



Northern Ireland
Assembly

Official Report (Hansard)

Tuesday 29 September 2015
Volume 107, No 8

Contents

Assembly Business

Ministerial Resignation: Mr Bell 1
Committee Chairperson Appointment 1

Ministerial Statement

Disability Employment Strategy: Consultation Launch..... 1

Private Members' Business

Children's Services Co-operation Bill: Consideration Stage 7

Oral Answers to Questions..... 30

Assembly Business

Suspension of Standing Order 20(1) 30

Private Members' Business

Children's Services Co-operation Bill: Consideration Stage (*Continued*) 30
City Deal for the North-west 38

Adjournment

PSNI Tactical Support Group in County Fermanagh 48

Assembly Members

Agnew, Steven (North Down)
Allen, Andy (East Belfast)
Allister, Jim (North Antrim)
Anderson, Sydney (Upper Bann)
Attwood, Alex (West Belfast)
Beggs, Roy (East Antrim)
Bell, Jonathan (Strangford)
Boylan, Cathal (Newry and Armagh)
Boyle, Ms Michaela (West Tyrone)
Bradley, Dominic (Newry and Armagh)
Bradley, Ms Paula (North Belfast)
Buchanan, Thomas (West Tyrone)
Byrne, Joe (West Tyrone)
Cameron, Mrs Pam (South Antrim)
Campbell, Gregory (East Londonderry)
Clarke, Trevor (South Antrim)
Cochrane, Mrs Judith (East Belfast)
Cochrane-Watson, Adrian (South Antrim)
Craig, Jonathan (Lagan Valley)
Cree, Leslie (North Down)
Dallat, John (East Londonderry)
Dickson, Stewart (East Antrim)
Dobson, Mrs Jo-Anne (Upper Bann)
Douglas, Sammy (East Belfast)
Dunne, Gordon (North Down)
Durkan, Mark (Foyle)
Easton, Alex (North Down)
Eastwood, Colum (Foyle)
Farry, Stephen (North Down)
Fearon, Ms Megan (Newry and Armagh)
Flanagan, Phil (Fermanagh and South Tyrone)
Ford, David (South Antrim)
Foster, Mrs Arlene (Fermanagh and South Tyrone)
Frew, Paul (North Antrim)
Gardiner, Samuel (Upper Bann)
Girvan, Paul (South Antrim)
Givan, Paul (Lagan Valley)
Hale, Mrs Brenda (Lagan Valley)
Hamilton, Simon (Strangford)
Hanna, Ms Claire (South Belfast)
Hazzard, Chris (South Down)
Hilditch, David (East Antrim)
Humphrey, William (North Belfast)
Hussey, Ross (West Tyrone)
Irwin, William (Newry and Armagh)
Kelly, Mrs Dolores (Upper Bann)
Kelly, Gerry (North Belfast)
Kennedy, Danny (Newry and Armagh)
Lo, Ms Anna (South Belfast)
Lunn, Trevor (Lagan Valley)
Lynch, Seán (Fermanagh and South Tyrone)
Lyons, Gordon (East Antrim)
Lyttle, Chris (East Belfast)
McAleer, Declan (West Tyrone)
McCallister, John (South Down)
McCann, Fra (West Belfast)
McCann, Ms Jennifer (West Belfast)
McCarthy, Kieran (Strangford)
McCartney, Raymond (Foyle)
McCausland, Nelson (North Belfast)
McCorley, Ms Rosaleen (West Belfast)
McCrea, Basil (Lagan Valley)
McCrea, Ian (Mid Ulster)
McElduff, Barry (West Tyrone)
McGahan, Ms Bronwyn (Fermanagh and South Tyrone)
McGimpsey, Michael (South Belfast)
McGlone, Patsy (Mid Ulster)
McGuinness, Martin (Mid Ulster)
McIlveen, David (North Antrim)
McIlveen, Miss Michelle (Strangford)
McKay, Daithí (North Antrim)
McKevitt, Mrs Karen (South Down)
McKinney, Fearghal (South Belfast)
McLaughlin, Ms Maeve (Foyle)
McLaughlin, Mitchel (Speaker)
McMullan, Oliver (East Antrim)
McNarry, David (Strangford)
McQuillan, Adrian (East Londonderry)
Maginness, Alban (North Belfast)
Maskey, Alex (West Belfast)
Middleton, Gary (Foyle)
Milne, Ian (Mid Ulster)
Morrow, The Lord (Fermanagh and South Tyrone)
Moutray, Stephen (Upper Bann)
Murphy, Conor (Newry and Armagh)
Nesbitt, Mike (Strangford)
Newton, Robin (East Belfast)
Ní Chuilín, Ms Carál (North Belfast)
Ó hOisín, Cathal (East Londonderry)
Ó Muilleoir, Máirtín (South Belfast)
O'Dowd, John (Upper Bann)
O'Neill, Mrs Michelle (Mid Ulster)
Overend, Mrs Sandra (Mid Ulster)
Pengelly, Mrs Emma (South Belfast)
Poots, Edwin (Lagan Valley)
Ramsey, Pat (Foyle)
Robinson, George (East Londonderry)
Robinson, Peter (East Belfast)
Rogers, Seán (South Down)
Ross, Alastair (East Antrim)
Ruane, Ms Caitriona (South Down)
Sheehan, Pat (West Belfast)
Somerville, Neil (Fermanagh and South Tyrone)
Storey, Mervyn (North Antrim)
Sugden, Ms Claire (East Londonderry)
Swann, Robin (North Antrim)
Weir, Peter (North Down)
Wells, Jim (South Down)

Northern Ireland Assembly

Tuesday 29 September 2015

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Before we proceed to today's business, I have a couple of announcements to make.

Ministerial Resignation: Mr Bell

Mr Speaker: I wish to advise the House that the Minister of Enterprise, Trade and Investment, Mr Jonathan Bell, resigned his office on 29 September 2015. Standing Order 44(3) provides for a seven-day period during which the party that held the office may nominate a Member from that party to replace him and take up office. That period expires at the end of Monday 5 October 2015.

Committee Chairperson Appointment

Mr Speaker: I also wish to advise the House that the nominating officer of the DUP has informed me that Mr Paul Givan has been appointed as Chairperson of the Committee on Standards and Privileges with effect from 28 September 2015, and I am satisfied that the requirements of Standing Orders have been met.

Ministerial Statement

Disability Employment Strategy: Consultation Launch

Dr Farry (The Minister for Employment and Learning): I wish to inform the Assembly that I am, today, launching the public consultation on the employment strategy for people with disabilities. For a truly successful world-class economy, it is critical that we draw upon all the talents in society, and it is vital that we give every person the opportunity to develop to their full potential.

At a time of unprecedented pressure on departmental budgets, and in a climate of economic change as we attempt to create a more balanced employment base, it is essential that those who may be more distant from the labour market solely because of a lifelong or acquired disability are neither forgotten nor left behind.

The employment strategy for people with disabilities contains proposals that will help the Department, working in partnership with others, to address the difficulties and inequalities that people with significant disabilities are attempting to overcome. The strategy is focused on supporting people with the most significant disability-related barriers to work and is about helping that group to achieve real paid employment outcomes. The strategy is making a clear statement to society that people with disabilities share the same ambitions and aspirations as everyone else and, provided they are given the right support, advice and assistance, are capable of realising their full career potential and making a significant contribution to our economy.

The Department already provides dedicated and enhanced support to enable people with disabilities to access educational and skills programmes and services. It aims to build on those existing disability services and, more specifically, the employment support that is delivered through mainstream as well as community and voluntary sector programmes. The strategy contains a number of proposals that will improve partnership working at all levels and will create a more cohesive pathway to employment for individuals.

In terms of existing provision, the Department has a dedicated Disability Employment Service, which provides and manages a range of pre-employment and in-work support measures, including Access to Work, Workable and Work Connect. The Department also has a dedicated occupational psychology service, and supports residential training for disabled trainees at Parkanaur College.

Across the network of 35 jobs and benefits and jobcentre offices, employment service advisers also work with people with health problems and disabilities to assist them to find and retain employment. With financial support provided through the Department's European social fund, local disability organisations throughout Northern Ireland are delivering quality training, employment and employability services to hundreds of disabled people each year.

