will deliver the New Decade, New Approach commitment of a single education system in which all children are educated together?

Miss McIlveen: I thank the Member for his question. As he will be aware, specific competencies were proposed by officials after they reviewed roles and recruitment competitions that were similar to what we agreed and announced yesterday. They felt that they should reflect the core competencies of transformational change, analysing evidence, working with stakeholders and engaging with political sensitivities. The competencies were agreed and a general approach was taken in March 2021, which the Committee was advised of at the time. I am confident that the panellists, who were appointed through the merit process, will be able to deliver on all those competencies and bring forward a very balanced report at the end of the process.

Mr Sheehan: It is disappointing that this announcement was not the subject of a statement by the Minister to the House. It is not right that public statements are made before Members in the Chamber are informed of their content.

The Minister will be aware of the unique difficulties facing the Irish-medium sector. Despite those challenges, the sector has continued to grow rapidly. What experience and expertise will the panel bring to the review that will facilitate and further develop the Irish-medium sector?

Miss McIlveen: I thank the Member for his question. On his initial point about there being no ministerial statement, he will be aware that Minister Weir made a statement to the House in December last year, outlining the detail of the terms of reference and the approach to recruitment that had been agreed by the Executive. Yesterday's announcement was just the first step in that process, and the panellists will likely need to familiarise themselves with the strategic context, meet stakeholders, agree priorities and so on.

In advance of the public announcement, I wrote to the Chairs of the Education Committee and the Economy Committee and to ministerial colleagues to ensure that they were informed. You will also recall that Minister Weir wrote to the Committee on 1 March detailing the process. Given that I would have been coming to the House just to give names because the substantial part of the process had already been discussed by the Committee and others, it did not seem to be a good use of the Chamber's time.

We are very mindful of the obligations in relation to the Irish-medium sector. The Member will be aware that the appointments were made on merit. I am confident of the impartiality of the group and the experience that its members have. Whether it is Comhairle na Gaelscolaíochta or any other sector, there will be an opportunity for sectors to engage with the panel in due course.

Mrs Dodds: I thank the Minister for coming to the House about this important issue. I am glad that the panel has been appointed. It is a crucial piece of work for all sectors in the education sphere, including those sectors that support vocational routes. It seems that there is some misinformation going around about that issue. Will the Minister assure the House that the proper recruitment procedures, specifically the guidelines that were laid out by the Commissioner for Public Appointments, were followed?

Miss McIlveen: I absolutely can assure the House of that, and I have confidence in the process. While that work predated my appointment, CPANI was very much involved in

advance of publishing the advertisement and through to the point when names were supplied to me. I am confident in the process and the panel.

Mr McNulty: I thank the Minister for coming to the House and answering questions. There is broad expertise on the panel, and I welcome that. However, I feel that there is no representation from the primary-school or nursery sectors, which are crucial in educating children in their formative years. Is that a concern, Minister?

Miss McIlveen: I thank the Member for his question. I expect that, during the next 18 months, all sectors, stages, those with viewpoints and stakeholder groups will have lots of opportunity to contribute to the review. The Member will appreciate that the five panel members have various skills and competencies. At least two of the panel members have experience outside the United Kingdom and will be able to bring those perspectives to the process as well. I hope that there will be strong engagement from all sectors in education in Northern Ireland.

Mr Butler: I thank the Minister for coming to update us and the Chair of the Education Committee for tabling the question for urgent oral answer. Minister, given the impact of COVID and what we have learned from it so far, do you have a reserve list in case some of the panel are not able to contribute at some time? What are the contingency plans, if COVID impacts the ability of the panel to meet and get through the project?

Miss McIlveen: I thank the Member for his question. I do not have a reserve list, but if the past 18 months have taught us anything, it is that there are opportunities to engage. Indeed, the expert panel on underachievement was able to carry out significant amounts of work virtually and to produce an excellent list of recommendations for my Department, and we were able to work through that with the support of the Committee and other Executive Members. It is not insurmountable.

Mr Allister: I am disappointed that the panel is dominated by some serial quango appointees. One individual is said to have served on 16 panels. The chair of the panel was a key architect of the failing Scottish system. Where will the fresh thinking that is needed come from?

Miss McIlveen: I thank the Member for his question. Obviously, it was very much based on

merit. The process was overseen by CPANI and an experienced panel. Names were put to me, and I based my decision on the recommendations that were put to me. I have confidence in the group, and I expect all stakeholders, including Mr Allister, to participate in the process.

3.00 pm

Mr Newton: I welcome the Minister coming to the House on this matter. It is a piece of work that is long overdue. It is in line with the most recent report on underachievement, and a piece of good, solid work will be done when the two are merged.

Does the Minister agree with me that, despite the previous questioner's comments, the composition of the panel and the fact that some of them come from other parts of the United Kingdom will bring fresh and outside-the-box thinking that will be of benefit to the educational system in Northern Ireland?

Miss McIlveen: I thank the Member for his question. I do believe that.

In all this, we particularly need to remember that the panel has come to the review with a very clear view that everything that it does will be child-centred. It is coming at the review with an independent view and looking at it through that lens. It will gather information, analyse that information and present it as evidence. There will also be wide-ranging stakeholder engagement. As I said, I hope that everyone present will show as much enthusiasm in engaging with the work of the panel and as we work forward towards delivery and the implementation of its recommendations.

Mr O'Toole: Minister, earlier this year, your Department commissioned an expert panel on educational underachievement. I understand that the executive team in your Department is reviewing the operation of the Education Authority. In 2017, there was an independent review of integrated education. We are still awaiting a childcare strategy. This review will take 18 months. Given the relative venerability of some of the panel members, in terms of their membership of quangos, can people in Northern Ireland be assured that the review will lead to real and meaningful action being taken on a system that we all know is too expensive and too divided and that fails poor kids and contributes to a chronically low-skill, low-productivity economy? Will the review deliver action, or is it yet another review and talking shop?

Miss McIlveen: I thank the Member for his question. I hope that it is not. If the Member read 'A Fair Start', which was the consequence of the deliberations of the expert panel on underachievement, he will have seen a very detailed and specific report that addressed underachievement. My Department is working through the recommendations. Finance has been allocated to that this year, and we hope for Executive buy-in to progress it further.

It will be very much about the quality of engagement, the stakeholder involvement and just how serious those stakeholders are in bringing forward suggestions. I do not want the panel's report to be something that sits on a shelf, because there are quite a number of strands in education that need to be urgently addressed and that are very much dependent on that piece of work. That said, other pieces of work will continue in tandem alongside it, because I am quite clear that I do not want the system to be paralysed as a consequence of the review taking place.

Ms Armstrong: Minister, I am absolutely enthusiastic about the review. Why would I not be? It was my Alliance colleagues and me who wrote the independent review of education into 'New Decade, New Approach'. I am not sure where Mrs Dodds MLA was coming from when she spoke about the recruitment. I have no problem with the recruitment. However, I want to ask a specific question about the review's terms of reference, which state that you, as the Minister, will select the final panel members from "a list of suitable candidates" provided by the public appointments panel. Will you outline to the House the criteria that you used to finalise the panel membership?

Miss McIlveen: I thank the Member for her question. We went through a process to which quite a considerable number of people responded, which was great. There was also a very good gender balance. The sift was done through an anonymised process, quite a large proportion of candidates was interviewed, and I was presented with a list that detailed the competencies and how well each candidate fitted those, be that extremely good, very good or good. My focus was very much on those who excelled in the process and were either extremely good or very good.

Mr Harvey: Minister, will you confirm that this is the second New Decade, New Approach commitment your Department has delivered? Are you aware of the number of NDNA commitments other Departments have delivered?

Miss McIlveen: I thank the Member for his question. He is correct. The 'A Fair Start' report has been concluded and published, and my Department is working through it. I am proud of that report, as, I am sure, is Mr Weir, the former Education Minister. It is, indeed, the second commitment we have delivered. As for others, the Member may wish to send a question for urgent oral answer to other Departments to find out whether they have been as exercised.

Mr Deputy Speaker (Mr Beggs): That concludes that item of business.

Assembly Business

Ms Armstrong: On a point of order, Mr Deputy Speaker. I ask the Speaker's Office for a ruling on the fact that the Minister went to the media before coming to the House. I appreciate the fact that she sent out information to others, but MLAs were not given that information; we had to receive it through the media. May I have a ruling from the Speaker's Office on whether Members should come to the House to let MLAs know about that?

Mr Deputy Speaker (Mr Beggs): The Member has put her point on the record. I am sure the Speaker will respond accordingly.

Members should take their ease for a few moments before the next item of business, which is a return to the Second Stage of the Small-Scale Green Energy Bill.

(Mr Speaker in the Chair)

Private Members' Business

Small-Scale Green Energy Bill: Second Stage

Debate resumed on motion:

That the Second Stage of the Small-Scale Green Energy Bill [NIA 33/17-22] be agreed.

Mr Speaker: We will resume the business of the Assembly. I call the Minister to respond to the debate.

Mr Lyons (The Minister for the Economy): Thank you very much, Mr Speaker.

I am grateful to the Bill sponsor for bringing forward legislation for an increase in renewable electricity generation. The recent increases in energy tariffs have demonstrated that a reliance on imported fossil fuels as the primary source of fuels for our electricity production leaves our economy and our energy consumers open to the risks of price volatility and uncertainty of supply, which are unacceptable in a modern, stable economy.

Of course, those issues are not new. My Department has been working with the energy sector and local consumers to develop a strategic response to meet Northern Ireland's needs now and in the coming decades, not least as we design our contribution to meeting the UK's statutory commitment to net zero carbon by 2050. I am determined that a new energy strategy will deliver a future that brings affordability, sustainability and security of supply together as objectives that underpin how society functions and how the Executive support the needs of people and the economy.

I offer my support for the principles espoused by the Bill. Of course, Second Stage debates are about the principles of a Bill. However, as we move past the headline goals and objectives, I have to register some concerns about the detail and the mechanics by which the goals can be achieved. The Economy Committee, of which Mr O'Dowd is a member, was recently provided with a written brief that set out my views on the provisions of the Bill. Overall, whilst it is believed that the objectives of the Bill are commendable, there are concerns that it attempts to legislate for something that already exists.

There are already mechanisms in place through which microgenerators can export excess generation to the grid in return for payment. Power NI has a licence provision requiring it to establish arrangements for the purchase of electricity and associated benefits from microgenerators. The price that Power NI offers to microgenerators is approved by the regulator on an annual basis, with the current rate standing at 4.59p per kilowatt-hour of electricity produced. Further details can be found on the website. A number of other suppliers also offer tariffs to microgenerators in competition with the regulated tariff. Most microgenerators use agents and advisers — for example, Action Renewables — to help them sell their electricity and associated benefits, including the Northern Ireland renewables obligation certificates and renewable electricity guarantees of origin. Therefore, microgenerators already have a choice of more than one electricity supplier that they can contract with and a route to market. Microgenerators already enjoy access to a revenue stream without the legislation that is proposed by the Bill. The existing arrangements are similar to the GB smart export guarantee scheme, which was introduced in January 2020.

As Members will be aware, my Department is developing a new energy strategy for Northern Ireland, the overall aim of which is to achieve net zero carbon and affordable energy, with the overwhelming focus on placing the customer at the heart of our energy future. The energy strategy aims to reach net zero carbon emissions by 2050 while maintaining affordability and security of supply for all energy consumers in Northern Ireland. In that context, it is important that all low-carbon solutions, including renewable microgeneration, small-scale renewable generation, energy efficiency and large-scale renewables, should be considered in the round. It is my view that the private Member's Bill is premature in that respect and could result in further increasing electricity bills for the general consumer population, as the support schemes are ultimately passed on through energy bills. Mr Frew referred to that: he said that it was more likely that it would land on the bills of businesses but consumers would also be affected. My concern, therefore, is that the people who would benefit from the Bill are the people who already have the capital and then receive government support. As a result of that, we could see higher energy costs that would be passed on to the consumer. It may well be that those who can afford it will benefit while the costs are passed on to those who cannot pay for it.

I have particular concerns about the distribution of the cost and benefits of the scheme and the types of consumers that it would impact. For example, those living in social housing complexes or tower blocks may not be able to install microgeneration facilities but would have to bear some of the cost of the incentive, which, as I have said, in all likelihood, those who are more able to pay would be keen to adopt. We could, therefore, see more vulnerable consumers effectively subsidising the better-off to install income-generating technology.

I am worried that those issues have not been wholly and adequately assessed in the preparation of the Bill; indeed, the explanatory and financial memorandum seems to have considered only the costs of administration and not the costs that would be passed on to the general consumer. As the Member will know, there are other important and complex issues that would need to be resolved if the Bill is to progress, including the possible need for state aid approval; mandatory requirements under the electricity directive on which my officials are currently working, particularly those around active consumers and citizen energy communities; and impacts on the network from increased microgeneration, which is largely uncontrollable in system management terms. Those are significant and complex issues.

Legislating in advance of the energy strategy and without a consideration of renewable energy support in the round could result in the creation of obstacles to a better future. We could create expense for consumers and technical requirements that would be unnecessary in the new energy future. I do not object to the progression of the Bill to Committee Stage to allow exploration of the issues. However, I fear that progress into law during this mandate would be premature and counterproductive for consumers and our electricity sector. I therefore caution that I do not expect the Bill to enjoy Executive support to progress into law during this Assembly session.

3.15 pm

Mr O'Dowd: I thank all who contributed to the debate. I think there were 13, which is unlucky for some, although the Minister brings it up to 14, so maybe that negates that. They raised important points, and the contributions to the debate were informative and detailed. At no stage did I expect to bring a Bill to Second Stage and have overwhelming support for every detail. There would be no point in having a legislative process. The legislative process allows for deeper scrutiny of the clauses, as Members know, and possible additions. It is

proper that Members raised questions and concerns. I will cover some; apologies if I do not cover all of them. If we move to the next stage, the Committee can continue the scrutiny of the Bill.

It is worth reminding ourselves of the Bill's three policy objectives:

"a) To place a requirement on major electricity providers and suppliers to provide an obligatory minimum price tariff for exporting micro-generated renewable power into the grid.

b) For the Minister for the Economy ... to establish a small scale green energy micro-generation scheme with powers that include setting this minimum price tariff, and to alter it depending on relevant economic conditions (e.g. broader macroeconomic conditions, the unit price of renewable energy and the financial stability of the providers themselves etc.).

c) To provide the Minister with the power to determine what providers are eligible for the scheme by setting a minimum threshold for market share."