The need for a dedicated strategy, however, is based on the fact that there is a need for additional specialist support for people with disabilities to help them prepare for and move into paid employment, specifically at the key transition point between education or skills training and the critical stage of active job search. The strategy aims to address that issue and will build upon and improve what the Department and others currently deliver for people with disabilities who want to work and are capable of doing so.

The Department and the local disability sector have a long-standing positive working relationship. A strategic working group, including key representatives from the sector, was established in 2013 and has played a central role in helping the Department to develop the employment strategy for people with disabilities. The strategy has also been informed by a number of positive engagement events, targeted primarily at people with disabilities but also including support workers, community and voluntary sector organisations and employers. More than 300 people, most of whom had a disability, attended those events. In addition, a separate event, targeted at employers, was organised to help gain an understanding of the issues faced or perceived by employers when recruiting and supporting people with a disability.

As stated, the strategy will target and support people who have significant disability-related barriers to employment. The target group comprises people with learning disabilities and difficulties, long-term mental ill health, autism, neurological conditions and more severe sensory and physical disability. People with significant disabilities feel excluded from many employment opportunities that others take for granted. The aim of the strategy is, therefore, to provide comprehensive and tailored disability employment services, which will lead to an increase in the number of disabled people who will secure successful job and career outcomes.

While the strategy and subsequent implementation plan will support people of all age groups, there will be a particular focus on

young people. The intention is to prevent people with significant disabilities from becoming economically inactive and dependent upon welfare benefits as well as health and social care for a large part of their adult life. The strategy will therefore complement some of the other interventions that the Department and Executive are undertaking to support young people with disabilities and will ensure that these service options are fully inclusive. Specifically, it will assist and complement the implementation of the new apprenticeship and youth training strategies, as well as additional support proposed for students within further and higher education.

The Department has been working with others on a cross-departmental group, looking at transitions for young people with severe learning disability. The strategy is directly referenced in the action plan, as it is anticipated that many young people with a learning disability leaving full-time education or discrete learning units within the local college network will avail themselves of the specialist pre-employment support that the strategy will offer.

One of the key proposals within the strategy is the implementation of the supported employment model throughout Northern Ireland. The model has been used successfully locally, through the European social fund projects and programmes such as Workable, as well as in a number of other countries. It will provide high-quality, personalised and often long-term support to people with significant disabilities to secure, maintain and progress in paid employment.

The key difference between what is offered through the supported employment model and what is offered through mainstream employment programmes or services is the more intense, person-centred and disability-specific support.

A lot of time is spent with the individual at the early stage to engage with them, their family and other key stakeholders. There is an emphasis on vocational profiling to ensure that there is a clear idea of the correct job or career match before the crucial element of employer engagement and job preparation begins. Finally, if the person successfully secures the job, support will remain in place for the individual and the employer for as long as is deemed necessary, although the objective is always to withdraw support at the earliest opportunity.

In order to deliver the supported employment service to more disabled people, the strategy,

and those charged with responsibility for its success, has recruited a number of supported employment officers in advance of the strategy's launch. The additional staff are employees of Disability Action, but their remit has been agreed through the strategic working group, and they have been funded through the Department's European social fund. The new staff will work very closely and in collaboration with staff from the Department's Disability Employment Service and Careers Service, as well as front-line staff from the employment service. The new staff will also complement the service being delivered through local disability organisations throughout Northern Ireland.

In summary, the purpose of the employment strategy for people with disabilities will be to improve the job prospects and working careers of people with disabilities. The key objective is to directly assist disabled people to find, sustain and progress in paid employment or to start up a business.

The strategic working group identified five key themes for the strategy, with a number of supporting proposals within each theme. Theme 1 is about supporting people to secure paid employment. The success of the entire strategy will be judged on that. Through the proposals, theme 1 will seek to develop and implement a disability service that maximises the number of people with a disability who make a successful transition into paid employment, including self-employment. Proposals include the recruitment of the new team of supported employment officers and the formal adoption of the model of supported employment. There are also proposals regarding a new pathway to employment, including a clear signposting and referral service for all people with significant disability related barriers and the establishment of annual targets for the number of disabled people who move into paid employment.

Theme 2 is on job retention and career development. Under theme 2, the Department will seek to work with employers and disabled employees to support job retention and promote opportunities for progression, personal development, promotion and career enhancement. The Disability Employment Service is supporting approximately 1,600 disabled people who are in work, so the proposals are aimed at building upon and improving current practice. That will include a targeted campaign to promote existing disability retention services and programmes, considering flexibilities that would support more disabled people in part-time employment and promoting examples of good practice in

employing and developing disabled people across all employment sectors. There is a specific proposal to work with the disability organisations to target growth sectors of employment and ensure that disabled employees have an equal opportunity to develop a successful career path in areas such as hospitality, retail, information technology and the creative arts industry.

Theme 3, entitled 'Working with Employers', is critical for obvious reasons. The Department and its partners can have all the best pre-employment services and programmes available. However, unless there are real jobs and employment opportunities for people with disabilities to move into, there will be little benefit or few outcomes to be gained. The strategy, therefore, will seek to encourage and influence employers to take positive action and promote equality for disabled people, particularly when they are creating job opportunities or recruiting and selecting new staff. Proposals that will build upon and improve current practice include working with the Equality Commission to develop a clear understanding in relation to positive action and developing stronger links between the disability sector and the employer, which is work that the Department and Invest Northern Ireland lead on. They will also aim to maximise the benefits to people with disabilities through the appropriate use of social clauses. Proposals that will introduce something new include the developing of a best-practice recruitment-support model with the disability sector, which will be available to employers. There will also be an annual employers' event to promote and facilitate the employment of people with disabilities.

Theme 4 is on research and development and seeks to ensure that Northern Ireland is leading the way in terms of research, development and innovation on disability skills and employment issues at local, national and international levels. There is an intention to commission quality research projects that will provide additional and relevant information on those issues over the lifetime of the strategy.

Theme 5 is on strategic partnership and engagement and seeks to develop a framework that will ensure continuous and meaningful engagement between all of the key stakeholders, including people with disabilities. Proposals that will build on and improve current practice include committing to ongoing communication and engagement with those in the community who are disabled but who want to work or supporting those with a significant disability towards and into employment.

Proposals that will introduce something new include establishing a new disability employment stakeholder forum, the membership of which needs to be fully inclusive of those who have a direct impact and influence on the employment prospects of people with disabilities.

10.45 am

The public consultation will run until 27 November this year. During that period, my Department, in cooperation with a number of stakeholders, will undertake further engagement with people about those challenges to encourage a wider discussion about potential solutions. After the public consultation process is completed, I will take stock of the responses and finalise and launch the new strategy by March 2016.

Mr Swann (The Chairperson of the Committee for Employment and Learning): I thank the Minister sincerely for his statement this morning, because I think it is a very good and worthwhile initiative and is something that I think acknowledges and recognises the work that the Committee has been doing in its inquiry into the provision of post-19 SEN.

One of the concerns that we have is the lack of available real job opportunities, and I notice that the measures that the Minister intends to take seem to be mostly legal and in enforcement. Is there something he is going to do to break down the perceptions of employers about the benefits of employing somebody with a disability?

I do not want to turn negative about this, but I am afraid I have concerns. My first is the date of the strategy launch in March 2016, which will lead us moving into probably the Department for the Economy. Access to Work is one of the measures you mentioned. According to my figures, it is oversubscribed, and there are £600,000 worth of inescapable pressures on its provision. If it is moved from DEL into the new Department for the Economy, will the Minister reassure us that the programme and strategy will be funded?

Dr Farry: I thank the Chair for his comments and questions. I also acknowledge the good work that the Committee is doing on learning disability transitions. That is a distinct issue in its own right, but it can be regarded as a feeder for people progressing into employment, as well as into different educational opportunities. Those two should knit very closely together, and I look forward to receiving the conclusions

of the Committee's inquiry in due course. We have made some progress on an action plan that has been developed by the Bamford implementation Executive subcommittee, although we would, of course, be very happy to revise that in light of any emerging recommendations from the Committee.

The Chair is also right to highlight the importance of employers in creating opportunities. While we made reference to some of the issues on clarifying the legal framework through which things can be done by employers, as the Chair identified, a lot of promotional work and engagement with employers has to be done to ensure that they fully understand the opportunities that are out there.

I think that, first of all, it is important that we get the message out that employing people with disabilities is not something that they should be doing out of some sense of corporate social responsibility or that will be a burden to the organisation. It is important that we fully understand that people with disabilities can play a full and active role in any company or organisation. They are just like any other member of staff, are extremely productive and add immense weight and value to any company or organisation. We are considering how we can identify a business champion in particular who can engage with companies to try to ensure that they fully understand that. Also, part of the support employment model is about the support employment officers being proactive in talking to companies and trying to source opportunities for people with disabilities, rather than simply using the more proactive model that we have.

The Chair is also right to say that there is a funding pressure on Access to Work, which is obviously a demand-led programme. We in the Department will try to absorb that in-year as we go forward. At this stage, however, the employment service aspect of my Department is scheduled to be transferred to the new Department for Communities, rather than the Department for the Economy. It is the one aspect of the Department that will go off in a different direction.

I am open to the Assembly taking a view on that in due course.

It can be argued both ways. It can be argued that it would sit better in a Department for the Economy or, because of its interactions with social security, that it would sit better in a Department for Communities. My view is that it

should be part of a Department of the Economy.

The Chair is right. It is important that we lock it in to ensure that the financial pressures will be absorbed and that we have a long-standing commitment. I appreciate what he said. I am sure that other Members will be equally supportive of the strategy; that there will be cross-party consensus on the importance of this work to our constituents and the Northern Ireland economy; and that we will endeavour to ensure that it is given priority, no matter what structures emerge for the next Assembly mandate.

Ms McGahan: I welcome the Minister's statement and commend his efforts in this important area of work. It has been mentioned that one of the biggest issues that we hear about, particularly from the post-19 special educational needs sector, is that there is simply nowhere to go. Will the Minister elaborate on how proposals in the strategy will improve partnership working and achieve paid employment outcomes? Will targets be specific and measurable?

Dr Farry: I thank the Member for her comments and questions. It is important to bear in mind that transitions for young people leaving education is a critical issue in all of this. Young people will have a range of conditions, and we need a cross-Executive response. Hopefully, the action plan that we have put in place gives us a good foundation for that. We are particularly keen to hear the Committee's recommendations, which will touch on my Department and maybe others, on how we can best coordinate and ensure that there is proper provision. Obviously, Members will be aware that, alongside the education and skills opportunities that are there, there is an issue around ensuring that there is proper day provision through social services.

The strategy is to focus on the employment aspect of such opportunities. If we again look to the supported employment model, which is intrinsic to the new strategy, it is important that we identify young people coming through the system at an early stage and get an awareness of where people's aptitudes and aspirations lie. We then must decide which of them should be referred to the supported employment staff in Disability Action. Some of the other disability programmes funded through the European social fund will also have their own supported employment staff doing similar exercises and having intensive engagement with young people to try to encourage them to move forward.

All of that will be governed by partnership. The strategy has been developed in partnership with the sector, and we are making a clear commitment to having a stakeholder forum to take the strategy forward and to ensure that that engagement continues. However, we are very much in the hands of the sector, which has the experts. We take great counsel from its views.

Mr Rogers: I, too, thank the Minister for his statement. I am taken by its sixth paragraph. Disabled young people start with the same hopes and desires as everyone else, but, by the age of 26, they are four times more likely than their non-disabled peers to be in unemployment.

If young people stay in the education system and get the level of support that is associated with their statement, how will you ensure that those young people in training and employment get a similar level of support? Who will provide it? Who will make the decision, as the statement indicates:

"for as long as it is deemed necessary"?

Dr Farry: I thank the Member for his comments and questions. To add to the stark statistic that he mentioned about the employment rates for people with disabilities, it is important to bear in mind that it is something like 34% of people with a disability have no qualifications, compared with only 12% of the population as a whole. Therefore, the education that the Member referred to is critical.

Outside the strict boundaries of the strategy, we have a number of existing interventions, including the additional support fund for further education. The House will know that we have increased the budget for that by 50% during this mandate. We also have disabled students' allowances (DSAs) to give young people assistance to obtain a higher-level qualification at university. There is also focus on the outgoing programme, Training for Success, which, as the House will know, is to be replaced shortly by a new youth training system that is to be mirrored in apprenticeships. So, in the existing educational and training opportunities we have consideration for those with disabilities, and we are seeking to ensure that that is improved. In the new strategies on apprenticeships and youth training, in particular, there has to be a clear read-across with this emerging employment strategy to ensure that we give young people the fullest support that we can to enable them to develop to their full potential. As I said to the Chair, everyone in society has the ability to make that contribution

to the economy and to develop as an individual, and it is important that we give everyone that opportunity.

Ms Lo: I thank the Minister for his statement. I welcome the comprehensive strategy being put in place. The Minister said that the strategy has been informed by people with disabilities and the community and voluntary sector. He also talked about working in partnership with the sector in the future. Will the Minister tell us more? What role will the community and voluntary sector have in the delivery of the strategy?

Dr Farry: I thank the Member for her question and, in light of her announcement yesterday, I put on record, I think, everyone's thanks and acknowledgement of the contribution that she has made to the Assembly over the past seven to eight years and her wider contribution to public life in Northern Ireland over many decades. Hopefully, that will continue in a new role in the years to come. The Member has, quite rightly, put a lot of focus on the importance of working with the community and voluntary sector. An ongoing concern has been expressed over the past number of months, particularly in the context of Budget cuts, that the sector has, somehow, been regarded as an easy target for savings. I, along with a number of other Ministers, have been very keen to make the point that the community and voluntary sector plays a central role in the delivery of services for the community. In many respects, it is better placed and has a better knowledge and level of expertise in some areas than could ever be provided by the state, including engagement on how we work with those with disabilities to give them full opportunities. So, in that context, we have been very pleased that the strategy has been developed over the past couple of years in conjunction, and in very close partnership, with the disability sector.

Looking ahead, we will have the disability stakeholder forum to ensure that we have an ongoing, coordinated approach. A lot of the delivery of the strategy will be through the European social fund projects that have been successful in the current programme, and, most clearly, the supported employment officers, who are central to the new focus of the strategy, will be employed through Disability Action, which was successful as part of the European social fund. Hopefully, Members see how that is beginning to knit together by way of a coordinated strategy to make a real difference for our citizens.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis, agus cuirim fáilte roimh ráiteas tábhachtach an Aire inniu. Given that the geographical spend and the delivery of programmes through ESF are so heavily skewed towards urban and, often, city areas, how can he ensure that the outworkings of the strategy will benefit all citizens with a disability equally, including those in rural areas and those who live in smaller towns and villages, and that the inbuilt inequalities and discrimination facing people with a disability in rural areas will be addressed?

Dr Farry: I thank the Member for his question. Those are the types of issues that we need to emphasise as the consultation unfolds over the next eight to nine weeks. The importance of ensuring that we have fair and equal access across Northern Ireland must be stressed. In the first instance, I assure the Member that the new supported employment officers will be available on a regional basis and will not be concentrated in the greater Belfast area. That geographical coverage is central to the success of the new model. We have a network of jobs and benefits offices and job centres in every major settlement across Northern Ireland. They will have their own catchment areas. As we look to the learning disability transitions, we see that transport, obviously, comes into play with regard to some of the programmes. That can be a more acute issue for those in rural areas.

That is why it is important, again, that this is seen not just in isolation but as part of a wider Executive commitment to ensuring that we have that equality of access to people across the board.

11.00 am

Mr Allister: There are many laudable aspirations in this document, but can I suggest a more tangible impact to the Minister? Invest NI issues letters of offer to those that it supports, yet it has resisted the suggestion that I made to it two years ago to insert in those letters of offer an obligation to employ a certain percentage of people from the disabled community within in the workforce of those that Invest NI supports. Why has that idea, which would be tangible and effective, not been pursued?

Dr Farry: I thank the Member for his question. He will appreciate that I cannot answer directly for Invest NI, which is the function of the Minister of Enterprise, Trade and Investment. I think that the point he makes is well understood

and is also reflected in the approaches taken at present through the use of social clauses, which is now mainstream in public procurement right across the public sector. Indeed, as we build upon existing practices in social clauses, there is an immediate opportunity with regard to the type of outcome that the Member is suggesting. I have no doubt that people with responsibility will reflect on what he says about the opportunity through the work that Invest NI does as well.