The Bill is ambitious. It wishes to ensure that those who are now energy consumers become energy providers and play a part in reducing the reliance on carbon-based energy production and thus be part of the climate change strategy. It has the potential to put money into the pockets of working families. It allows farmers and small businesses to diversify and produce energy, and it allows urban and rural communities to form collectives to generate energy and income.

Turning to Members' contributions — this is the stage when I try to read my own writing — I think that Mr Weir said that they were sceptical about the Bill but were happy to allow it to move forward for further scrutiny. He welcomed the fact that I was recycling legislation from the Dáil. It is similar to a Bill we brought forward in the Dáil. That does not mean that it is bad legislation or should be dismissed. The principles of the Bill are relevant to this jurisdiction.

Mr Weir and others echoed concerns around a number of issues, including the costs associated with the Bill. I have put forward an estimation on the cost of delivering the scheme, not of delivering any support for those who are involved in the scheme — for example, grants — of approximately £1 million. Members may have heard me say before that, when I work on

the basis of £1 million, my head clicks into, "That employs around 30 teachers". Any Department that has 30 members of staff working on one scheme would be delighted. It is a good estimate of the cost to the Department of bringing forward the scheme. If, as is most likely, the scheme includes grant support and incentives for providers, that will obviously be an additional cost. However, that is part of the scheme deliberations.

Let me turn to the issue of state aid. I am not an expert on state aid, but I very much doubt that, were the Department to offer grants to potential suppliers, that would breach state aid rules, given the level of that financial intervention. I would also question whether it would even be classed as state aid. Nevertheless, that is a question that the Committee can scrutinise, alongside the issue of the electricity directive. Those are legitimate concerns that could be raised about any such piece of legislation.

Is there a breach of the electricity directive? As with any directive, it is a question of the motivation for the proposed deviation from it. The Bill's motivation — green energy and microgeneration — is sufficient grounds on which to deviate from that directive. Again, it is an issue for the Committee to examine.

A number of Members asked whether costs would be passed on to consumers. The current practice in energy provision is that costs are largely passed on to the consumer. That is current practice, however, and, although I am not suggesting that we are going to be able to change market forces with the Bill, the scheme can mitigate the level of cost that is passed on to the consumer. Rightly, a number of Members raised the issue of whether the scheme, if introduced, would place a higher burden on those with lower incomes and the socially disadvantaged. Again, that is a genuine concern. The scheme could do that, but surely we can mitigate its effects. We have learnt from previous experience of energy schemes where mistakes have been made and where things have been done properly. Good ideas have come forward, and we need to build on them.

Sinead McLaughlin said that the SDLP is supportive of the principles of the Bill but wanted to scrutinise it and to see a reduction in energy consumption. That is a point that a number of other Members rightly made. Mr Mike Nesbitt asked why we are prescriptive on the 5% figure. Although we want to set targets for the scheme, I am not wedded to the 5% figure. I believe that it is an achievable figure. If, however, as part of the scrutiny of the Bill, evidence comes forward that that figure is too

high or too low or cannot be achieved in the time frame, I am more than happy to work with Members to amend the Bill in that regard.

Mr Lyons: I thank the Member for giving way. I may be able to furnish him with a little bit more information on that. Currently, microgeneration accounts for 5.1% of renewable capacity connected to the grid, which means that we are currently at 3-8%. The Member's target is 5%. That means that an increase of just over 1% is needed in order to meet the target. If that is a problem, does he not agree that the legislation feels as though we are using a sledgehammer to crack a nut?

Mr O'Dowd: Perhaps, as I said, my target is not ambitious enough. There is flexibility with it. Your Department is not bringing forward any legislation on the matter in this mandate. You are bringing forward your energy strategy. Every now and again, a Department needs a gentle kick up the backside, and sometimes that is done by way of a private Member's Bill. At the end of the day, there is a valid opportunity for Members to decide whether the legislation is necessary.

Mr Nesbitt also mentioned clause 2(1)(a), which would allow regulations to:

"provide different minimum prices for different purposes".

I view that as allowing the Department to encourage investment in new technologies and ideas in order to ensure that companies and individuals who are involved in production are encouraged to maximise the opportunities available through microgeneration. I will come on to his points in a moment, but Steve mentioned a number of companies that are now doing work in Scotland, because, owing to excessive costs, they cannot deliver their products here. We have the technology companies, but we just need to encourage them.

In an engagement with Mr Nesbitt, Mr Frew mentioned a previous scheme involving solar panels on rooftops. I do not know the full details of the scheme, although I was aware of it. That is another example of delivering a programme that did not benefit the householder or the consumer. We have to learn from those examples.

Stewart Dickson is supportive of the Bill at this stage. He suggested — this goes back to the conversation with the Minister — that our lack of ambition means that we are losing out on

green energy production. The question is whether the Bill, the Department, or whatever it may be, is ambitious enough.

Thankfully, Caoimhe Archibald was supportive of the Bill. She pointed out that there are no active green energy support schemes at this time.

If my memory serves me, Keith Buchanan is an electrical engineer, so I will not argue the ins and outs of the points that he made. Again, however, they were very valid points about the figure set, how much energy a household would use and whether, if it used all that energy, there would be enough energy to sell on.

A point that Steve Aiken raised is that the legislation or the scheme must look at the storage potential of micro energy production: the ability of households, farms or businesses to store energy and, when needed, put it back on to the grid. It may even be the case that a business or farm has a microgenerator and does not use it for domestic consumption but sells everything to the grid. He raised valid points around that, and I think that another Member also mentioned storage.

The grant is intended to incentivise people on to the scheme. If we get to the next stage, I will go on to look at the next phase, which is the scheme. Perhaps that needs to be looked at in relation to the grants. Should the grants be simply for production or should they also be for storage? That is an important question that has to be answered, maybe in this legislation, or maybe the Minister's energy strategy is looking at those sorts of matters.

Dr Aiken: Will the Member give way?

Mr O'Dowd: Yes.

Dr Aiken: Thank you very much indeed for raising those points. I think that the answer is micro integration rather than microgeneration. Integrating the power supply with the storage capability as well as the generating capacity is — I hate to use the word holistic — a holistic approach. That is the direction in which the Danes in particular have gone, and I think that we should emulate that. Indeed, I hope that the Economy Committee will look on that approach very favourably when it looks at the clauses.

Mr O'Dowd: Yes, certainly. That is a valid point about where this journey is taking us in relation to generating power. This is not about the major power suppliers but the smaller-scale provision of power. We are on an interesting journey.

Steve Dunne questioned the cost to the public. That was with regard to the £1 million that I mentioned. That is an estimate of the cost to the Department of introducing this legislation and the scheme. It is not the estimated cost of any future grants that may or may not be provided. He raised the issue of the cost to social housing and the cost to those of a lower socio-economic background. Earlier in my remarks, I raised the point that we have the ability to correct that. I believe that we have the ability to correct that in the next phase of the process, if the Bill goes through.

Mr Frew: I thank the Member for giving way on that point. I listened to my honourable friend Steve Aiken talk about integration. The problem with that, as I see it, is that the whole incentive scheme is arranged through a priced tariff. A tariff works only if you export electricity to the grid. I do not see how that would work if you are storing electricity, even in a domestic setting. I do not see how that would work even if you are using the electricity in a domestic setting and not transporting it to the grid. Realistically, therefore, you may have the perverse situation whereby anyone who is looking to get a minimum price tariff will export all the energy that they generate to the grid — why would you not? — but still incur a massive cost through tariffs as they spend on energy for their domestic setting. That has the ability to pervert the system as we know it.

3.30 pm

Mr O'Dowd: Any incentive in any scheme has the ability to pervert the policy objective that is set out. I fully accept that. There are lessons for —

Dr Aiken: Will the Member give way?

Mr O'Dowd: Just give me one second, Steve.

There are lessons for every Department. You could have a noble objective and set out a funding scheme for that, but the funding scheme could, as you said, become perverse in its delivery of that, and you could end up going off in a totally different direction from what you expected. I will come on later to Mr Beggs's remarks about the most recent PAC report. There is a lot of evidence in that. The point is that common sense is not that common.

Go ahead, Steve.

Dr Aiken: Thank you very much indeed. My honourable friend from North Antrim is fully aware that the issue with battery storage is not

necessarily that, but one of the problems is the stability of the grid. Producing battery storage, and the ability for microgeneration and the combined units to work together to provide that degree of stability, is a valuable addition to the grid and the system. You are paying not just for generation but for the stability of the system. Indeed, that is one of the most valuable lessons that we have learned from what is happening in the rest of the world. That could be a real role not only for microgeneration but for micro stability, which is part and parcel of the process and could be incentivised.

Mr O'Dowd: That brings me to your remarks. You referred to your experience in the energy industry and the experience of Denmark. A number of Members mentioned the role of the Utility Regulator. Obviously, storage capacity is a very important issue. I do not claim to be an expert on these matters, but you commented about electric cars being used for storage. That seems to be common sense. Maybe someone will argue against that.

You said that we need to be linked up across not only the island but the islands. I certainly have no objection to that. That all makes sense in terms of energy production. Your contribution was very interesting, but some things that you said may be beyond the parameters of the Bill. I will come on to Mr Frew's remarks, some of which may be beyond the scope of the Bill. However, the Bill sets the context for what we are about.

You and Mr Nesbitt mentioned the cost of connection, which is unbelievable. It is exorbitant. I am not sure that the Bill, given its parameters, will be able to deal with that, but that issue certainly has to be dealt with. It may be dealt with through the Minister's energy strategy, if we are to promote microgeneration or green energy.

Mr Frew talked about inequalities. He gave the example of a business coming in to a field, paying for the network and then a business coming in beside it and paying only for the connection. That is deeply unfair. There has to be a fairer way of doing those things. You, Steve, referred to what is happening in Scotland and elsewhere. Many jurisdictions are struggling with these questions. Some have come up with the answers. We need to learn from them around all these things.

Dr Aiken: Will the Member give way?

Mr O'Dowd: Yes.

Dr Aiken: Thank you very much indeed for those comments. The Economy Department, the Minister and the Committee should consider investigating the very high cost of connection in Northern Ireland. I do not think that anybody who is listening to this debate will be unaware of the differential in costings for that. The Economy Committee and, potentially, the Northern Ireland Audit Office should look at that. It is, quite frankly, uncompetitive. It will act as a drag to any efforts that we make to improve our green energy strategy.

Mr O'Dowd: The Chair of the Economy Committee is behind me. I do not know whether we have any time in our forward work programme for that, but it is a valid point.

Paul Frew is disappointed. I think that Paul is disappointed in me generally. *[Laughter.]* He said that he is disappointed in the scale of the Bill. I accept that any legislation has to do something, which, I think, is how you put it. It has to be authoritative in what it wants to do. I accept that fully, but I do not think that any private Member could bring forward a Bill that does what you wanted it to do, simply because of the capacity to deliver such detailed legislation. A private Member works largely on their own, with great support from the Bill Office and others — there is no question about that — but I do not think that any private Member could bring forward a Bill of such detail. I have listened to you on many occasions expressing your concerns about the governance of SONI. I am aware of the regulator's report on all those things. There is a valid commentary in all that. However, some of that is for the energy strategy, not for this legislation.

You raised other points, which I covered, about costs being passed on to the consumer, and concerns about those from socially disadvantaged backgrounds, etc.

Dr Archibald: Will the Member give way?

Mr O'Dowd: I will, certainly.

Dr Archibald: This is just in relation to that point about people from less affluent backgrounds being enabled to access the scheme. There are two different points about that. There is a point to be made about them being unable to afford the upfront costs, and that is, perhaps, where an incentive scheme might be directed. It might be means-tested.

Mr O'Dowd: We can do things differently. We can learn from the mistakes and opportunities

of the past and target those whom, we believe, need to be targeted most.

To paraphrase Mr Frew's contribution, the energy industry is complicated because a lot of people make a lot of money out of it. That is true, and it goes back to Caoimhe's point. Energy production is still a very profitable industry to be involved in. However, we need to make sure that producers are not making profit from those least able to pay it. Certainly, the scheme can look at that, but I am not so sure that the Bill can.

John Blair welcomed the Bill at this stage. Like his colleagues, he will scrutinise it further.

Roy Beggs is supportive of the Bill in principle. He referred to the recommendations of the PAC report into the NIRO scheme. I used to be Chair of the PAC, and I often found that, when investigations came before the Committee — this latest report is a classic example of it — it is not that you need to invent new governance arrangements; you have to make sure that the governance arrangements that are in place are properly implemented. When I read that report, and the Committee's analysis of it, it was quite clear to me that — I did not say this directly to Mr Frew — common sense is not that common. There are things in it that should jump out at anyone with any level of experience in developing public policy, and they should have been corrected much sooner.

Mr Frew: Thank you for giving way. I am grateful to the Member for giving way on a number of occasions to other Members, because it adds to the debate. On that point about governance, you put into your Bill an escape clause, which is clause 4, "Suspension and revocation" of the incentive scheme that you want the Minister to enable. However, in order to revoke that scheme, or invoke that clause, the Department has to prove that:

"any aspect of the scheme is having, or is likely to have, unintended and harmful consequences, or ... urgent action needs to be taken to control the operation of the scheme regulations for any other reason."

I understand why you want to put an escape clause into the enabling legislation that forces the Minister to put in a scheme, but can you give us any rationale, or examples, of "harmful consequences", or any other reasons for that matter, that would allow that escape clause to be utilised?

Mr O'Dowd: It is largely a catch-all clause. You referred earlier to the perverse outcomes of incentives that are well-intentioned. It might be a year down the road before you realise that your incentive has created something that you did not want. However, if you do not have the get-out clause, you are stuck with that.

We have seen examples, in RHI and in other Departments, in a range of things where a well-intentioned policy direction from the Department or the Minister has ended up going in the wrong direction. You can see some of that even in the most recent renewables programme. You can see where there was no proper engagement between planning, energy and environmental health. All those things, which should have been consulted on and brought in at an earlier stage, were not. Grants were distributed in the belief that we were producing green energy, which we were, but we were having a detrimental impact in other areas. Again, the clause is open to scrutiny, but it allows that, in the future, where there is a defensible reason to stop a scheme and to stop funding, a Minister can act. They will receive legal advice on that. It is broad, but it is deliberately broad for that reason.