Mr F McCann: I thank the Minister for his statement to the House this morning. It is always a subject that gets a lot of interest, not only from Members but especially those in the Department for Employment and Learning who are dealing with the post-19 SEN inquiry. Most of the questions on the statement have been asked. Believe it or not, I have been fairly cynical about the whole question of consultation and the effort that is made to try and get the type of response and information that you require. What difference is being made in this consultation to ensure that nobody is left out, that people have that opportunity to have their input and that those suggestions are listened to at the end?

Dr Farry: I thank the Member for his question. Again, he makes a valid comment about the importance of ensuring that public consultations are meaningful. I can reassure him that this consultation is not just coming from a top-down basis whereby Department officials have written something, I am announcing it and it goes out cold to public consultation.

What we are launching today has already been subject to work by the disability sector over the past two years. We have had a number of different events where we have engaged with a whole range of stakeholders, from employers through to the community and voluntary sector and those with disabilities themselves. I think that I am right in saying that we have engaged with over 300 individuals already at this stage, which is greater than the number of people who often respond to public consultations.

I have actually seen the odd public consultation where you have had something extremely technical and only one or two people have actually responded. I think that we are starting from a much stronger base in that regard. The consultation itself is the formal process. As your colleague Mr Flanagan has outlined, there will be issues that people may wish to stress, but we are starting from a good, strong platform. Hopefully, the consultation responses will be favourable and we will be able to move very quickly to put the strategy in place. Many

of the action points are already being taken forward in isolation, because the time to proceed with them is now.

Private Members' Business

Children's Services Co-operation Bill: Consideration Stage

Mr Speaker: The next item of business is the Consideration Stage of the Children's Services Co-operation Bill. I call Mr Steven Agnew to move the Bill.

Mr Agnew: Thank you, Mr Speaker. I rise to oppose clause 1 of the Bill and speak to the other amendments. The original intention of the Bill was to introduce a statutory duty on Government —

Mr Speaker: I just need you to move the Bill at this stage.

Mr Agnew: Apologies, Mr Speaker.

Moved.—[Mr Agnew.]

Mr Speaker: I salute your enthusiasm.

Members will have a copy of the Marshalled List detailing the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list. There is a single group of amendments. The debate will be on amendments Nos 1 to 10 and Mr Agnew's opposition to clauses 1 to 5 stand part, which deal with a children's strategy, services and cooperation.

Once the debate on the group is completed, any amendments will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Question on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

Clause 1 (General duty)

Mr Speaker: We will now move into the debate. Mr Agnew has signalled his intention to oppose the Question that clause 1 stand part of the Bill. With that Question, it will be convenient to debate amendment Nos 1 to 10 and opposition to clauses 2 to 5 stand part, which relate to a children's strategy, services and cooperation.

Members should note that amendment Nos 1 and 2 are mutually exclusive with clause 1 standing part; amendment No 4 is mutually exclusive with clause 3 standing part; amendment No 5 is mutually exclusive with clause 4 standing part; amendment No 6 is mutually exclusive with clause 2 standing part; and amendment Nos 8 to 10 are consequential to earlier amendments. I will alert Members before putting the relevant Questions.

Question proposed, That the clause stand part of the Bill.

Mr Speaker: I now call Mr Steven Agnew to address his opposition to clause 1 and the other amendments and clauses in this group.

Mr Agnew: Thank you, Mr Speaker. I will try again.

The following amendments stood on the Marshalled List:

No 1: After clause 1 insert

"Well-being of children and young persons

1A.—(1) *The functions conferred by this Act are to be exercised for the purpose of improving the well-being of children and young persons.*

(2) *For this purpose the "well-being" of children and young persons includes—*

- (a) *physical and mental health;*
- (b) *the enjoyment of play and leisure;*
- (c) *learning and achievement;*
- (d) *living in safety and with stability;*
- (e) *economic and environmental well-being;*
- (f) *the making by them of a positive contribution to society;*
- (g) *living in a society which respects their rights.*

(3) *In determining the meaning of well-being for the purposes of this Act, regard is to be had to any relevant provision of the United Nations Convention on the Rights of the Child (which is to say, the Convention of that name adopted by General Assembly resolution 44/25 of 20 November 1989).*

(4) *The Office of the First Minister and deputy First Minister may by regulations make such amendments to subsection (2) as it thinks appropriate.*

(5) *Regulations must not be made under subsection (4) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly."— [Mr Agnew.]*

No 2: After clause 1 insert

"Co-operation to improve well-being

1B.—(1) *Every children's authority must, so far as is consistent with the proper exercise of its children functions, co-operate with other children's authorities and with other children's service providers in the exercise of those functions.*

(2) *The Executive must make arrangements to promote co-operation of the kind mentioned in subsection (1).*

(3) *Every children's authority must co-operate with the Executive in the making of the arrangements mentioned in subsection (2).*

(4) *"Children functions" are any functions which may contribute to the well-being of children and young persons."— [Mr Agnew.]*

No 3: After clause 1 insert

"Children and young persons strategy

1C.—(1) *The Executive must adopt a strategy (the "children and young persons strategy") setting out how it proposes to improve the well-being of children and young persons.*

(2) *The strategy must in particular set out—*

(a) *what outcomes the Executive intends should be achieved for that purpose;*

(b) *what actions will be taken by Northern Ireland departments (among others) for the purpose of achieving those outcomes;*

(c) *how it will be determined whether, and to what extent, the outcomes have been achieved.*

(3) *The strategy must state the period within which it is intended that the outcomes should be achieved (the "lifetime" of the strategy).*

(4) *Before adopting the strategy, the Executive must consult—*

(a) *children and young persons,*

(b) *parents and guardians of children and young persons,*

(c) *such persons representing the views and interests of children and young persons as the Executive thinks appropriate, and*

(d) *such other persons as the Executive thinks appropriate.*

(5) *The Executive may—*

(a) *revise or replace the strategy if the Executive is satisfied that changes in circumstances justify doing so;*

(b) *amend the strategy by extending its lifetime.*

(6) *The Executive must—*

(a) *lay the strategy, and any revisions to it, before the Assembly, and*

(b) *publish it, and any revisions, in such other manner as the Executive thinks appropriate.*

(7) *At the end of the lifetime of the strategy, the Executive must adopt a new one.*

(8) *Subsections (2) to (7) apply to any new strategy.*"— [Mr Agnew.]

No 4: After clause 3 insert

"Sharing of resources and pooling of funds

3A.—(1) *This section applies to a children's authority for the purposes of exercising any functions in accordance with arrangements under section 1B (co-operation).*

(2) *For those purposes, a children's authority may—*

(a) *provide staff, goods, services, accommodation or other resources to another children's authority;*

(b) *make contributions to a fund out of which relevant payments may be made.*

(3) *A "relevant payment" is a payment in respect of expenditure incurred, by a children's*

authority contributing to the fund, in the exercise of its functions."— [Mr Agnew.]

No 5: After clause 4 insert

"Children and young persons plan

4A.—(1) *The Executive must adopt a plan (a "children and young persons plan") setting out how it is proposed that children's services will be provided.*

(2) *The plan must in particular set out—*

(a) *how children's services will be planned and commissioned;*

(b) *what actions will be taken by children's authorities and other children's service providers for the purpose of achieving the outcomes set out in the children and young persons strategy;*

(c) *how children's authorities and other children's service providers will co-operate with each other in the provision of children's services and in the taking of the actions mentioned in paragraph (b).*

(3) *Every children's authority must—*

(a) *co-operate with the Executive in the preparation of the plan, and*

(b) *so far as is consistent with the proper exercise of its functions—*

(i) *exercise those functions in accordance with the plan, and*

(ii) *co-operate with each other in doing so.*

(4) *Before adopting the plan, the Executive must consult—*

(a) *children and young persons,*

(b) *parents and guardians of children and young persons,*

(c) *such persons representing the views and interests of children and young persons as the Executive thinks appropriate, and*

(d) *such other persons as the Executive thinks appropriate.*

(5) *The Executive must review the plan—*

(a) not later than the first anniversary of the date on which it was adopted, and

(b) not later than the first anniversary of that review;

and the Executive may revise the plan as it thinks appropriate in consequence of a review under this subsection.

(6) The Executive must—

(a) lay the plan, and any revisions to it, before the Assembly, and

(b) publish it, and any revisions, in such other manner as the Executive thinks appropriate.