Mr Frew: Will the Member give way?

Mr O'Dowd: Yes.

Mr Frew: Does that mean that support would stop for every applicant to the scheme, or would it apply to new applicants to the scheme?

Mr O'Dowd: That detail would be in the scheme. My view is that, if and when a Minister or permanent secretary identified a flaw in a scheme, they would have to stop it. They would then have to look at compensation arrangements for the old entries, and we have seen that in recent times.

It is something that would require further scrutiny and detail. It would have to form part of the offer made under the scheme, so that applicants were fully aware of what they were signing up to at that time and what actions may or may not be taken at any time during their contract in that grant scheme.

I move to Clare Bailey's comments. She is supportive at this stage but raised concerns that the scheme may be abused. She had concerns that some of the micro-green energy programmes that are identified in the Bill may have the unintended consequences of doing harm to the environment. She wanted to ensure

that there were environmental impact assessments for each scheme.

The Member also made an interesting point about limiting the number of generators that a family home, business or farm could have. That is an interesting point, and it deserves more scrutiny as we move the process forward. No doubt, Clare and her colleagues will have more input to the Bill if there is an opportunity to move it forward. She is generally supportive but has concerns about aspects of the Bill and the production methods.

As the Minister said, he set out the Department's case in a letter to the Committee a number of weeks ago. A number of the questions are valid. The state aid one is a valid question. If there is an issue, it can be overcome. If there is an issue with the electricity directive, it can be overcome. The cost for the administration of the scheme is realistic in the figures that I have provided. The Minister will obviously and quite correctly have an eye on his strategy and what that can deliver, and he asked whether legislation is necessary at this time or in the future. That is a valid question.

Mr Lyons: Will the Member give way?

Mr O'Dowd: Yes.

Mr Lyons: I think that it is always a good idea to go back to first principles and to ask yourself this question: what is the problem that you are trying to solve? If the problem is that you think that there are not enough renewables and you want to increase the number, our data shows us that it is four times more expensive to incentivise small and microgeneration. So, maybe we should look at alternatives.

If that is not the problem that you are trying to solve and if it is, instead, about supporting households, we have to realise that that comes at a cost. If we are trying to help individual households by helping them to have the capital that they need for microgeneration, that cost will come to everybody else who has to pay for it because it is more expensive in the first place. The fundamental question is this: what problem are we trying to solve? That is the difficulty that I have.

Mr O'Dowd: The problem that we are trying to solve is the stagnation in the Department's support for microgeneration. There is a stagnation there. We are trying to solve the issue of producing energy through fossil fuels, and it is recognised across these islands and in Europe that microgeneration is part — a part —

of the answer to tackling climate change and the climate emergency that we are in.

Mr Lyons: Will the Member give way?

Mr O'Dowd: Just give me one minute. Throughout his contribution, the Minister said, "It could". It could be against the directive; it could be against state aid rules; it could cost more. It could. I fully appreciate that it could, but the challenge for the Assembly and the Department, if we get to the stage of producing the scheme, is who bears the burden of the cost. How do we protect the most vulnerable in our society and promote green energy production? That is the challenge.

3.45 pm

Mr Lyons: That is why I said that I was content for the Bill to go to Committee Stage: so that those issues can be explored. However, my point stands: it is four times more expensive to incentivise microgeneration. That is the route that many people will want to go down, because they will benefit from it. That is understandable, and it makes sense. However, the difficulty comes when you take into consideration the level of incentivisation that you give to individuals. You help them, but it does not necessarily help everybody else if they use most of the energy themselves and if it comes at a greater cost, which it does. Large-scale provides cheaper renewable electricity. We all want renewables, which is great, but why would we not want to go for cheaper renewables? It is the case at the minute that microgeneration is more expensive.

Mr O'Dowd: The Minister says that it is four times more expensive, and I take it that he speaks from an informed position.

Mr Lyons: The Utility Regulator.

Mr O'Dowd: OK.

Microgeneration has stagnated. It is hardly surprising that the cost of producing it is higher, given that the innovation, investment and promotion have not been there. You could argue that we should say, "Look what's happened. This is four times more expensive. Let's walk away from it", rather than looking at it and saying, "This forms a significant part of Europe, Britain and Ireland's generation of green energy. How are they doing it? What initiatives are they taking? How do we reduce the cost of it?". There are questions to be answered before you can say, "No. It's four times higher. I'm walking away". The way to

reduce cost is to invest and innovate, and that is what we have to do.

I come back to the point about who will pay for the investment, and my colleague also raised that. If we get to the point where the Department is drawing up a scheme, the Assembly and the Department can protect the most vulnerable from paying for the innovation that is required to bring us to carbon net zero. As I said to the Minister, there is a challenge for us all in this. We know that we cannot continue to do what we were doing on its own. We have to continue to make change.

Mr Lyons: I appreciate the Member giving away again. We seem to have got to the stage where there may be an acceptance that it will increase costs for some consumers so we are now trying to mitigate the effect of that for the most vulnerable, which, again, puts additional pressure on what will be an already squeezed middle and those above it. Is that not the key point here? For the record, those are not my figures: it was the Utility Regulator who advised that it was four times more expensive. Here we have an additional cost and the difficulties that come with that. With respect, the Member said that, initially, he wants the target to be 5%: I have said that it is already 3.8%. I do not know where he got that target from. What is the optimal number? He says he could change it, but why? Are we just then inflating it for the sake of it? I want to make sure first and foremost that energy is affordable for people, so, if we are going to increase our renewables, we should go for the renewables that are most affordable, and, right now, that is not microgeneration.

Mr O'Dowd: I will bring the Minister back to the words he used throughout his original contribution: "it could". "It could" increase costs. Let us explore that one step further through the legislative process. Let us see what we as a legislature can do to support microgeneration and those most in need and ensure that we have sustainable energy provision across a number of areas. Those are the objectives of the Bill.

In the past number of weeks, we have seen the erratic and extreme price fluctuations that a reliance on power generated by fossil fuels can cause. Our future must be one of renewable energy. That will not only protect our environment but maintain prices at stable, predictable rates. The Bill is a small but practical step in that direction.

Before I conclude, I thank all those who have assisted me in bringing the Bill this far,

including the officials in the Bill Office, the Speaker's Office and other departments in the Assembly whose help has been invaluable and my party colleagues. I will conclude on those remarks.

Question put and agreed to.

Resolved:

That the Second Stage of the Small-Scale Green Energy Bill [NIA 33/17-22] be agreed.

Mr Speaker: That concludes the Bill's Second Stage. The Bill stands referred to the Committee for the Economy. Members may take their ease for a moment or two.

Irish State Collusion

Mrs Dodds: I beg to move:

That this Assembly reiterates its opposition to Her Majesty's Government's plans for legislation to address the legacy of the past in Northern Ireland, as outlined in the Command Paper published on 14 July 2021; regards any statute of limitations for Troubles-related offences to be in violation of the principle that everyone must be equal under the law and equally subject to the law; stresses that all allegations of wrongdoing should be investigated in a fair and proportionate way, regardless of the nature of the offence or the jurisdiction in which it was committed; highlights the need to preserve legal routes to justice for innocent victims; condemns the long-standing failure by government and police oversight bodies in the Republic of Ireland to address substantive allegations of collusion in atrocities committed by the IRA; notes with deep concern the refusal by the Garda Síochána Ombudsman Commission to commission an investigation in the case of Ian Sproule, who was murdered in 1991; opposes the preconditions set by the Irish Government for exchanging information integral to legacy investigations; and calls on the Irish Government to fulfil their obligations under international human rights law to provide an effective investigation into claims of state collusion in acts of terrorism and to facilitate timely access to justice and truth for affected victims and their families.

Mr Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. As one amendment has been selected and is published on the

Marshaled List, the Business Committee has agreed that 15 minutes will be added to the total time for the debate.

Mr Allister: On a point of order, Mr Speaker. This afternoon, the Business Office issued fresh indicative timings that said that there was one hour and 45 minutes for the debate. Can you clarify that?

Mr Speaker: One hour and 30 minutes is the standard procedure. When there is an amendment, 15 minutes are added to the time.

Mrs Dodds: Ian Sproule was killed on 13 April 1991. He was 23 years of age. Ian lived near Killen, which is not far from Castlederg. He was a joiner by trade and a young lad who enjoyed music and playing in bands. In the early hours of 13 April, he returned home, and an IRA gang who had been lying in wait shot him at close range. Forty-four bullets were fired. Ian died instantly. In a cruel twist, shortly after he was murdered, the IRA called the family home and told his father Robert to go out and see what they had left him in the street.

For many years, I have advocated on behalf of the Sproule family as they seek answers about their brother, who was murdered by the Provisional IRA as a result of collusion with gardaí in Donegal. Officialdom in Dublin has talked about the truth but failed to deliver answers. Dublin has manufactured reasons not to help the Sproule family. It has behaved like a spectator and lectured us all about dealing with the Troubles, yet failed to see its own shortcomings.

Let me make it clear before I advance that the House owes a debt of gratitude to the RUC, the PSNI and our armed forces for the way in which they protected us. We remember the sacrifices of those who died and those who live with the scars and the families who continue to grieve. We also record our gratitude to the officers of an Garda Síochána who stood with us and worked to protect lives in the most difficult circumstances. In dealing with the motion, let us never forget that terrorists, not police officers, were responsible for 90% of the deaths and bloodshed on both sides of the border. No one in the House should allow the victim-makers to deflect attention from their own bloody past. They and they alone planted the bombs and pulled the triggers.

The motion is about bringing the Irish Government to book for their failure to address the minority of cases where there is alleged collusion by members of the Garda. It is not

about taking the focus off where it belongs: on those who pulled the trigger and planted the bomb. The House has already recorded its emphatic rejection of the proposals by Her Majesty's Government to close down legal routes to justice for innocent victims of violence. I hope that all those who support the basic principle of justice will do so again today.

I reject the amendment. Every criticism of the Irish authorities in relation to legacy should not have to be qualified by a mention of the United Kingdom Government. The concerns raised by the Sproule family and many others like them are serious. They deserve to be debated in their own right. It is not a zero-sum game. Equally, there is no reason why action by the Irish Government should depend on wider agreement with the United Kingdom. Either that Administration believe in upholding the rule of law, or they do not. With that in mind, the main focus of the motion is on the role of successive Dublin Governments who have failed to investigate the extent of the Irish state's involvement in the terrorist campaign in Northern Ireland, tried to sweep that element of their actions out of public view and continuously lectured others on their responsibilities while delaying truth and justice for innocent victims. Justice delayed is indeed justice denied.

The Republic of Ireland was no spectator in the Troubles. Just look at the stories that emerged last week about EU funding for Dublin in exchange for an end to IRA terrorism in Germany.

4.00 pm

Let us look at another area: extradition. Between 1973 and 1997, 113 extradition requests were made to the Republic of Ireland on terrorist-related offences. Only eight people were ever extradited. The offences included charges of murdering RUC officers, planting incendiary devices and attempted murder. In effect, it was a safe haven for terror.

I will focus my remarks specifically on the sustained failure by successive Governments to address the substantive allegations of collusion by Garda officers in atrocities committed by the Provisional IRA, and, in particular, on the case of Ian Sproule. In the aftermath of Ian's murder, the IRA passed files to the 'Derry Journal' that included copies of confidential Garda security files that had been leaked as justification for the brutal murder. I have been involved in that case for many years, starting in my role as an MEP. I have written to every Taoiseach since Enda Kenny, and I accompanied John Sproule to meet Simon Coveney in 2019. As John says:

"We were given tea and sympathy but nothing that would help to uncover the truth behind Ian's murder."

I am aware that others in the House have met the family and taken an interest in the case, but it seems that the desire to sweep it away trumps the search for truth and justice.

In August of this year, after a four-year wait, the Garda Ombudsman responded to the Sproule family, essentially indicating that the passage of time meant that it would not investigate the crime, citing limited resources and the challenge involved in locating witnesses and documents. In reality, it was a list of reasons or excuses, four years in the making, denying the Sproule family an investigation. Although the Criminal Justice (International Co-operation) Act, ratified by the Irish Parliament in 2019, allows the Garda Ombudsman and other bodies to exchange information on cross-border investigations, the Government in Dublin have retained their veto over such arrangements. That means that families such as the Sproules, and, indeed, those whose loved ones were killed in the Kingsmills massacre, have been abandoned.

What have the Irish Government to hide? Are they, like Sinn Féin, secretly pleased that the passage of time seems a convenient excuse for inaction on those terrible crimes? The Smithwick tribunal into the murders of RUC officers Breen and Buchanan should have been the catalyst for a wide-ranging inquiry into Irish state collusion with the Provisional IRA. Not only did Smithwick conclude that there was collusion between the Provisional IRA and Garda officers in the death of those two officers but, in recommendation 7, he looked at the possibility of a further tribunal with the power to compel witnesses and make orders for the discovery of documents in both jurisdictions.

The solicitor acting for Breen and Buchanan wrote to Enda Kenny in 2014 to say that there should be further investigations into other murders that were probed, to some degree, by Smithwick and in which there were allegations of collusion. Those cases are: Constable Tracy Doak and her three colleagues, who were murdered at Killeen in May 1985; Terence McKeever, murdered in June 1986; Lord Justice and Lady Gibson, murdered in 1987; the Hanna family, in 1988; John McAnulty, in 1989; Ian Sproule, in 1991; and Tom Oliver, also in 1991.

Many of the concerns raised on that issue were contained in new intelligence precis presented to the Smithwick tribunal by then Assistant

Chief Constable Drew Harris. They were described by him at the tribunal as being "accurate and reliable." Successive Irish Governments have swept away the allegations of collusion, but, in doing so, they fail not only those who lived in Northern Ireland and were murdered by the Provisional IRA but their own citizens: those who have the right to expect protection and justice from their Government.

There has been a great deal of litigation and comment about the UK Government's obligation under article 2 of the European Convention on Human Rights. Very little attention, if any, has been paid to the Irish state's responsibilities, however.

In concluding, I commend the motion to the House. Its focus is narrow, but it is important, and investigations are needed. Where should we go from here? We cannot just talk about the Sproule family and leave it there. We need to get answers. This week, I wrote to the Garda Commissioner and the Taoiseach. Again, I called on them —

Mr Speaker: The Member's time is up.

Mrs Dodds: — to meet the Sproule family and to give answers as to how the state will investigate this murder.

Ms Bradshaw: I beg to move the following amendment:

Leave out all after "oversight bodies" and insert:

"in the UK and Ireland to address substantive allegations of collusion in atrocities committed by republicans and loyalists; notes with deep concern the failure to make progress on investigating the case of Ian Sproule, who was murdered in 1991; recognises the need for the UK and Irish Governments to exchange, urgently, information integral to legacy investigations; and calls on the UK and Irish Governments to fulfil their obligations under international human rights law to provide effective investigations into claims of state collusion in acts of terrorism and facilitate timely access to justice and truth for affected victims and their families."

Mr Speaker: You will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. Please open the debate on the amendment.

Ms Bradshaw: I should emphasise that I propose the amendment primarily in an attempt

to ensure that the motion satisfies its original intent and so that it enjoys unanimous consent across the House. Later, I will come back to why I think that that is essential, not just for the Sproule family but for many, many others.

First, I would like to address the motion directly, and I thank Members in the DUP for tabling it. We agree entirely that the UK Government's plans to address the legacy of the past are unacceptable. They are unacceptable because they do not enjoy the support of any of the political parties represented in the Assembly. They are unacceptable because they amount to, as the motion notes, a statute of limitations. Most of all, they are unacceptable because they take away from the friends and family of victims the opportunity to seek justice. Indeed, they do so without even assuring them of truth or accountability.

Quite correctly, the motion also raises the point that such a statute makes a mockery of the claim that we are all equal under the law and equally subject to the law. Making the potential for charging anyone with an offence and going to trial subject to a set time frame rather than to the potential for conviction places some above the law. This is a serious violation of the basics of the rule of law. Without the rule of law, collectively, we have no foundation from which to build a coherent and fair response to the legacy with which we continue to struggle. It is worth putting on record that what the motion says about seeking fair and proportionate investigation regardless of the jurisdiction in which the offence was committed is important and correct. Ultimately, it must be stressed that the UK Government's withdrawal from past agreements through their stand-alone plan for legacy makes it difficult to imagine any investigation occurring, regardless of the jurisdiction of the offence. It certainly makes it difficult to imagine that victims' families will have access to the truth, justice or accountability that they seek. That is implicit in the motion, but we wanted to make it more evident in the amendment, especially to emphasise that both Governments have an ongoing obligation around information exchange.

I turn directly to the case of Ian Sproule. First, I recognise the hard work of family members and other campaigners. Their campaign for truth has the Alliance Party's full support. There remains in this case a serious question over the claim at the Smithwick tribunal that there was a leak from the gardaí, and that question requires a clear answer.

Our amendment takes the view that it is not for the House to direct how authorities in a different

jurisdiction should ensure that the case is progressed. Nevertheless, the sentiment in the House is, I think, that a request should be made to the Garda Ombudsman to reconsider it, and, no doubt, some will openly recommend this during the debate. While recognising the independence of that office and that it is, rightly, not subject to ministerial direction, it is a sad truth that investigations into atrocities during the Troubles have more often progressed when they were reopened. Surely, there is also a case, as colleagues in the SDLP noted in their proposed amendment and elsewhere, that the ombudsman should be given statutory and legal powers for relevant historical investigations. At the very least, there should be a clear and dedicated liaison point.

It should be emphasised that the last words of our amendment reflect those of the motion. That is another reason that the UK Government's legacy proposals are so unacceptable. We need to do the best that we can to provide, not remove, access to truth, justice and accountability for all affected families. Sadly, the families and campaigners for truth and justice in the case of Ian Sproule are among many who would suffer if the UK Government's proposals were to progress. That raises the question that all in the House must answer about what we can do to stop those proposals progressing at Westminster. If we continue to be divided on legacy, we will play into the hands of the UK Government. UK Ministers will continue to argue that, if we are divided, they are therefore justified in simply acting over our heads. In other words, it is not enough to say what we are against; we must agree what we are for. If we cannot come up with a route forward, the UK Government's proposals will become law and be progressed. We have to ask ourselves, hands on heart, whether we want to let that happen or whether we will do something about it.

Victims have been overlooked for far too long. There is no time for expediency. It is time to recognise the fact that victims need and deserve a full say. I urge Members to consider that a unanimous vote in the House on the motion and the amendment would send a clear message that we can agree, that we can come together on behalf of victims and that we can come together to support access to truth, justice and accountability. I do not think that we are far from agreement on a route forward if we are courageous enough to deliver on it. We must be courageous. After all, that is what the families of victims and the campaigners want. However, we do not have long. A show of unity here now would be one step, but it is just one of many.

Ms Kimmins: I will speak in favour of the amendment. My starting point is that no victim should be asked to be silent and to forego their right to truth and justice. I am also sensitive to the deep loss, hurt and pain across our communities and, importantly, to the desire by families for their many questions to be answered. I would much prefer an approach to legacy that was about implementing what was negotiated in the Stormont House Agreement, which in no way asked victims to concede their right to truth and justice. That is their fundamental legal right. Fully engaging with the past must be on the basis of the legal rights and entitlements of all victims.

Let us be in no doubt: the British Command Paper on legacy amounts to a full-frontal assault on the Good Friday Agreement, the rule of law and the administration of justice. That is why families are understandably angry as they see their legal rights potentially being denied. These are families across the island who have fought long battles over decades in memory of their loved ones. We saw evidence of that anger and frustration over the weekend when thousands of people, on an all-island basis, joined the Time for Truth solidarity vigils rejecting the British amnesty proposals.

Experience has shown that, without access to legal rights and an independent legal process, there will be no truth, justice and accountability. Significantly, that cannot be done on a selective or à la carte basis. If we are serious about investigating the extent of collusion, its administration and practice, we need to do so in a way that meets the needs of all, not some, victims. I offer that as a challenge to some in the Chamber. There can be no space for those who selectively seek to talk about collusion, particularly when they choose to deny, dismiss or disregard the huge body of evidence and lived experiences of many families and communities in the North. There is an issue of consistency. No family should be asked to concede their right to an investigation in line with human rights law, or an inquest or public inquiry. That is their right in law.

Sinn Féin will continue to uphold the rights of all victims. Denying families their basic human rights is at the core of the British Government's approach to legacy. Those proposals would not be out of place in a military dictatorship. Today, the House needs to send a united, clear message to the British Government and, indeed, the Irish Government that we need to see the immediate delivery of the rights of all victims and no further delays or denials.

We need to see accountability.

4.15 pm

The immediate implementation of the Stormont House Agreement in a human-rights compliant manner and in a way that is victim-centred and gives victims the answers that they are entitled to is the way to achieve that outcome.

Together, we owe it to all victims to ensure that they are treated with equality, dignity and respect and that their legal rights are protected and upheld, whether they are to be exercised in Belfast, London, Dublin or Strasbourg. On that basis, I urge Members to join with me in support of the amendment.

Mr McGrath: I welcome the opportunity to speak in the debate. Before there is any suggestion that there is not consensus across the House, there are elements of the motion that I do agree with: justice, accountability and — the highest ideal — truth.

On justice, our parties can agree on our opposition to the British Government's Command Paper of 14 July, which, in the most horrendous fashion, introduced a statute of limitations.

In terms of accountability, we can agree that everyone is equal under the law and should be equally subjected to the law, whether they were a member of a paramilitary organisation, a general in an army or a member of the Government.

On truth, all of us can agree that too many families, such as the family of Ian Sproule, have needlessly suffered the loss of a loved one. Lives have been lost, livelihoods have been destroyed and generations are still living with the legacy of our collective past. Their truths needs to be heard in every home, every school and every town hall.

There is consensus. Unfortunately, such consensus is not often deemed to be newsworthy, rather the divergence among the parties is what grabs the headlines. Let that serve as a reminder to all of us when we consider the tone of this debate.

After welcoming areas where there is consensus, let me come to some areas of divergence. Today's motion isolates the Irish Government for criticism and examination. However, that is counterproductive. There has been no greater enactor of collusion than the British state, so to attempt to raise one without addressing the other is imbalanced and altogether unhelpful in the entire legacy conversation.

In South Down, we know about the impact of British collusion all too well. Six victims were shot dead in The Heights Bar in Loughinisland in 1994. Horrendously, when journalists tried to, and did, shine a light on state collusion in that massacre, they found themselves being arrested. Where was the justice, accountability and truth for them?

An imperfect consensus on how we address such matters was found in the Stormont House Agreement in 2014. That was an imperfect solution, but it was a solution nonetheless. Eames/Bradley provided, and continues to provide, the best model for dealing with legacy, but one of the major difficulties with our response to legacy has been the lack of resources for the various strands to be able to deliver their work. We must see adequate resources for all the various strands.

Too much time has been wasted in trying to address the legacy of our past. That has resulted in a void that the extreme elements of republicanism and unionism have filled with their accounts of history rather than allowing all of us an agreed consensus. Further to that, Sinn Féin's insistence on the absence of this place for three years did nothing to progress the cause of victims and deal with the legacy of the past. Similarly, I ask those who tabled the motion what have they delivered for victims in the 14 years that their party has jointly headed Government? Even now, the proposers are not looking forward; they continue to look back over their shoulders to try to outmanoeuvre their opponents because of one poll. That is shameful.

Justice, accountability and truth are not mere words; they are the ideals that we must seek in building a better and more reconciled society than the troubled one that we have inherited.

If we are ever to adequately address the legacy of our past, it cannot be done by cherry-picking the elements that make us uncomfortable, which today's motion, as introduced, does. Such piecemeal reconciliation cannot and will not deliver for all victims. For that reason, the SDLP will support only the amended motion.

Mr Beattie: I thank the Member for tabling the motion for debate. We have had lots of discussions here and elsewhere about legacy, and nobody is going to close the gap between the different directions from which we view it, whether that is blaming the British military police and Government, blaming loyalist or republican terrorists, blaming the Irish Government, the Irish police and the Irish military or blaming a political party that excused

and promoted murder. We will all look at it from various directions, but one thing is clear: we cannot have an amnesty. We cannot have a statute of limitations. We are all agreed on that.

Let us dissect the fine words that we are hearing, shall we? The motion text speaks of regarding:

"any statute of limitations for Troubles-related offences to be in violation of the principle that everyone must be equal under the law and equally subject to the law".

Yet, three MPs from the DUP supported a statute of limitations in 2018. If it was not for this Member's intervention, they would have still supported it, because it led to an amnesty. We have to be careful.

The motion continues:

"highlights the need to preserve legal routes to justice for innocent victims".

Everybody stands up and claps the Stormont House Agreement. The Stormont House Agreement does not give justice to victims who were injured in the Troubles if there was no fatality. The limbless, the blind, the burned, those in a wheelchair and the psychologically damaged do not get an investigation, purely because they had the audacity to live. That is an amnesty for the perpetrators.

Under the Stormont House Agreement, people who had an Historical Enquiries Team (HET) desktop review do not get an investigation. The Stormont House Agreement is geographically fixed, which means that, if a person was kidnapped in Northern Ireland, taken across the border into Ireland, tortured and murdered, they do not get an investigation. That is not dealing with legacy. That is an amnesty. Call it what you will, but you need to own up to it, because that is what you agreed to. I have been saying that since I came into the House in 2016.

We have to look at the Irish Government, because the Irish Government are not innocent players. We cannot allow them to say nothing in case the halo slips. We are all critical of the British proposals. The UK proposals are wrong, but the Irish Government have done nothing and brought nothing forward. They are doing nothing for victims. There were thousands of attacks that came from Irish soil into Northern Ireland to murder and maim our citizens, and they have done nothing to address that, apart from the Criminal Justice (International Co-Operation) Act 2019. Let me explain something. Before any investigation, the Irish Government

will redact the information before we get it. We will never get all the information.

We have heard about Ian Sproule. He is not the only one. There are many out there. In 1972, Corporal James Elliott was kidnapped, taken across the border into the Irish Republic, brutally tortured and murdered after two days. His body was booby trapped, put on the border and left there. They arrested people not for his murder but for putting a bomb on his body. I wrote to the Irish Government to ask them why they had not gone any further in dealing with that issue. In the same way, I wrote and spoke directly to Micheál Martin, Leo Varadkar, Simon Coveney and their Justice Minister, asking what the Irish were going to do. I asked every one of them, "What are you going to do in regards to legacy, as you allow us to sit in this House and tear strips off each other? What is your part to be played?". Their answer is silence. Every single time, their answer is silence.

The motion as it stands is right, as it focuses on the Irish Government. They are there for a reason. That is not to say that the British Government do not have questions to answer, but it means that we can focus on the Irish Government at times. That is what the motion does, and that is what I will support.

Ms Ennis: I rise to speak in favour of the Alliance amendment. I reiterate the point that my colleague Liz Kimmins made when she said that the principles that underpin the Stormont House Agreement are the basis for dealing with the past in a victim-centred manner.

I approach the debate sensitive to the hurt, pain and loss that has been felt across all our communities. At the outset, let me say that all victims and their families have a right to truth, justice and acknowledgement. Not some victims, but all victims. If we are serious about dealing with the past as the basis for building for the future, there can be no dilution or erosion of the human rights of victims.

Today the Assembly can send another message to the British Government that it rejects their amnesty proposals for their state forces as outlined in their Command Paper of 14 July and rejects their proposed interference in the legal process whereby the PSNI and the Police Ombudsman would be statutorily barred from investigating conflict-related incidents. Should those proposals be enacted, it would bring an immediate end to criminal investigations and to the prospect of prosecutions. The British Government's proposals are an affront to all families. Not some families, not a few families, but all

families. The proposals are about denying families their rights, yet here we are in that very scenario.

Sinn Féin made clear its position on the role of the Governments in its legacy consultation response in October 2018. It is useful to restate that position. Point 42 of the Sinn Féin response said:

"Two decades on from the signing of the Good Friday Agreement (1998) many families continue to ask questions about the deaths of their loved ones. Many feel that there has been no official recognition of their loss. Many are still denied legacy inquests, many are still battling in the courts for maximum disclosure from the British state. This is not a tenable situation. Equally the Irish government has a binding obligation to assist families and to facilitate full disclosure to assist information recovery."

That would mean developing human-rights compliant processes that are capable of answering the uncomfortable questions of many families and of wider society. It would mean seeking to provide maximum information to families who want answers. It would mean investigating and understanding the policy context and the state abuse of a legal process that facilitated, perpetuated and sustained the conflict.