(7) Not more than 3 years after the date on which the Executive adopted the plan, the Executive must adopt a new plan.

(8) Subsections (2) to (7) apply to any new plan.

(9) The following provisions (which are superseded by this section) cease to have effect—

(a) paragraph 2A of Schedule 2 to the Children (Northern Ireland) Order 1995 (children's services plans);

(b) the Children (1995 Order) (Amendment) (Children's Services Planning) Order (Northern Ireland) 1998 (S.R. 1998/261);

(c) in section 7(2) of the Children (Leaving Care) Act (Northern Ireland) 2002, the words "and in paragraph 2A(1)(a)";

(d) paragraph 14(28) of Schedule 3 to the Education Act (Northern Ireland) 2014."— [Mr Agnew.]

No 6: After clause 4 insert

"Report on the operation of this Act

4B.—(1) For each reporting period, the Executive must prepare a report on the operation of this Act.

(2) The reporting period is—

(a) for the first report prepared after the adoption of a strategy, the period since its adoption;

(b) in any other case, the period since the preparation of the preceding report under this section.

(3) The report must include statements on the following matters, so far as relating to the reporting period—

(a) what actions have been taken by the Executive, and Northern Ireland departments, for the purpose of achieving the outcomes set out in the children and young persons strategy;

(b) what progress has been made towards achieving those outcomes, or the extent to which they have been achieved;

(c) how children's authorities and other children's service providers have co-operated with each other in the provision of children's services;

(d) how children's authorities have exercised the powers conferred by section 3A;

(e) how the well-being of children and young persons has improved.

(4) The report must also identify—

(a) any further opportunities for co-operation between children's authorities and other children's service providers that could help to achieve the outcomes set out in the strategy,

(b) any other ways in which the well-being of children and young persons could be improved, and

(c) any ways in which the children and young persons strategy might be revised in order to contribute to those improvements.

(5) The Executive must prepare a report under this section—

(a) not more than 3 years after the date on which it adopted a children and young person's strategy,

(b) thereafter, during the lifetime of that strategy, at intervals of not more than 3 years, and

(c) at the end of the lifetime of a strategy.

(6) But subsection (5)(c) does not apply if a report was prepared under this section less

than 6 months before the end of the lifetime of the strategy.

(7) Children's authorities must co-operate with the Executive in the preparation of a report under this section.

(8) The Executive must—

(a) lay the report before the Assembly, and

(b) publish it in such other manner as the Executive thinks appropriate."— [Mr Agnew.]

No 7: After clause 4 insert

"Guidance

4C.—(1) The Office of the First Minister and deputy First Minister may issue guidance to children's authorities, or to any particular children's authority, on the exercise of functions conferred by this Act.

(2) A children's authority must have regard to guidance issued to it under this section."— [Mr Agnew.]

No 8: After clause 5 insert

"Interpretation

5A.—(1) In this Act—

"children and young persons" means persons who are—

(i) under the age of 18, or

(ii) aged 18 or over and fall within subsection (2) or (3);

"children's authority" means any of the following—

(i) a Northern Ireland department,

(ii) a district council,

(iii) a Health and Social Care trust,

(iv) the Regional Health and Social Care Board,

(v) the Regional Agency for Public Health and Social Well-being,

(vi) the Education Authority,

(vii) the Northern Ireland Housing Executive,

(viii) the Police Service of Northern Ireland, or

(ix) the Probation Board for Northern Ireland;

"children's service" means any service which is provided (whether by a children's authority or by any other person or body) wholly or mainly to or for the benefit of—

(i) children and young persons generally, or

(ii) children and young persons of a particular description or with particular needs;

"the Executive" means the Executive Committee of the Assembly, established under section 20 of the Northern Ireland Act 1998;

"other children's service provider" means any person or body, of whatever nature, who provides a children's service or is engaged in activities which contribute to the well-being of children or young persons (but does not include a children's authority);

"well-being" has the meaning given by section 1A.

(2) A person falls within this subsection if services are provided to or in respect of the person by, or on behalf of, or under arrangements made with, the Regional Health and Social Care Board or a Health and Social Care trust by virtue of—

(a) Article 34D, 35, 35A or 35B of the Children (Northern Ireland) Order 1995 (which provide for the continuing duties of those bodies towards young persons), or

(b) regulations made under Article 34E of that Order (which may provide for the appointment of personal advisers for certain young persons).

(3) A person falls within this subsection if the person—

(a) is under the age of 21 years, and

(b) is a disabled person within the meaning of the Disability Discrimination Act 1995.

(4) The Office of the First Minister and deputy First Minister may by regulations make such amendments to the definition of "children's authority" as it thinks appropriate.

(5) Regulations under subsection (4) are subject to negative resolution."— [Mr Agnew.]

No 9: After clause 5 insert

"Commencement

5B.—(1) This Act comes into operation on the day after the day on which it receives Royal Assent.

(2) The first strategy under section 1C must be laid before the Assembly before the end of the period of 12 months beginning with the day on which this Act receives Royal Assent."— [Mr Agnew.]

No 10: Leave out from first "Northern" to end and insert

"co-operation among certain public authorities and other persons in order to contribute to the well-being of children and young persons; to require the adoption of a children and young persons strategy; and for connected purposes".— [Mr Agnew.]

Mr Agnew: I rise to oppose clause 1 and speak to the amendments. The Bill's intention all along has been to introduce a statutory duty on Departments and other agencies to cooperate in the planning, commissioning and delivery of children's services. The aim is to cut out the waste of resources that results from Departments operating in silos, which ultimately leads to wasted potential in children's lives. Whilst the Bill is very much about processes, its ultimate aim and ambition are to improve opportunities for all children in Northern Ireland.

Since the Second Stage debate in January, a lot of work has been done on the Bill. Indeed, on the face of it, with opposition to various clauses and significant amendments, in one sense, it is a Bill rewritten, but the original intentions that the House debated and supported at Second Stage remain at the core of the Bill. In that sense, the Bill is unchanged: the words are different, but the intentions are largely the same.

I express at the outset my gratitude for the cooperation from the Office of the First Minister and deputy First Minister, the Department of Health as well as other Departments, the OFMDFM Committee, which I have engaged with on such a number of occasions that I have lost count, and the children's sector, which has been there all along. This is very much its Bill. The children's NGO sector and, indeed, the Children's Commissioner have been calling for

this Bill since 2007. Whilst I stand here today presenting these proposals, they very much came from that sector. I also thank the Bill Office, which has assisted me throughout the process and provided invaluable support to me and my team, whom I also thank at this stage.

The work that has gone on since January has ultimately been about making the Bill more effective. Cooperation has ensured that expertise has been brought to the table and that conversations have happened between stakeholders to ensure that what started as a single private Member's Bill has very much become collaborative work between Departments, officials, the sector, the Committee and me. That process highlights the value of cooperative working and why a Bill such as this is needed.

I admit that, when going into the process of engaging with the Department, my fear was that I would have to protect my Bill from possibly being compromised and watered down.

I can honestly say that that has not been the case. Every step of the way, OFMDFM officials sought to improve and enhance the Bill and, in their engagement with other Departments, make it more effective. In my view, that has been the intention of all who engaged.

It is disappointing today that these amendments were not tabled jointly by the Office of the First Minister and deputy First Minister and me. That was due solely to the current political situation, which meant that Executive sign-off was not possible on amendments that are, in many cases, cross-departmental. Undoubtedly, that made tabling the amendments and moving forward with Consideration Stage more difficult to navigate and negotiate. However, I am grateful that, individually, parties have continued to engage, even though, due to the current political situation, the Office of the First Minister and deputy First Minister could not put its name to the amendments. I wait to hear from the individual parties, but, in the discussions that have taken place to date, that spirit of cooperation and goodwill towards the Bill appears to continue.

I had to make a judgement call on whether I waited until the current political situation settled down, but, at times, these institutions have been hanging by a thread, and the fear that the Bill would fall entirely, given the possible collapse of the Assembly, drove me to press on. At this point, I have worked for four years on the Bill and sought at all times to get it right rather than do it quickly, but it is now time to press on. Further delay could, I felt, only harm

the Bill, and we are at the stage where decisions have to be made, amendments have to be made and, ultimately, the Assembly has to make a final decision on whether it becomes law.