Mr Allister: Will the Member give way?

Ms Ennis: Maybe in a minute.

It would mean investigating human rights abuses, upholding the rights of victims to remedy and combat impunity.

Today we must send a clear message that any political attempts to interfere in live, impending legal proceedings or to deny victims their human rights and access to legal investigations, whether the focus of those investigations is in London or Dublin, will be resisted across the House. In reality, that means that the Irish Government have a binding duty to assist families in the same human-rights compliant manner, with the same information and to the same standard as the British Government.

Today we have an opportunity to speak with a clear and consistent voice and to call on both Governments to fulfil their international human rights obligations and provide effective investigations without further delay. As parties, despite our different standpoints, we must make a common cause and oppose, object to and

challenge those proposals and stand up for the basic rights of all victims. Upholding, protecting and guaranteeing the legal rights of all victims is critical. I urge Members to support the amendment.

Mr T Buchanan: I want to make it clear that we will not support the Alliance amendment, which seeks to move the focus of the motion away from the Dublin Government's failure to investigate Irish state collusion between the Garda and IRA terrorists.

4.30 pm

We must never forget, and let the House and others who are listening be in no doubt about, who was responsible for the years of bloodshed and the murder of the innocent people of Northern Ireland. Let us remember who pulled the triggers, planted the bombs and robbed many of our families of their loved ones in a premeditated and murderous campaign. It was none other than the Provisional IRA, which received the full endorsement and support of the party opposite, which, to this day, still glorifies those who carried out such dastardly acts of murder. In 2013, Gerry Kelly, attending the unveiling of an illegal republican memorial in Castlederg, referred to those murderers as:

"leaders, people who led from the front".

That gives us some indication of the party opposite's thinking towards those people.

Between 1971 and 2001, my home town of Castlederg and the surrounding district witnessed the premeditated murder of 32 innocent people, one of whom was Ian Sproule. Where did the people who carried out those dastardly deeds find a safe haven and protection from the law? A few miles away, over the border in the South of Ireland, which was a spawning ground for that terrorist organisation. We cannot ignore the role played by the Irish state in facilitating and endorsing the creation and growth of the Provisional IRA, nor can we ignore the collusion between the gardaí and the IRA, which resulted in many innocent people in Northern Ireland losing their lives.

Saturday 13 April 1991 is a date that is etched on the hearts and minds of many people in Castlederg and the surrounding area. On that date, the news filtered through that Ian Sproule, a 23-year-old joiner, had been brutally murdered by the IRA as he returned home, simply because he was a Protestant. Ian was the ninth member of Maghenageerah Presbyterian Church's congregation to be

murdered by the IRA. I stand here with fond memories of Ian, having worked alongside him and his father for a short time. Despite all the false allegations that the IRA peddled following Ian's murder in an effort to distract media attention away from the sectarian assassination of a young, innocent, Protestant man, to his murderers, the only crime of which he was guilty was that he was a Protestant, a unionist and a loyalist. The sentence for that was death.

In 2012, the now Garda Commissioner Drew Harris's revelations to the Smithwick Tribunal, when he was Deputy Chief Constable, left no one in any doubt that there was collusion between the gardaí and the IRA in the sectarian murder of Ian Sproule. Yet, to this day, the Dublin Government, in a blatant violation of their international human rights obligation, have refused the Sproule family an investigation into Ian's murder, while seeking to brush the Smithwick inquiry under the carpet. It is absolutely outrageous that the Garda Ombudsman Commission seeks to hide behind the passage of time in an effort to justify its failure to investigate that collusion case, all the time adding further pain and hurt to the Sproule family, who deserve a full investigation without further delay.

The ratification of the Criminal Justice (International Co-Operation) Act 2019 allows for the Garda Ombudsman and other bodies to exchange information on cross-border investigations, but, disgracefully, the Dublin Government have retained a veto over such arrangements. If the Dublin authorities are genuine in their claim to respect the rule of law and victims' human rights, it is high time that they buried their gross hypocrisy and took action, without any further delay or precondition, to bring forward a public inquiry into the state's role in the IRA campaign.

I heard one Member opposite talk about justice, accountability and truth. Of course we want that. We want the Dublin Government to come forward with justice, accountability and truth for all those who were murdered by the IRA, with the state's collusion.

Mr Speaker: The Member's time is up.

Mr T Buchanan: I ask the Assembly to support the motion.

Mrs D Kelly: At the outset, I acknowledge, on behalf of the SDLP, the family of Ian Sproule and the suffering that they have endured for many years. Indeed, their grief has been compounded by the callous call that their father

received on the evening of Ian's murder. Brutal beyond belief. Cruel beyond belief.

I also want to acknowledge that today is the twentieth anniversary of the death one of my constituents, the investigative journalist Martin O'Hagan, who was brutally murdered by the LVF when he and his wife were walking home from a pub in Lurgan one evening. His family, friends and colleagues continue to grieve his loss and have unanswered questions about his murder and the subsequent investigation. Both of the killers remain free. Allegations of collusion prevail.

The DUP motion quite rightly reiterates the Assembly's unanimous opposition to the Command Paper on legacy proposals, including the closing down of all avenues of justice. The SDLP is clear that every family that has been bereaved in the conflict should have access to an effective investigation and justice process, regardless of who the perpetrator was.

I have some difficulty with the motion's suggestion that legal processes should be reserved for innocent victims, given that the state has a duty, under article 2 of the European Convention on Human Rights, to investigate loss of life. Indeed, as we have seen over the past year, many families had to fight to clear the names of their loved ones and had to fight for their reputations to be reinstated. For many of them, including the Ballymurphy families, their loved ones were deemed to be innocent by the coroner.

The Stormont House Agreement, as my colleague Colin said, was imperfect — indeed, Doug Beattie referred to it as being imperfect, for different reasons — and Eames/Bradley remains the premier answer to dealing with legacy, but the Stormont House Agreement is widely regarded by many across the victims sector as the last chance saloon in trying to find truth, justice and accountability. Imperfect though it is, it is an international agreement that the British Government have unilaterally reneged upon. If anybody from the NIO or the British Government is listening to this debate, they will again hear the message that the proposals contained in the Command Paper are universally objected to.

Mr Allister: Will the Member give way?

Mrs D Kelly: I will.

Mr Allister: I want to deal with the Stormont House Agreement. The Member has been careful so far not to condemn Republic of

Ireland collusion. What does she think the Republic's response has been to the commitment that it made in Stormont House towards:

"full co-operation of all relevant Irish authorities, including disclosure of information and documentation"?

Does she think that the Republic has done that?

Mr Speaker: The Member has an extra minute.

Mrs D Kelly: Thank you, Mr Speaker. It is my understanding that the Irish Government are already in the process of drafting a legal framework to allow for the sharing of such information, but the Irish Government can answer for themselves. My concern is about victims and the reconciliation that we need so that the past is not rewritten in the way that some are doing.

Mr Beggs: Will the Member give way?

Mrs D Kelly: OK.

Mr Beggs: Will the Member accept that, if the Irish Government redact information and are not open, victims will not gain the information that they are seeking?

Mrs D Kelly: We charge the Irish Government with the same principles that we put to the British Government in ensuring that the fullest account, the fullest truth and the fullest access to justice has to be the right of any bereaved family and victim in terms of how the past is dealt with. Those principles apply regardless of whether it is the Irish Government or the British Government, but, let us face it, in terms of collusion, the British Government would win the gold star, because it was state sponsored. With the murder of Pat Finucane, many people believe that it probably goes the whole way to Downing Street and that that is why there has been continued dismissal of any public inquiry into that murder.

In the brief time that I have left, I will turn my attention to the Members to my right, who have talked today about truth, justice and accountability.

I have not heard much about remorse or about truth, justice and accountability from members of the republican movement. It grieves me to see that, as Mr Buchanan said, senior members of Sinn Féin continue, in a very public way, to

glorify terrorists, many of whom were responsible for many murders right across both communities, if you like, in the North. Woe betide some of the Members from Sinn Féin lecturing everybody else in the House on human rights until they get their own house in order by acknowledging their role and what they are going to do about former members of the republican movement stepping up to the plate on truth, justice and accountability.

Mr Allister: I commend those who tabled the motion. I particularly commend John Sproule for the relentless campaign that he has pursued and the Derg Valley Victims' Voice, which has been by his side. Despite all of that, however, we are no further forward in obtaining the truth about the brutal murder of Ian Sproule.

It is abundantly clear that there was rife Garda/IRA collusion throughout the Troubles. Mrs Dodds listed several of the cases: the Sproule case, of course; Breen and Buchanan, in whose murders Smithwick found clear collusion; Lord and Lady Gibson; the Hanna family; Terence McKeever; and Tracy Doak. It is all there.

It is also abundantly clear that Dundalk station and Donegal stations were rife with enablers of IRA murder, no more so than in this case, where, in their warped justification of the gunning down of that young man, the IRA produced a document straight out of a Garda file identifying him, containing his photograph and naming him. Of course, their plan that night was to kill a second young man, because they had a second photograph. Fortunately, he was not at home.

We still debate this today, however. I have listened very carefully to the contributions. We have had two Sinn Féin contributors but not one word of condemnation of the brutal murder of Ian Sproule. A motion that centres on that brutal murder, and, yet again, Sinn Féin comes to the House and cannot even find the decency to condemn it. Yes, there was lots of doublespeak and equivocation but no facing up to the reality that their IRA brutally murdered that young man.

When we came to the SDLP, sadly, there was no facing up to the reality of Republic of Ireland collusion. In Mr McGrath's speech and Mrs Kelly's speech, there was no acknowledgement of that collusion. Why not? Why be the protectors of collusion? You are loud enough in your demands when you think that you can point that finger at the British.

Mrs D Kelly: On a point of order, Mr Speaker. Is it right that a Member can accuse me and Mr McGrath of being protectors of people who were involved in collusion?

Mr Speaker: I will refer to the Hansard report of the exact wording that was used, but I would suggest to Members, when they are speaking, to stay within the rails of debate. Thank you.

Mr Allister: If there has been collusion from the Republic of Ireland, and Smithwick tells us that there was — you do not have to take my word for it, as Smithwick tells us that there was — why is it beyond some in the House to condemn that collusion? That is the question that I ask.

Of course, that collusion comes in the context of the concerted, deliberate campaign to cover up for and provide cover for the IRA.

Mrs Dodds gave us the figures: of 113 applications for extradition — for murder and other crimes — eight were successful. That was because the Irish Republic was deliberate in the business of providing safe haven for murderers in this part of the United Kingdom. That is the hard truth. Therefore, it falls ill that people cannot even face up to that. That is what the motion calls on people to do — face up to that. Today, they have run away from that.

4.45 pm

As for the Alliance Party, of course, last week, it was Sinn Féin's little helper; this week, it is to be Dublin's little helper.

Mr Buckley: I thank the Member for giving way. Quite rightly, he highlighted Sinn Féin's inability even to condemn the tragic and brutal murder of Ian Sproule. Does he agree that its inability to condemn such murders is much more widespread? To this day, the continual glorification of murder is what is sad about the reality that Sinn Féin cannot come to terms with its past by recognising that murder was wrong in all instances.

Mr Speaker: The Member has an additional minute.

Mr Allister: It is not just a failure to condemn; it is a glorification of murder, and thereby a justification. You cannot glorify that which you say is not justified. It is as stark as that.

The Irish Government have lamentably failed. I quoted a few minutes ago their supposed commitment in the Stormont House Agreement.

Their actions do not match those words; far from it. Rather, we have had a total duplicity in the Dublin Government's response. It is a duplicity that is as shocking as the cover-ups that they continue to provide for IRA murders through the collusion that is exemplified in just one case — Ian Sproule — but is multiplied in many cases in our Troubles.

Mr Speaker: The Member's time is up. I call John Blair to make his winding-up speech on the amendment. The Member has five minutes.

Mr Blair: I thank all Members who took part in the debate. Like my colleague earlier, I will speak in support of the amendment. First, however, I want to address the motion. The motion makes clear, as mentioned many times today, that the UK Government's latest proposed policy on legacy is deplorable and that the plan to prevent the prosecution of crimes committed during the Troubles is an unacceptable course of action. There is cross-party agreement on that position. Therefore, it is my hope that the amendment, in reflecting the intent of the original motion, can let us speak with one voice on these crucial issues. I will refer to the amendment more fully in a moment.

It is difficult to see how these UK Government proposals, which have been mentioned repeatedly today, can be consistent with international human rights law. We need a comprehensive system for legacy, including investigations, with everyone equal under the law. Otherwise, victims will never receive the justice, truth and closure that they deserve. There is, understandably, an expectation that all democratic Governments and their justice structures will act within the terms of international human rights law. If that expectation of associated standards is not met, it is a matter of utmost concern to all of us and, of course, mostly and especially, to the bereaved. Turning directly to the case of Ian Sproule, I commend the family for their resilient campaign for truth and justice. Their case is symptomatic of the cases of so many families who need that closure and justice.

I will now refer to comments that were made in the debate. I will limit my comments to the remarks that related to our amendment. Some Members spoke but did not refer to the amendment. Proposing the motion, Diane Dodds mentioned that we had included references to the UK Government. I hope that she will accept that references to the UK Government were in the original motion. Yes, they are in the amendment, and are mentioned again towards the end of the amendment

alongside clear mention of the Irish Government and the need for collaboration between the two.

Liz Kimmins spoke in support of the amendment and referred to the recent UK Government proposals. That was a common theme. She also mentioned the Stormont House Agreement. Colin McGrath spoke in opposition to the UK Government proposals and supported the amendment. Doug Beattie did not support the amendment, but he referred to the key focus on the Irish Government and indicated that there is more to be done there. Sinéad Ennis spoke of pain and loss across communities. Tom Buchanan talked about his personal experience of the incident cited in the motion, and we respect his feelings and thoughts about that. Dolores Kelly spoke in support of the amendment.

The amendment addresses the need for acts of terrorism to be investigated fully and for the Governments on these islands to cooperate to the fullest extent, so that truth, justice and closure can be brought to the victims and families who need them. I remind Members that the Northern Ireland Office, in its recent proposals, failed to engage in meaningful dialogue or consultation with the parties of the Assembly prior to making public announcements. More reprehensibly, it failed to engage with victims' groups.

It is my hope that we can reach agreement through the amendment, which honours the intentions of the motion while highlighting the duty on Governments to collaborate closely to bring that closure. I commend the amendment to the House.

Mr Speaker: I call Mervyn Storey to conclude and make a winding-up speech. The Member has 10 minutes.

Mr Storey: Thank you, Mr Speaker. I commend my colleagues Diane Dodds and Tom Buchanan for tabling the motion. I also commend them for their work over many years to ensure that the memory of Ian Sproule and his family is not forgotten.

Sadly, there are those in the House who want to airbrush the past. They want to change the past. Let us nail it for what it was. It was murder. It was the vilest of the vile. It was not, as the deputy First Minister described it when glorifying another IRA terrorist, that "He died for Irish freedom". When she said that, she was referring to an individual who was responsible for the murder of a constituent of mine. Of course, the deputy First Minister did not think it

fit to think of that family. There was no thought of the Dunlop family when she was prepared to glorify the actions that led to murder on the streets of Ballymena.

Today, we heard the catalogue of our sad past. The focus of the motion is to put the spotlight on the Irish Government. My colleague Diane Dodds referred to the 113 requests for extradition, of which only eight were granted. If anyone takes the time to look at that list, the reasons given by the Irish Government for most of the refusals were that extradition had been refused on grounds that the offence was political. Those offences included escape from custody; murder of members of the RUC; possession of firearms and ammunition; arson; attempted murder; and armed robbery. The Irish Government were complicit, saying, "Oh, what happened there was for political purposes". They did not say that when it sadly happened on their own streets. It was murder in Monaghan. It was also murder in Northern Ireland.

We heard from a number of Members today. The Alliance Party attempted to somehow say that it wants to gain consensus. Well, it did not gain consensus in the House last week when it was not prepared to stand up for victims by supporting a Bill that would have ensured that those with a criminal record were punished for their deeds. A few days after that, the Justice Minister came out with a victims of crime commissioner, which is a toothless organisation that will not be able to do anything, and yet the Alliance Party tells us that it will support victims and that it is to ensure that victims are at the centre of what we do. That was a failed attempt from the Alliance Party to gain consensus, and, on that basis, we will not accept the amendment.

I will turn to Sinn Féin. In 1983, the previous leader of Sinn Féin said:

"I would like to elaborate on Sinn Féin's attitude to armed struggle. Armed struggle is a necessary and morally correct form of resistance".

Do the Members opposite still believe that that is the case? We have heard a lot today about truth, justice, openness and transparency. Let us remind ourselves of what the former deputy First Minister told the Saville inquiry — the most expensive inquiry to shine a spotlight on the past — in the city of Londonderry. When he was asked about the arms dump, he said:

"I cannot answer that question because there is a republican code of honour".

Here is a party that tells us that it wants openness and truthfulness, but when it had the opportunity to tell the truth, what did it do? It hid behind the coat-tails of a terrorist organisation's code of ethics and conduct.

Liz Kimmins said that there is an issue of consistency and that we need to see accountability. You are absolutely right. What happened to Jean McConville? For 40 years, the IRA told us that it had nothing to do with her murder. It was then dragged in to the public arena and reminded of its dirty, dastardly deed: it murdered an innocent woman on the streets of Belfast.

Given all that the republican community are saying about the statute of limitation and drawing a line under the past, I wonder whether some of them are beginning to get worried about a knock on their door and being held accountable for their deeds. What about Operation Kenova? What about the investigation into Freddie Scappaticci? What about the investigations into the hundreds of murders that that squad was responsible for? We want truth. Truth cannot be hidden. Truth will come to the fore.

I am glad to see that the leader of the Ulster Unionist Party has rejoined us. He, as is his right, raised concerns about Stormont House. He made reference to the fact that elements of it were a de facto amnesty. What was the opening of the prison gates when his party — not us — signed the Belfast Agreement?

Mr Beggs: Will the Member give way?

Mr Storey: I am quite happy to give way.

Mr Beggs: Does the Member not realise that it was Mo Mowlam who opened the gates and let the prisoners out?

Mr Storey: The Member needs to take a history lesson: the prison gates were opened as a result of a political agreement that his party signed up to.

You then see what that has led to. This is a sad reality: it has led to a corruption of the justice process in Northern Ireland. Subsequent to that, we had decommissioning. All the parties in the House talk about openness, transparency and truth. Let us remember that legislation was passed in the Houses of Parliament of the Irish Republic and Westminster that allowed for no ballistics to be garnered as a result of the weapons that were decommissioned. What is

that? That is an amnesty. It is letting terrorists off the hook. Let us take, for example, the murder of Ian Sproule. It was a dirty, dastardly deed. Mrs Dodds told us about the number of bullets that were used by those who came in the dead of night and shot him through the back of the head. Say, for example, that the weapon that was used had been discovered and that the ballistics that had been taken from that were brought into the public domain. As a result of what was passed in the Dáil and in Parliament, it could not be used to bring those people to justice. That is an amnesty. It never should have happened.

5.00 pm

I welcome the fact that Members have talked about ensuring that all victims are entitled to the truth. I have no fear of the truth. I have no fear of looking at the past and asking questions as to who was responsible for pulling the trigger, planting the bomb and creating the widows and orphans. However, I will not tolerate or give succour to the idea that, by some political means, we will try to sanitise that past, to change it and to have it rewritten.

In my constituency, a week before Ian Sproule was murdered, the IRA planted a bomb in the town of Ballycastle, which resulted in the death of Spence McGarry, a 46-year-old father of three. What was his crime? He was a Protestant, who came from the town of Ballycastle and wore the uniform of the RUC. My colleague Tom Buchanan made a very telling point —

Mr Speaker: The Member's time is up.

Mr Storey: — about the sectarian nature of the IRA campaign. Let us have the truth. Let Dublin tell us what they know. Let Members in this House face up to the reality of the past.

Mr Speaker: Thank you, and I thank all Members for their contributions.

Question put, That the amendment be made.

Some Members: Aye.

Some Members: No.

Mr Speaker: Before the Assembly divides, I remind Members that, as per Standing Order 112, the Assembly has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and

should not enter the Lobbies. I also remind Members to adhere to all the social-distancing requirements while the Division takes place, and I ask that you maintain a gap of at least 2 metres between you and other people when moving around in the Chamber or the Rotunda and especially in the Lobbies.

Question, that the amendment be made, put a second time.

The Assembly divided.

Ayes 49; Noes 39.

AYES

Dr Archibald, Ms Armstrong, Ms Bailey, Mr Blair, Mr Boylan, Ms S Bradley, Ms Bradshaw, Ms Brogan, Mr Carroll, Mr Catney, Mr Delargy, Mr Dickson, Ms Dillon, Ms Dolan, Mr Durkan, Ms Ennis, Ms Ferguson, Ms Flynn, Mr Gildernew, Ms Hargey, Ms Hunter, Mr Kearney, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Muir, Ms A Murphy, Mr C Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Ms Rogan, Mr Sheehan, Ms Sheerin, Ms Sugden, Miss Woods.

Tellers for the Ayes: Mr Blair and Ms Bradshaw

NOES

Dr Aiken, Mr Allen, Mr Allister, Mrs Barton, Mr Beattie, Mr Beggs, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Butler, Mrs Cameron, Mr Chambers, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Middleton, Mr Nesbitt, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford, Mr Stewart, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Clarke and Mr Storey

The following Members' votes were cast by their notified proxy in this Division:

Mr Dickson voted for Ms Armstrong, Mr Blair [Teller, Ayes], Ms Bradshaw [Teller, Ayes], Mrs Long, Mr Lyttle and Mr Muir.

Ms Bunting voted for Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Mrs Cameron, Mr Clarke [Teller, Noes], Mr Dunne, Mr Easton, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey,

Mr Irwin, My Lyons, Miss McIlveen, Mr Middleton, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford, Mr Storey [Teller, Noes] and Mr Weir.

Mrs Dodds voted for Mrs Foster.

Mr Butler voted for Mr Aiken, Mr Allen, Mrs Barton, Mr Beggs, Mr Chambers, Mr Nesbitt, Mr Stewart and Mr Swann.

Mr O'Dowd voted for Dr Archibald, Mr Boylan, Ms Brogan, Mr Delargy, Ms Dillon, Ms Dolan, Ms Ennis, Ms Ferguson, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Mr G Kelly, Ms Kimmins, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms A Murphy, Mr C Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.

Mr O'Toole voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Mr McGrath, Ms McLaughlin and Mr McNulty.

Ms Woods voted for Ms Bailey and Ms Sugden.

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly reiterates its opposition to Her Majesty's Government's plans for legislation to address the legacy of the past in Northern Ireland, as outlined in the Command Paper published on 14 July 2021; regards any statute of limitations for Troubles-related offences to be in violation of the principle that everyone must be equal under the law and equally subject to the law; stresses that all allegations of wrongdoing should be investigated in a fair and proportionate way, regardless of the nature of the offence or the jurisdiction in which it was committed; highlights the need to preserve legal routes to justice for innocent victims; condemns the long-standing failure by government and police oversight bodies in the UK and Ireland to address substantive allegations of collusion in atrocities committed by republicans and loyalists; notes with deep concern the failure to make progress on investigating the case of Ian Sproule, who was murdered in 1991; recognises the need for the UK and Irish Governments to exchange, urgently, information integral to legacy investigations; and calls on the UK and Irish Governments to fulfil their obligations under international human rights law to provide effective investigations into claims of state collusion in acts of terrorism and facilitate timely

access to justice and truth for affected victims and their families.

Mr Speaker: I thank everybody for their contributions to the debate.

(Mr Principal Deputy Speaker [Mr Stalford] in the Chair)

Motion made:

That the Assembly do now adjourn. — [Mr Principal Deputy Speaker.]

Adjournment

Universal Credit Uplift Removal: Impact in Foyle

Mr Principal Deputy Speaker: In conjunction with the Business Committee, the Speaker has given leave to Mr Mark Durkan to raise the matter of the impact in Foyle of the removal of the universal credit (UC) uplift. The proposer of the topic will have 15 minutes.

Mr Durkan: I appreciate the opportunity to speak on the need for the Executive not only to oppose the UK Government's plan to remove the £20 uplift to universal credit but to plan and prepare and to protect people here should the Tories persist with that punitive policy, as well as, importantly, to consider what that cruel cut means for my constituents in Foyle.

The SDLP has always been critical of universal credit. We voted against the Welfare Reform Bill when others here rubber-stamped it. Our stance has been vindicated ever since. I am sure that I would not be alone in saying that assisting people to navigate that complex system is a daily occurrence in all our offices. All too often, we have to direct desperate people and families towards food banks during the cruel five-week wait. Foyle Foodbank has witnessed a spike in demand in recent years. During COVID, it saw a 75% increase in usage. I dread to think how many more people in Derry will rely on that support and service should that cut to universal credit proceed.

The £20 universal credit uplift was a most welcome and uncharacteristic move by the Tories at the outset of the pandemic. It was an extra safety net to prevent people falling further into poverty. Now, despite opposition from Ministers here and in Scotland and Wales, criticism from just about every charity and expert organisation and from several former Tory welfare Ministers, not to mention the dissent in the ranks that has been witnessed in recent weeks, with four Tory MPs voting against the removal, the Tories appear determined to revert to type.

Foyle has the highest number of universal credit claimants in the North and, indeed, the UK, with over 8,000 claimants. The cut runs the risk of stripping almost £8.5 million from vulnerable households in Foyle alone. The removal will be most profoundly felt in areas of high deprivation such as Derry, and I have listened to many heartfelt pleas, mostly from single parents who have reached out to me in recent weeks, highlighting the fact that the uplift has been a lifeline. It is a lifeline that they cannot afford to have removed. The extra £20 a week has allowed them merely to keep their head above water, to buy nappies and to put food on the table for their children that week. For them, the fear of the cut is becoming a stark reality, with claimants already being informed of their cut-off date.

The consequences of going down this path will be catastrophic. It will undoubtedly hit harder in the North and, indeed, Foyle than anywhere else. Families here will be plunged into poverty. If they needed this help 18 months ago, they sure as hell need it now. Now, people have to battle the spiralling cost of living — a 35% gas hike that, in real terms, means a rise of about £200 in the average annual household bill and, with the implications of Brexit, grocery bills rising rapidly. We all see that. Rising property values mean rising rents, and I have witnessed the outworkings of that, as, I am sure, many others have, with more and more people contacting my constituency office for housing support because they have been forced from private rented properties due to affordability issues. It is clear that people are at breaking point. They cannot afford to lose over £1,000 a year, and we cannot afford to let them lose it.

The cut is not only cruel but completely short-sighted. Removing millions of pounds from the local economy will devastate local businesses. I recently met the Federation of Small Businesses (FSB) to discuss the implications of the cut for it and its members. The consequences for local businesses will be dire and will cost jobs, forcing people to become even more reliant on welfare support.

Where is the assessment of the impact of removing this lifeline? Have the Executive looked at the financial cost in terms of the increased health, homelessness and education costs? What will be the cost to people? This is much more than an issue that affects only the poor or the "scroungers", as the Tories would happily characterise those dependent on support. Nearly a third of claimants are working; we need to do more to protect them. Minister Hargey has joined her counterparts in other devolved regions in writing to the Department

for Work and Pensions (DWP) to oppose the cut. We welcome that, but, sadly, it does not go nearly far enough.

The Minister often speaks of her commitment to protect vulnerable people, and we welcome her words, yet real scrutiny of the track record of the Minister and that of her party tells a different story. We still wait for legislation to close the loopholes in welfare mitigations, and the Minister's silence on concerns about access to the high street voucher scheme is deafening. Earlier this month, I wrote to the Minister to ask her to take action in conjunction with the Economy Minister to ensure that elderly and vulnerable people who do not have internet access or are not internet-savvy did not miss out on the scheme. I proposed that, given that DFC already held those people's details, the voucher should be automatically issued to that cohort. I still await a response.

I digress; I will return to the matter at hand. The reason that Boris Johnson and the Tories can back this callous cut is that they cannot comprehend a reality in which £20 is the difference between feeding and not feeding your family that week. How can we trust a man who cannot tell you the price of a loaf of bread but can easily tell you the price of a bottle of champagne to know what is best for vulnerable people and their families? How can we trust his colleague Thérèse Coffey, who just last week condescendingly suggested that claimants should work more hours? That statement demonstrated not only a complete lack of compassion but a complete lack of understanding of how the benefit, for which she has responsibility, works.