The amendments tabled today are largely those that were shared with the OFMDFM Committee in June. I will seek to highlight where additional amendments have been made. Further work was done over the summer and during this month, but the amendments are largely those that were presented to and scrutinised by the Committee. Amendment Nos 1 to 3 would replace the original clause 1, which I intend to oppose today. One of the aspects of the original clause 1 that ran into difficulty was the six high-level outcomes. From the outset, I was keen that the high-level outcomes that were lifted from the 10-year strategy for children and young people be included in the Bill. However, the Department and I received legal advice that whilst the language was suitable for a strategy, it was perhaps too loosely defined for legislation. That is why there is a shift in emphasis from the outcomes to the concept of well-being, which is more clearly recognised in law and is defined, as referenced in the amendment, in the United Nations Convention on the Rights of the Child (UNCRC). Within that definition, we reference and have regard to the six high-level outcomes.

One change made from the amendments shown to the Committee is that the six high-level outcomes have become seven. This is simply about giving greater definition to the outcomes; their original purpose remains the same. I will give Members some insight into why they are deemed so important: since the writing of the 10-year strategy for children and young people, in which the children's sector has been heavily engaged, the sector as a whole has based its strategy for the delivery of its provision around these outcomes. They remain at the core of the sector's work, and the sector very much believes that they should remain at the core of government's work in Northern Ireland.

11.15 am

For that reason, any changes to those outcomes in the Bill would be subject to draft affirmative resolution, ensuring that consultation would have to take place on any changes. As was done with the children's strategy and the Bill to date, the sector and government would step forward together.

Amendment No 2 enshrines the duty to cooperate. Where that has changed, the

intention of the original Bill has remained. The original Bill separated the duty on Departments from the duty on other authorities and agencies that worked with children. Amendment No 2, with the definition at amendment No 8, allows the term "children's authorities" to capture Departments and agencies collectively. This improves the Bill whilst keeping the original intentions.

The requirement of children's authorities to cooperate with one another and the Executive underpins the Bill and its purpose. There is an additional requirement for the Executive to promote cooperation. There are concerns around the word "promote". The duty on children's authorities is that they must cooperate. The word "promote" is very much about the Executive putting the structures in place to ensure that that cooperation happens.

Amendment No 3 is a new aspect of the Bill. It very much came from the Office of the First Minister and deputy First Minister but is an amendment that I wholeheartedly support. It would enshrine in law the production of the children and young people's strategy. Officials are working on an updated strategy. The last strategy had widespread support in its ambition and scope. It was the implementation rather than the strategy that was criticised. It is the application that this Bill seeks to address.

I welcome in this amendment the outcomes-based approach and enshrining in law that there must be an outcomes-based strategy, and included in the production of any such strategy is consultation with the sector, outside stakeholders and, importantly, children. That underpins article 12 of the UNCRC, which requires that children be included in decisions that affect their lives.

Amendment No 4 would replace the original clause 3. This is around pooling funds and resources to achieve the objectives of the Bill. This is a key element of the Bill. I have done a lot of research into how pool funds work in other jurisdictions. I hope and believe that should this Bill become law, the pooling of funds and resources will become a necessary outworking, because this is where a lot of the inefficiency arises. Take early intervention work. Five Departments are working to achieve the same objectives but with separate pools of resources and administrators. Pooling those resources will increase efficiency, improve delivery for children and underpin the joined-up working that the Bill seeks to achieve.

The changes to the original Bill that applied to only Departments now include all children's authorities.

Again, that brings in more stakeholders and will improve the effectiveness of the Bill compared with the original draft. The new amendment also reflects the new language in these amendments.

I will skip amendment No 5 for now and come back to it because it is perhaps one of the most complex aspects of the Bill and one of the areas where it has been hardest to get the drafting right. Much work has gone into bringing it this far. As I say, I will return to it.

Amendment No 6 is on the reporting clause. It is key that we not only put the legislation in place but that we continually scrutinise its operation and review its effectiveness. The Executive would be required to report every three years and lay a report to the Assembly. That replaces the original reporting requirement in clause 2.

There is a degree of cynicism about reporting mechanisms at times but, for me, one of the key aspects of the reporting requirement is not just what you have done but what further opportunities you can identify for cooperation. That continual challenge to cooperate more and better is key and will mean that reporting cannot simply be a tick-box exercise but is a continual assessment and critique of the work of Departments and, indeed, children's authorities in terms of how cooperation is taking place and how delivery on the outcomes is being achieved.

Amendment No 7 introduces another new clause, simply to give the Executive the power to issue guidance on the operation of the Bill. I think that it is a sensible amendment.

Amendment No 8 is about interpretation and, as I mentioned previously, defines "children's authorities". This aspect of the Bill was always difficult in its original drafting. Again, I appreciate the Department's input into this. It brings in the Departments, the agencies of the Departments and the membership of the current Children and Young People's Strategic Partnership and includes them all under the catch-all term of "children's authorities". It tidies up the language and means that, at various stages of the Bill, one group can be referred to as "children's authorities". It adds definition and clarity to that aspect of the Bill.

The term "young people" also needed to be defined. The definition of "children" in law is

fairly straightforward, but "young people" must go beyond the age of 18. The definition contained in amendment No 8 mirrors that which is used in the legislation that established the Children's Commissioner. That was to ensure consistency and therefore includes vulnerable groups up to the age of 21. I know that, in some aspects of the work of Departments, some of those vulnerable groups will receive support until the age of 25, but this is about a working definition for the Bill and I do not want to produce something that may require significant resource when this is really about changing cooperation. For example, I do not believe for a second that those engaged in working with young people up to 25 will say, "We are not included by the Bill. We are not going to cooperate". The Bill is about enshrining cooperation as good practice and standard practice in Departments. Whilst the current definition is not a catch-all, I think that it is a good, workable definition that mirrors other legislation. Should, through review of the Bill, that definition be required to be extended to other groups, I would be open to that. I think that, at this stage, this is a definition that has received a level of consensus and is workable in the context of the Bill.

Amendment No 9 is on the commencement, which would be immediate on Royal Assent. Amendment No 10 is on the Long Title, which has been revised to adequately reflect the new drafting of the Bill.

I said that I would come back to amendment No 5 because, since I laid the Bill before the Assembly, clause 4 of the original draft was that which caused the most concern. I have worked with officials in OFMDFM with the sector, and I have engaged with the Department of Health, which I know has worked continuously with OFMDFM on getting this amendment right. I mentioned previously the desire to press on with this Bill, and I had been asked for more time to get this amendment right. As I said, at that time, the Assembly was hanging by a thread, and it is not out of the woods yet with political instability. My fear was that the whole Bill could fall. Amendment No 5 is an improvement on the original clause 4. It is that which was brought forward by officials and presented to the Committee for the Office of the First Minister and deputy First Minister. I think that it takes us in the right direction.

In terms of additional time, I am willing to not move this amendment today in the hope of getting an agreed amendment for Further Consideration Stage, but that timeline is still tight. I am keen to see this Bill reach its Final Stage within the next number of weeks, but, as

there is an opportunity to make further amendments to get this aspect of the Bill right, I am certainly willing to work with anyone who seeks to do that and give every opportunity for getting there. I do not think that the Bill can be delayed indefinitely. I certainly do not think that it can wait until such a time when we have Executive meetings again because I have no certainty or clarity as to when that might be. I think that there is a window of weeks to get that amendment right, but there is the danger that we allow the perfect to become the enemy of the good. I think that the amendment is a good one.

I will speak to the amendment's content. It is about updating the plan and bringing within the Bill the requirement that already exists in the Children Order to produce a plan for that commissioning and service delivery for children. It is to ensure that that includes all children, as the Bill does in every other aspect. The current Children Order is about children in need, but I think that the research, the evidence and, indeed, the work of the Children and Young People's Strategic Partnership (CYPSP) has moved towards working for all children in order to capture those who are most in need, rather than seeking to identify those in need and often missing children who fall through the gaps. I think the catch-all approach is the right one. I think that it is the direction of travel, and I know that, in my discussions with the Department of Health, there is enthusiasm about enshrining that. I know that there were concerns about the original draft couching this within the Children Order. This current draft moves it out of the Children Order and simply repeals aspects of the order to avoid duplication.

I have listened to the Department's concerns, and those are reflected in the Bill.

11.30 am

From the beginning of this process, the work of the Children and Young People's Strategic Partnership has been highlighted as good practice within government. I know that there has been further work to enshrine the good work of the CYPSP. What this amendment seeks to do is to put it on a statutory footing. There have been some areas of concern with that but, as I say, this does appear to be the direction of travel. It is something that the children's sector is calling for. It is something that there has certainly been a willingness in the Department of Health to take forward. We have a number of weeks to get that drafting right and, hopefully, bring forward a very good, if not perfect, amendment. As I say, the Bill

must progress. We cannot let the perfect be the enemy of the good.

In conclusion, I would like to thank the various stakeholders: OFMDFM, the OFMDFM Committee, the Bill Office, the children's sector and my own team, particularly Ross Brown, who has worked tirelessly on the Bill. The purpose of the Bill is to make good practice common practice. It is to make cooperation in the planning, commissioning and delivery of children's services the norm. I hope that a change in culture can come out of that. We hear a lot about the failure of parties to work together, but those of us who work in this place know about the difficulties in Departments working together. We have to get this right for children. I hope that, should it receive the favour of the House, this Bill and the proposed amendments, along with Mr McCallister's opposition Bill and the proposed reduction in the number of Departments, can collectively improve governance in Northern Ireland.

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

It has often been said that, if the first phase of the peace process was about getting stability, the second phase has to be about good governance. I believe that this Bill is part of that good governance. I believe that other Bills will come forward and take steps in that direction. What I want to see with this is the ending of the waste that arises from duplication, the ending of silo mentality, and the creation of the structures to work together for the best interests of children in Northern Ireland.

I ask Members to oppose clauses 1 to 5 as originally drafted and support the tabled amendments. I reiterate that I will not move amendment No 5 today in the hope of getting a draft that will receive favour from all sides of the House and from the Departments and the sector alike. As with all the other aspects of the Bill, I hope that we can achieve a consensus on the way forward.

Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister): I commend Mr Agnew for bringing his Bill before the House today for the first of its amending stages. As you know, the OFMDFM Committee has, for some time, been working on its own legislation to reform the office of the Northern Ireland Ombudsman. We, therefore, have some appreciation of the time and effort required to get a Bill to this stage.

Before commenting on the amendments, I would like to briefly inform Members about the Committee's consideration of the Bill. Having provided earlier briefings to the Committee on the development of the Children's Services Co-operation Bill, Mr Agnew attended the Committee on 14 January following the Bill's introduction to the Assembly. On that date, the Committee also heard from OFMDFM officials, who indicated that, while the Department was in principle supportive of the Bill, it was expected that significant amendments would be required to ensure that it met its own objectives. The Bill was referred to the Committee following the Second Stage debate on 26 January, and the Committee Stage was subsequently extended to 3 July following the approval of the Assembly on 2 March.

The Committee received 27 substantive written submissions from organisations and individuals, a number of whom indicated that they also wished to be considered to give oral evidence. To enable the Committee to hear from as wide a range of stakeholders as possible, themed panels of stakeholders were invited to give oral evidence. Those panels included representatives from children's groups, the voluntary sector, disability groups, occupational health practitioners and councils. In addition, we heard from the Health and Social Care Board, the Children and Young People's Strategic Partnership, the Children's Law Centre and an individual with a background in children's services planning.

Two further evidence sessions were held with the Bill sponsor. That allowed Mr Agnew to respond to a number of technical issues that had been raised on the Bill at an early stage of our scrutiny. At the end of the evidence-gathering phase, it provided him with an opportunity to respond to all the issues that had been raised to us. OFMDFM officials briefed the Committee on the Department's initial views on potential amendments to the Bill on 27 April.

At this stage, I acknowledge the work of departmental officials, who not only cooperated as fully as possible with the Committee but engaged with the Bill sponsor and the sector as they carried out their deliberations on the Bill. Indeed, while officials were not in a position to present the Committee with a draft of final amendments before we undertook our clause-by-clause consideration, they provided us with a revised draft of what the Bill could look like, and they discussed that with the Committee on 17 June.

Although not having the final text of amendments was not ideal, the Committee took

account of the Department's revised Bill in its clause-by-clause consideration. Members were also mindful that the Bill sponsor had indicated that he was content with the proposed direction of travel by OFMDFM, subject to sight of the final amendments.

In completing its deliberations, the Committee concluded that it was not content with all but one of the clauses. I stress that that was in no way an outright rejection of the Bill. Indeed, the Committee agreed that it had always been broadly supportive of the principles of the Bill. It is, rather, a reflection of the issues that had been raised and the concerns that the Bill would not, in fact, achieve its own objectives. By opposing the clauses today, it seems apparent that the Bill sponsor is, to some extent, of the same opinion.

All the Committee's deliberations are available to read in its report, which was published in July. The revised Bill is included, and those who have had a chance to look at it will note that there is much similarity between it and the amendments that have been tabled by Mr Agnew and others for our consideration today.

Before turning to the amendments before us, I will highlight one issue that was of concern to some stakeholders but that is not directly a subject of the amendments under consideration today. That issue is sanctions. Several stakeholders noted that there are no provisions regarding penalties or sanctions for non-cooperation or limited compliance. The fear from stakeholders was that the duties placed on statutory authorities would become a simple tick-box exercise. The Committee explored that further during the final evidence session with the Bill sponsor. He advised that, while he had considered the issue of sanctions, he was unable to identify any that were appropriate. He told the Committee:

"the ultimate sanction, a judicial review, is a sufficient method of holding the Government to account."

I will highlight that the Committee has not had the opportunity to collectively consider the amendments before us today. However, as I indicated, they broadly mirror the text of the Bill as seen by the Committee.

I will turn now to amendment No 1. During its evidence-gathering session, the Committee heard representations from stakeholders regarding the high-level specified outcomes, which reflect the outcomes detailed in the Executive's 10-year children and young people's strategy. There was a recognition that

the outcomes in the children and young people's strategy were widely accepted by stakeholders, who had been consulted extensively during the development of the strategy.

It was therefore felt by some who responded to the Committee that the high-level outcomes should be replicated exactly as they are in the strategy. Others, however, suggested that, as a new children and young people's strategy is due post-2016, rather than specify high-level outcomes, the legislation should simply link to high-level outcomes in the children's strategy currently operative. It was believed that that approach would not predetermine or fetter the development of the new strategy.

In responding to that issue, the Bill's sponsor advised the Committee that he would be concerned if the Bill were to link solely to the children's strategy, as that would not cover other relevant departmental strategies or initiatives; for example, the early years strategy in the Department of Education.

In presenting their revised draft of the Bill to the Committee, officials advised that they did not believe that it would be appropriate to include high-level outcomes from the children's strategy in legislation, but to include high-level policy outcomes instead. Officials also indicated that including an enabling power for the First Minister and the deputy First Minister to amend the legislation if required would provide the appropriate mechanism for any necessary changes. A provision for OFMDFM to amend subsection (2) by means of affirmative resolution is included in the amendment.

In its deliberations, the Committee agreed that it was broadly content with the Department's proposal. While the Committee did not have an opportunity to reach a position on the amendment before us, I note that it is largely similar, with the addition of:

"the enjoyment of play and leisure"

as one of the specified high-level outcomes — the seventh such outcome, as referred to by the Bill's sponsor.

Amendment No 2 would introduce a new clause, titled "Co-operation to improve well-being". The amendment mirrors that in the revised draft of the Bill presented to the Committee by officials. In their briefing to the Committee, officials explained that not only would that require Departments and other statutory bodies to cooperate but that they would have to pay regard to and work with

other bodies delivering children's services, such as non-governmental organisations. In considering the revised draft, Committee members discussed with officials the use of the word "promote" in proposed new clause 1B(2). There was a suggestion that the word "advance" might place a stronger duty on Departments to cooperate. Perhaps the Member can clarify his views on "promote" versus "advance" during the debate.

The Committee was content with the direction of travel indicated by OFMDFM. It has not had the opportunity to reach its final position on the text of the amendment before us today, although I note that there is no change to what was presented by the Department at Committee Stage.

Amendment No 3 would introduce a new clause that requires the Executive to bring forward a strategy to improve the well-being of children and young people. It sets out what should be included in the strategy and the requirements for consultation, including consultation with children and young people, parents, guardians and representative bodies. Consultation with children is therefore embedded in the Bill, and the text before us replicates that which was included in the Department's proposals.