5.30 pm

I expect and hope that MLAs here are much more grounded in the reality of what the cut means for people in the areas in which we all live. I am concerned about my constituents. I am concerned about men, women and children in Derry who will be most adversely impacted by the cut. Reports show that child poverty is a reality for a quarter of the children in Northern Ireland. That problem is most acute in areas such as Foyle. If we do not fight for the needs of those children and their families, people whom we are supposed to be here to represent, who will? What will we do in the wake of the removal? Will we sit on our hands or ensure that people are signposted to debt and advice agencies, as the Minister has suggested?

We are a devolved Government. DFC finally has welfare powers back, after the DUP, Sinn Féin and Alliance handed them over to the

Tories to inflict more pain on vulnerable people here. If Westminster insists on proceeding with this draconian cut, we need to see action from the Communities Minister, working with her Executive colleagues, particularly the Finance Minister, to find the funding to continue the uplift for the rest of this financial year. This accounts for just 0.5% of the Executive's Budget. What COVID money remains unspent? What money budgeted for welfare mitigations is at risk of going unspent? Are those questions being asked by the Communities Minister, who tells us how committed she is to protecting the vulnerable? Rather than writing letters, we implore the Minister to find the resource and to find a way to protect hard-pressed families across the North from this devastating cut to their income. We need to be more proactive, not reactive. There is just far too much at stake for people here.

Mr Principal Deputy Speaker: I see Mr Carroll rising in his place. I originally thought that there were five listed Members, and there are now six. With 40 minutes left, each Member will have six and a half minutes to speak.

Mr Delargy: The removal of the £20 universal credit uplift is yet another assault by Boris Johnson and his Cabinet on struggling individuals and families in Derry and across the North, those who have borne the brunt of Tory austerity for almost a decade. The move by the British Government compounds the impact that will be felt from the hike in energy prices and will leave the most vulnerable in our society again facing the choice between putting food on the table and heating their home. That is the real-life impact.

I was proud to speak in the Chamber last week to oppose the cuts and to be part of a rare consensus across the Chamber demanding that the Tories scrap their plans. The significance of that cannot be overstated. There was a real recognition that the cuts transcend party political boundaries. They will impact people in Derry, people across the Foyle constituency and people across the North. If we are genuine about standing up for families and for those who are most vulnerable in our society, we must start to work together to tackle the cuts and present a united front against the Tory Government. We need to stand with other devolved institutions in Scotland and in Wales to counter the removal of the uplift.

Until we take full control of our fiscal destiny, we will always be vulnerable to austerity, to cuts and to policies imposed on us at Westminster by a Government who have very little empathy for the people of the North and less of a

mandate in this area. To be clear, the decisions, as was the case with Brexit, have not come from the Executive. The decisions and choices were made by the British Government. The British Government have cut the block grant in the North year on year for a decade. Tory cuts have devastated our public services not just with regard to welfare but in health, education, infrastructure and, particularly, our public transport systems. It is in the Tory DNA to slash public services and attack the most vulnerable. That is why they are cutting the universal credit uplift. That is what Tories do. They simply do not care about the people of Derry, and they do not care about the people in the North. However, there is hope that more and more people are becoming aware of that and that more people see the connection between Westminster and the damage in their everyday lives. That is what a conversation about a new and united Ireland is about. In a new Ireland, we could make our own decisions. It would be an Ireland where we were not subject to British Government cuts and the impact of a British Government Brexit.

The debate has been turbocharged by austerity, London's handling of the pandemic and its decision to leave the European Union. We can do better — better for our people. There is an alternative to Tories and to Brexit. Irish unification is a guaranteed path back into the European Union. It would give the people of the North a chance to steer our own destiny in a new Ireland, to enjoy the benefits of an all-Ireland economy and to rid ourselves of the austerity that we are discussing today. We can show political leadership by taking control of our destiny and protecting all of our citizens. That is what the people of Foyle want to see. That is what the future looks like. I urge all Members to join the conversation that helps us to build that.

Mr Middleton: I very much welcome the opportunity to speak on the issue as an MLA for Foyle. Like many across the Chamber and Northern Ireland, I welcomed the decision by the UK Government to uplift the universal credit payment by £20 per week. At that time, it appeared to be a recognition by the UK Government that the incomes of our lowest-income families were being squeezed too much. The decision to increase the universal credit payment by £20 was a recognition that the payments were far from adequate.

The central role of our social security system is to support and protect people who are unable to work because of disability, for caring reasons, because they are looking after children or due to the consequences of the COVID pandemic. We have seen an increase in the number of

people having to claim universal credit through no fault of their own. Plunging families into further poverty is not right, and it is not something that this party will support. We need to support one another; we need to support the most vulnerable. Almost one in four of the working-age families in Northern Ireland will lose out through the cut to universal credit. Already, statistics show that one in four children in our society are in poverty. That is a stark and devastating statistic. It is a statistic, but it represents real people.

We see the devastation across the Foyle constituency, in particular, when we look at the increase in the number of people using food banks. I pay tribute to those who manage the food banks and acknowledge the sterling work that they do. We also see the increase in homelessness. Our constituency offices see the stress and distress that people are going through. Unfortunately, in the Foyle constituency, we top the league table when it comes to the claimant level for universal credit. That should trouble all of us in this political Chamber. As others have said, it goes beyond political boundaries; it affects everybody across all of our communities.

I welcome the action that the Minister took, along with Ministers from the other devolved Administrations, in writing to the UK Government to reiterate the position not only of people in the Chamber but of the Executive. The decision is not one that was taken by the Northern Ireland Executive. I appreciate that Members will call for action to be taken: the first priority was to raise the concern, and we need to now look at how we can ensure that people are not affected by the cut.

The UK Government talk about levelling up, and I champion further levelling up across the United Kingdom. Whether it is Northern Ireland, the north of England or the West Midlands, we need to see levelling up. The universal credit cut will disproportionately affect people in the areas that the Government say they want to see levelled up. That is something that they need to hear loud and clear.

All of this is happening, of course, against the backdrop of increases in our cost of living — increases in energy bills and other household bills — job uncertainty and the cost of uniforms with the kids having just gone back to school. There is all that stress, and to go to those families and say, "Well, we're taking £80 per month off you" is an absolute and utter disgrace. We are also coming to the point at which furlough will end and Christmas is coming in.

There is an onus on all of us in the Chamber to set aside the political point-scoring. I have heard some of it, and we see it in the Foyle constituency day and daily. We need to stop that and to move forward collectively. There is a five-party Executive, and, if we put our shoulders to the wheel, I am sure that we can make a much stronger case than if we come at it in such a divided way.

Speaking as an individual MLA, I say that the Executive will need to come back to this issue rapidly. It has been at the forefront of their minds, but we need to ensure that we provide as much certainty as possible to the people affected in our constituencies, particularly the Foyle constituency.

Ms Ferguson: It is clear that, once again, Boris Johnson and the Tory Government have taken a couldn't-care-less attitude to our most vulnerable individuals and families, not only in Foyle but across the North. These are Tory cuts that will, once again, make life worse for our most vulnerable groups. These regressive cuts by Westminster will not just hit our low-income and working-poor individuals and families hardest; they will hit women, young people and the minority ethnic communities hardest too.

Over the years, our most vulnerable have faced relentless cuts and freezes to the rates of their social security payments by Westminster and, of course, the introduction of the abhorrent two-child rule. Now, we see this expected cut coming at the same time as the recently announced increase in national insurance contributions, the rise in energy costs, the rise in the cost of living and the end of furlough. I agree that it is so short-sighted, and it is typical of Westminster.

Let us be honest: while the additional £20 per week applied to universal credit and working tax credit as part of the response to the COVID crisis was welcome, there is no doubt that, at the time, there was an injustice because it was not, despite repeated calls, extended to people who receive similar legacy benefits. Furthermore, as we all know here, the financial assistance was required long before the pandemic began. The decision to increase universal credit and working tax credit was surely an acknowledgement by the British Government that the previous rates were not adequate to live on. What is it that they think has changed? I, like you, am baffled.

For many years, we have increasingly found that low-income families and the working poor require assistance at food banks and the provision of fuel vouchers and clothes and

furniture from charity shops. I have worked in that field for 20 years, and this is not new; it is ongoing under the Tory Government. I have worked with food banks, family support hubs, social supermarkets, local charities, Fareshare and a range of organisations that have been working tirelessly in our communities in the North, particularly in Foyle.

5.45 pm

Even Thérèse Coffey's comments about how people can work an extra two hours a week to make up the £20 that is about to be cut show a real lack of understanding of how wages and universal credit interact and of the cost and availability of childcare. It also assumes that everyone is able to work, that they have a job, that it is a well-paid job and that they are able to increase their hours.

The Tory Government have been oblivious to the high rates of disability not only in the North but in our city and to limiting long-term illnesses, especially those in mental health, and the current claimant count. For example, in the Foyle constituency, there are 4,380 people claiming universal credit, which is a rate of 6.6%. That is the second-highest rate in the North and is just behind North Belfast, where it is 6.8%, and it is higher than West Belfast, where it is 6.5%. The Tory Government need to wake up, acknowledge the increasing hardship facing our families on low income and recognise the difficult winter months we are all heading into. The social and human consequences of Tory policies are clear. Poverty and child poverty rates will increase and continue to increase, particularly in Foyle, where poverty levels are already amongst the highest in the North. Twenty pounds per week may not be much to —.

Mr Principal Deputy Speaker: Sorry, I am loath to interrupt the Member when she is in full flight. When you are tapping, you are tapping the microphone. I say that for Hansard. It is all right. I am sorry for interrupting you.

Ms Ferguson: To the people in Westminster who make those decisions, £20 per week may not be much, but it can be the difference between eating and heating for so many families. In January, without the support of our local Minister and the Department, I had to support 500 families within three weeks in one district electoral area (DEA) in the Foyle constituency. That shows you the extent of the need and support that is required in our city.

Over the past number of months, we have all heard from many people about just what the cut will mean. We can all foresee the negative impact not only for individuals and families but for the local economy, which we know is struggling to get back on its feet. I agree with the previous contributor; as local MLAs in Foyle, we must work together collectively, just as the Executive must do, in order to retain the universal credit uplift. I also agree with others that the Foyle constituency deserves much better. We all need to work harder together to break the cycle of poverty and inequality in order to give people a real chance for a better life.

The Foyle constituency rightly deserves investment in infrastructure, such as the upgrade to Bunrana Road; more apprenticeships, particularly for our young people who are at risk; and jobs, jobs and more jobs. It deserves more affordable social homes to address the stark and growing housing waiting list, more support to strengthen our small indigenous businesses and social enterprises and improved access to health services, particularly mental health services. It is only through collective responsibility at the Executive that we can deliver for Foyle and the North.

Ms McLaughlin: Thank you for the opportunity to speak in the Adjournment debate today. It is a very important debate. I have a map of various shades of blue, and it quite clearly tells us where the highest levels of universal credit claimants are. They are in the north-west. Unfortunately, my constituency of Foyle tops the poll for the highest number of universal credit claimants. On the map, much of the east is pretty light in terms of blue, which, incidentally, shows where the highest-paid jobs and the highest employment rates are located.

The removal of the universal credit uplift will have a profound impact right across Northern Ireland, but it will have a disproportionate effect on the most deprived areas of Derry. As it stands, the £20 uplift is being diminished daily, as families face the rising costs of food, gas, electricity, rent and childcare. Our constituents are struggling to make ends meet. We know that the Tory Government do not give two monkeys about the people I represent. That goes without saying, but surely the Executive care.

We need the Communities and Finance Ministers to bring forward a proposal to the Executive to keep the £20 universal credit uplift in the purses of all the people who currently

have it, rather than handing it back to the Tory Government.

I become enraged when I hear the UK's Prime Minister justifying cutting universal credit by saying that he wants people to earn more money through their work rather than through their benefits payments. His parallel universe bears no resemblance whatever to the realities that my constituents — my hard-working families — in Derry face every day. Is it surprising? It is not surprising at all. It is Boris Johnson, and he is playing true to form. I do not expect him to behave with decency towards the people whom I represent. If I am honest, I am even more enraged with our Executive when I have to explain to my constituents why there are not more jobs in Derry and why there are not more well-paid jobs coming to Derry. For decades, Derry has remained the most deprived region of the UK. Why are so many of my constituents receiving universal credit payments?

Today, I heard yet again of new jobs going to Belfast. ASOS is bringing 180 jobs to Belfast: well done. Two weeks ago, the Economy Minister announced that Agio would create 100 jobs in Belfast: well done. Last month, he announced 120 jobs at Tribe Tech on the edge of Belfast: well done. In June, it was 771 jobs at PricewaterhouseCoopers (PwC) in Belfast: well done. Also in June, it was 180 jobs with Version 1 in Belfast: well done. In February, it was 200 jobs with KPMG in Belfast: well done. In January, it was 70 jobs with EverQuote. Where is it headquartered? Oh, Belfast. Well done. Not all the jobs went to Belfast: 130 went to Bangor. Well done. Where are the jobs that are coming to Derry? By the way, congratulations to Belfast with its large university campuses, graduates, commuters and highly paid jobs. Where are the highly paid jobs in the west?

The Executive, dominated and led by the DUP and Sinn Féin — two parties that, I remind everyone, hold the positions of joint First Ministers — know what they have to do about the crisis of low incomes, and it is a crisis of low incomes. They must commit to regional equality and to putting right the inequality that sees so few jobs going to anywhere but the east. We need more jobs coming to the west. The Executive must raise the skills levels in the west, which will require us to have a larger university campus and targeted and expanded vocational training in Derry. Skills lead to higher pay and more jobs.

It is not just about that, though. One third of those on universal credit are single parents. Single parents in my constituency have had a

terribly difficult time getting childcare. They have found it even more difficult to get affordable childcare. A recent survey found that the shortage of affordable childcare was worse in Derry. Increasing the supply of affordable childcare would have a significant impact on universal credit claimant rates. Addressing that must be a priority for the Education and Communities Ministers — in other words, once again, the DUP and Sinn Féin, the conjoined twins in charge of the Government.

It is no good for the British Government, supported by Sinn Féin, to say, "The worst of the pandemic is behind us, so let us go back to the old normal of poverty payments and universal credit". The Department for Communities has welfare powers now and must develop a proposal to ensure that not one person in my constituency or, indeed, the Minister's loses one penny of their £20 uplift as they face into this challenging winter. We need decisive action led by the Communities Minister. We cannot keep name-calling and finger-pointing at the Tories. They are doing what we know they will do. We have to use the powers that are at our disposal. We need welfare mitigations to protect our people.

Once again, the people of Foyle are in the firing line when it comes to the distribution of pain. We cannot wait for the Tory Government to be overturned or for a united Ireland before the people of Derry are treated with dignity and respect. The levelling up needs to start here in the House.

Ms Armstrong: Some may look at me and ask, "What, in the name of goodness, is a Strangford MLA doing at an Adjournment debate about Foyle?". While I was not elected to represent the Foyle area, I am concerned about the removal of the universal credit uplift. It will have an effect not only on Foyle but on citizens the whole way across Northern Ireland.

I was interested that Ms Ferguson mentioned the figure of over 4,000, almost 5,000, people. I think that there are two offices, and the other office has 7,110 people on universal credit. Mr Durkan talked about the millions. I did a quick multiplication. Multiply those 7,110 people by £20 a week: that is £142,200 being removed from the area in one week, and it does not even include everybody who is on universal credit. As others have said, this is happening when furlough is coming to an end and we expect businesses that have depended on the furlough scheme to have to make some people unemployed. We expect people to join universal credit.

We all know that the cost of energy is rising. That means that electricity, home heating and even filling your car, which is not mentioned often when it comes to energy costs, are becoming extremely expensive. At this time, the impacts of COVID have not disappeared, and I agree with many who say that this is a cruel blow to people. All we have to think about is the many children who are being sent home, looking for PCR tests, who have to have mummy or daddy at home. The heat is on during the day, and food is being consumed at home. They are not getting school meals. National Insurance, as we know, will increase. Mr Durkan is absolutely right: a third of people on universal credit are in work. A third are looking for work, and a third cannot work because of disability or terminal illness.

I was thinking, in advance of the debate, that I did not want to come here and just complain about how sad it was; I wanted to know what actions were happening on the ground. We certainly know the absolute strength and power of the community in the Foyle area, which is shown through the food banks and so many other charities up there. I spoke to my Alliance colleagues, Councillors Rachael Ferguson and Philip McKinney, and I commend the work that they and all our colleagues on Derry City and Strabane District Council (DCSDC) are doing to address poverty in Foyle. The council has completed research on poverty. I will quickly give you the key findings. The majority of indicators suggest that, whilst poverty and disadvantage are not unique to the council area, there is clear evidence that it is significantly more acute in the council area in comparison with other parts of Northern Ireland. The analysis also indicates that that is a long-running position, which backs up exactly what the SDLP has said. The DCSDC area exhibits the highest levels of deprivation across Northern Ireland. The analysis evidences that poverty and ill health are intertwined and that a negative, mutually reinforcing cycle exists between the two.

The Red Cross COVID-19 vulnerability index indicates that the DCSDC area is amongst the most COVID-19-vulnerable local government districts, not just in Northern Ireland but across the whole of the UK. Considerable uncertainty remains about the longer-term impact of the pandemic, including on individuals and households who were already disadvantaged. It is reasonable to assume, therefore, that the greater challenges may lie ahead in tackling poverty and disadvantage in these constituencies. Some of the other key findings were that the groups most affected were single parents, families, first-time vulnerable people,

the working poor and older people. The support that those people need and which that £20 could help with is for fuel, food, digital access, debt and financial advice and befriending.

I pay tribute to the council. It is working extremely hard on short-term and long-term interventions. It is considering a universal basic income feasibility trial. It also talks about training on poverty for elected representatives. To be honest, we could all do with that, because it hits home exactly what it is like for people who live in poverty.

The Minister is here today. We have welfare powers, and those powers are with us because of the vote that was taken to give us those powers. None of us wanted welfare reform to happen in the way in which it did, but voting for them, as some of us did — I know that the SDLP always uses that to beat us with — means that we can at least do something about the mitigations.

6.00 pm

We know, Minister, that it would take £55.5 million to replace that £20 a week until the end of the financial year. Is a bid going into the October monitoring round? Is there anything else that we can do? For instance, the anti-poverty strategy panel has made a lot of recommendations. When will those be taken forward? There are options for us to help people in Foyle and to help citizens across Northern Ireland. It is bleak out there. It is not nice. We all know exactly what it is like when constituents come into our office. It breaks my heart to think that more and more people are choosing whether to heat their house or eat, and their children, of course, have to come first. We have far too many children living in poverty.

That is about all that I have to say. I am sorry that it is happening in Foyle, but I am very sorry that it is happening across the whole of Northern Ireland.

Mr Carroll: I thank the Member for securing the debate this evening. I am glad to have the opportunity to discuss poverty and deprivation in Derry and in the Foyle constituency. Like in my constituency of West Belfast, far too many people there struggle with poverty, a lack of housing, low wages and the effects of decades of neglect. The failure to increase Magee to a student population of 10,000 by now is one of the many injustices that the Stormont Executive have failed to rectify, and there has been an abysmal failure to improve and vastly expand

rail provision for Foyle and across the entire north-west.

As my former colleague on this Bench, Eamonn McCann, has said on many occasions, the Stormont regime of the past failed the people of Derry, and the new Stormont regime has failed the people of Derry and Foyle as well. Twenty-seven per cent of people in Derry and Strabane live below the poverty line. In Foyle, like in West Belfast, people have been ravaged by welfare reforms brought in by the Executive, and the Executive's determination to run public services into the ground in favour of privatisation, allowing a tiny few to profiteer, is also having a dramatic impact on people's well-being. This is all a shocking indictment of the Stormont Executive and their policies, which have propped up inequality instead of undoing it. It is true for Foyle, but it is also true across the entire North.

There is no doubt that people across the North, including those in Foyle, will be very hard hit by the proposed cut to universal credit. Given Derry and Foyle's existing levels of deprivation, as Members have said, the cut to universal credit, out-of-control energy prices, pay cuts for health workers and new taxes will hit the area very hard indeed.

The Stormont Executive are finally talking about putting in place an anti-poverty strategy, but it will mean very little if we cannot protect people right now. It is shocking to me that the Executive have done nothing to demand a wealth tax on billionaires, rich corporations and elites. Why the silence? Where is the strategy to tackle wealth inequality? Where is the strategy to make the rich, who filled their pockets during COVID, pay?

If the Tories follow through on plans to slash universal credit, People Before Profit will call on the Executive to step in with funding to make sure that no one loses out. We need action from the Executive, not promises and aspirations about possible strategies in the future. I want to ask this: will the Executive parties commit today to finding that money to guarantee funding to make sure that no one loses out if the Tories follow through on their cruel cut? The Executive threw the people of Foyle, and those across the North, to the wolves by signing up to Tory welfare reforms, and they should not do it again. Let us commit now to making sure that no one is punished by the cruel Tory cut to universal credit. We will, no doubt, hear talk about Budgets being tightened by the Tories, and, indeed, they have done that, but we also have to remember that the Executive failed to mount any serious

resistance to Tory austerity, and actually did their bidding.

We have spent over £100 million on Capita carrying out detested, offensive personal independence payment assessments. Hundreds of millions of pounds have been spent on agency staff in our hospitals, and I often hear a lot of feigned concern for those trapped in poverty and those who depend on food banks, even though, for decades, the five main parties signed up to tax cuts for corporations.

In conclusion, if the Executive are serious about having a benefits system that properly supports people, they need to abandon their decades-long economic strategy and instead protect public services and those on benefits. Make the wealthy pay so that those who have very little can live life with at least a little dignity.

Ms Hargey (The Minister for Communities):

Thanks to all contributors to this important debate.

I will start with issues not pertaining to the issue that we are debating, namely some of the comments that were made. I find it fascinating that some talk about the Executive as though they do not sit on the Executive, thereby abdicating the responsibility of being part of a power-sharing Executive.

The other issue was around mitigations and what appears to be an abdication of holding the British Government to account. Had we followed that tactic in 2016, we would not be sitting as the only area with additional protections. When you talk to advice workers in Scotland, England and Wales, they will tell you that they would love to be in the position of having protections. It is not a panacea, but, if we had taken that position, we would not have those additional protections.

There were distractions in some opening addresses, and there were mistruths about my role as Minister. I want to make that clear at the start. There was an accusation that I have not progressed the existing mitigations. I came into post in January last year. By the start of February, I had a paper in front of the Executive calling for the binning of the bedroom tax and the closure of the loopholes in existing mitigations.

Ask party colleagues who are in the Executive. They know how many times I raised that issue around the Executive table. I have tried repeatedly to bring it up. I am glad that it is on the agenda for next week's Executive meeting,

and I will call on all parties around that Executive table to support me, but, more importantly, to support those on the ground — organisations such as the Cliff Edge Coalition, which represents 130 organisations in the community, voluntary, human rights and advice sectors — by binning the bedroom tax and closing the loopholes. I hope that we can progress that at the Executive next Thursday.

The other accusation was about the high street voucher scheme. I know that some think that I have responsibility for everything in the Executive, but I do not. Responsibility for the high street voucher scheme is with the Department for the Economy. That said, I have done the additional work to ensure that those within homelessness services and those who are homeless are not left out of the scheme. Excellent work on that is being done by providers and the Supporting People programme. I have also made sure that the verification process for the scheme in the Department for the Economy is cross-referenced with the Department for Communities database to ensure that that verification takes place.

It is important that I correct any falsehoods or accusations that are put out.

Mr Durkan: Will the Minister give way?

Ms Hargey: No. I have corrected the falsehoods and laid bare the truth of what I am doing.

The planned action by the British Government — the proposed cut — is outrageous. It will result in the biggest cut to the basic rate of social security to date. It will result in hardship and poverty for people across the North who are already struggling. That is totally unacceptable.

I wrote to the British Secretary of State for Work and Pensions calling for an uplift and asking her to make sure that it was permanent. I highlighted the difficulties that a cut would create for ordinary people, workers and their families. I wrote a joint letter with Ministers from Scotland and Wales, and I called again for the uplift to be made permanent. That followed a previous joint letter and action taken in conjunction with my Scottish and Welsh counterparts last November.

I also brought the matter to the Executive and achieved the agreement of the whole Executive that we would speak out in a united voice against the cuts. Just recently, it was agreed that the Executive Office would call for a

meeting with the British Government to reiterate and make our position known, to discuss and highlight the damage that the cut would cause and to call on the British Government to reverse the decision. The reply so far from the British Government is extremely worrying and disappointing. Indeed, the British Government remain determined to make the cut, placing further hardship on the people who are already struggling. That is not good enough. I continue to call on the British Government to reverse the decision, and I welcome the full support of the House in the opposition to these Tory cuts.

As a result of the pandemic, the number of households on universal credit increased from 57,920 people in February 2020 to 116,810 people in May this year. As we know, that vital increase of £20 represents £86.67 a month for those who are affected. That additional support is critical for families and individuals. Since I took up post, I have made it clear that my commitment is to protect the most vulnerable in our communities and to bring compassion and genuine support to our social security system.

I live in an inner-city, working-class community in Belfast and have been a community activist my whole life, so I know and can see at first hand in the community in which I live and through my work the impact of Tory austerity on our communities. I know at first hand how many people struggle with a complex and often cynical system. I believe that it is my duty to address that and ensure that those who need help get it.

Since March last year and the outset of the pandemic, I have ensured that the Department has responded swiftly to support people, workers and families. To that effect, I oversaw £300 million being put directly into communities and council areas. That included making easements to benefit application processes, redirecting resources for the delivery of essential services and introducing new ways of working to ensure that the Department was getting money to people when they needed it. It also included lifting income thresholds to allow more people to access support.

I put in place a range of measures to mitigate the social, economic and well-being effects of COVID-19 on our communities and to help to protect the most vulnerable. I have also included the introduction of upfront childcare costs through the adviser discretion fund, moving childcare costs up front within universal credit because I recognise the barriers that that presents for many people. That also included setting up a dedicated COVID-19 helpline, ensuring access to food and medicines,

establishing new measures to support the homeless and protecting tenants, as well as establishing access, support and advice for those who are facing financial hardship.

I recognise the rising costs, particularly for fuel, that all households are facing as we approach the winter. If the uplift is not extended, I will include it as part of the planned review of mitigation measures going forward. When it comes to extending support, my Department provides a range of measures that are aimed at reducing the impact of fuel poverty, such as the affordable warmth scheme, the boiler replacement scheme, the social fund cold weather payment scheme and the winter fuel payment.

I have recently appointed an independent panel to complete a review of discretionary support, and I expect to receive its recommendations for improvements to the existing scheme in October. I will then carefully consider what changes can be made in order to improve the financial support that is available to people who find themselves in a crisis situation. I encourage people to contact my Department's Make the Call Freephone service to help them to identify all the support and services to which they are entitled. I know that, as a result of the Make the Call service, over £40 million in additional money has gone into people's pockets.

The welfare mitigation scheme payments provide support to many people who have had their benefits reduced as a result of Tory cuts. That scheme is a unique package of financial support, and I am determined that the current mitigation package should be not only extended but strengthened, where we can do that.

6.15 pm

I am committed to an independent review of the mitigations, as set out in 'New Decade, New Approach'. I will make an announcement on the format of that review soon. I will continue to fight for and to protect the most vulnerable in our communities. That includes families living in poverty, low-income working families, single parents, those with disabilities, women, children and young people. I will continue to call on the British Government to do the right thing, to stop punishing ordinary workers, people and families and to retain the £20 uplift.

Mr Durkan: On a point of order, Mr Principal Deputy Speaker. Is it in order for a Member, or indeed a Minister, to accuse another Member of propagating mistruths? A cursory check of the record will demonstrate that in neither of the

examples used by the Minister was what I said untrue. Welfare mitigations have not been progressed, despite the efforts that the Minister assured us of. I clearly stated that the Economy Minister has responsibility for the high street voucher scheme. I look forward to correspondence from the Minister in response to my letter.

Mr Principal Deputy Speaker: The Member is to be congratulated on his ingenuity, but he knows that that is not point of order. He knows that the reason that it is not a point of order is that the Minister never named the Member in her remarks nor accused him of anything.

Adjourned at 6.16 pm.

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