Amendment No 5 is a new clause that would provide for a children and young persons' plan. The new clause proposes that the Executive would be required to adopt a plan setting out how children's services will be planned, commissioned and delivered to support the achievement of the strategy, and it is the same as what was proposed in the Department's revised draft of the Bill. However, in our discussions with officials, they advised that they did not believe that their proposal was sufficient at that stage to deliver what is required and said that a further clause might be needed. In that regard, discussions are ongoing with CYPSP, the Department of Health and the Department of Education on a statutory partnership comprising members of the Health and Social Care Board (HSCB), the health and social care trusts, the Education Authority and other relevant agencies in the two Departments. That statutory partnership would be enabled to develop and deliver the plan.

During deliberations on the OFMDFM proposals, which relate to amendment Nos 3 and 5, Committee members recognised that further amendments were actively being considered. The Committee was therefore unable to reach a position and, as such, agreed that its support or otherwise would be dependent on sight of the final amendments.

Amendment No 4 would provide an enabling power for Departments to pool budgets and share resources, and it broadly reflects the text of the revised draft provided to us by officials. The original Bill also contained an enabling power to permit Departments to establish pooled budgets and to share resources to achieve the high-level outcomes.

11.45 am

Many stakeholders welcomed the provisions regarding the pooling of budgets and sharing of resources and believed that it would make it easier for Departments to share financial and staff resources to deliver the specified outcomes. Indeed, Delivering Social Change, coordinated by OFMDFM, was cited as an example of good practice in this regard. Stakeholders also stressed the importance of clear governance and accountability arrangements. The Committee agreed that it was broadly content with OFMDFM's direction of travel on this issue, subject, of course, to sight of the final wording of the proposed amendment.

Mr Deputy Speaker, a key provision of the Bill, as introduced by the Member, is a report on cooperation, which was to be published periodically on Departments' progress towards achieving specified outcomes; the extent to which they had cooperated with one another; and any efficiency achieved through cooperation. Amendment No 6 provides for a much more substantive report, again reflecting the draft revised Bill prepared by OFMDFM officials. The report, as provided for in this amendment, will include a range of information, such as actions to be taken to achieve the outcomes in the strategy, progress made in the achievement of the outcomes, whether or not the well-being of children and young people has improved, and the cooperation that has taken place across Departments and how it could be improved. It also provides for reporting to take place on a three-yearly basis. The amendment may address concerns that, while the report provided for in the Bill as introduced would focus on how Departments have cooperated, it would not necessarily show how that cooperation had led to better outcomes for children.

The principle of a cooperation report was welcomed by those who responded to the Committee, although a number of those considered that reporting should be at annual intervals rather than every three years. Against this, concern was expressed about placing an extra administrative burden on Departments through additional reporting requirements.

Perhaps the Member could advise as to the rationale for a three-year reporting cycle. The Committee also noted that Mr Agnew had also expressed a preference for the report to be conducted by an independent body. He may also wish to provide some clarification on that issue.

Amendment No 7 is a new clause that grants an enabling power to OFMDFM to issue guidance on the exercise of functions conferred by the legislation. Although guidance for Departments was an area raised by some stakeholders during Committee Stage, the Committee has not had sight of this amendment and so does not have a position on this.

I note that amendment No 8 relating to interpretation reflects the similar provision of the draft revised Bill provided to us by officials. In its consideration, the Committee was aware that further amendments would be required. It was therefore not in a position to endorse the OFMDFM proposals at that time and has not had the opportunity to consider the amendment being discussed today.

Mr Deputy Speaker, amendment No 9 is a new clause dealing with commencement, and amendment No 10 amends the long title to reflect the changing nature of the Bill. I can advise Members that the Committee has not had an opportunity to consider those amendments or to come to a position on them.

Ms Fearon: Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak to this important piece of legislation and, indeed, congratulate Mr Agnew on getting it this far. Given that amendment No 5 is not being moved today, I do not foresee any major disagreements on the amendments. So, hopefully after today we will have a good Bill going forward to Further Consideration Stage, where we can work together to improve it.

We are very supportive of the principles behind the Bill and its intentions. We all know that there is a lot of existing good practice when it comes to cooperation. The Bill and the amendments tabled seek to make that good practice systemic in order to achieve better outcomes for children and young people.

We believe that the amendments tabled by Stephen Agnew, myself and others will ensure better outcomes for children and young people. The statutory duty will bring a welcome focus on children's and young people's needs and service delivery. Cooperation as it stands on children's issues is largely informal and

dependent on relationships developed over time between relevant officials and workers. That means that the degree of sharing across a range of children's services is varied. Placing a requirement to cooperate in statute will ensure that the interests of children and young people are put first across all services and responsibilities. Of course, the most important people in all of this are our children and young people.

Amendment No 1 — basically a new clause — specifically outlines the core aims and intent of the Bill, which is essentially to support improvements to the well-being of children and the delivery of children's services, all with the benefit of the recipient of that service in mind. The new clause specifically defines well-being and makes links to the children and young people's strategy by way of the high-level outcomes listed. I have to say that the links to the UN Convention on the Rights of the Child are welcome. I think that it is a progressive step and important in recognising children as rights' bearers in their own right, which is too often ignored.

Amendment No 2 is on the duty to cooperate in order to improve well-being. This is possibly the most important new clause if not one of the most important clauses in the Bill. A statutory duty will make it easier for Departments to come together, share resources and work collectively; basically, to solidify what is already happening on an ad hoc basis. Collaborative approaches to children's services will undoubtedly improve outcomes, remove duplication and, ideally, lead to budget savings as we try to make the best use of public funds available.

The amendment clearly states:

"Every children's authority must ... co-operate with other children's authorities and with other children's service providers".

This clause will also allow for the Executive to promote cooperation: I know that Steven referred to this and Mike Nesbitt raised it earlier. I think that concerns around loose language have been assuaged since the title of the Bill now places a requirement and this clause states that cooperation is clearly a must.

Amendment No 3 states:

"The Executive must adopt a strategy ... to improve the well-being of children and young persons."

This amendment does the job of amendment No 5 in some ways, but not all, although it needs to be progressed given that it is so outcomes-focused. For example, the strategy must detail the outcomes that have to be met, what actions will be taken, how to determine the extent of the outcomes that have been achieved and when that should happen. I am particularly happy with the reference in amendment No 3 to the Executive's having to consult with children and young people. I think that that is an important step in having their voices heard in service delivery that affects their lives. Obviously, that applies to those who represent the views of children and young people as well. Practically speaking, it is important that we ensure that a range of young people's voices from all socio-economic backgrounds are heard in that consultation, particularly those who are in most need and are most vulnerable.

Amendment No 4 is potentially another hugely important element of the Bill, particularly in breaking down the silo mentality of Departments. Sharing resources and funds in this regard is basic common sense and can only really be described as a good thing, if it is done properly. In the last debate, I made reference to Delivering Social Change, which I believe is an excellent model for this. Its budget has come from all relevant Departments for the delivery of signature projects, so this Bill epitomises the spirit behind that practice. I think that this approach is almost a safeguard to ensure that no decisions will be taken to the detriment of cooperation and the core aims of delivery for children. I hope to see that practice spread across other Departments and areas, not necessarily just children's services.

Amendment No 5 is, as Steven said, possibly the most complex and contentious amendment to date. We would not have been able to support clause 4, as was stated at the previous stage. It would have meant, in our opinion, a transfer of control of children's services to a non-departmental public body — and one that is already top-heavy and over-bureaucratic. I believe that that original clause would have seen the usurpation of ministerial autonomy and would have taken away from democratic accountability rather than strengthening it. It is hugely important that Ministers are able to retain the right and the ability to develop their own plans in accordance with their own priorities.

I know that amendment No 5 is not being moved today, and we would not have been able to support it in its original form, but we are happy to look at it in the future and come to an

agreement on it because it is an important part of the Bill. One of our main concerns was in relation to subsection 9, which would repeal paragraph 2A of schedule 2 to the Children (NI) Order 1995. This amendment would move duties currently placed on the Health and Social Care Board to the Executive, resulting in the Executive being responsible for the planning for the most vulnerable children and young people in our society. The Health and Social Care Board has statutory responsibilities for vulnerable children under the Children Order, and it is important that that continues and that it continues to plan for their needs. We and others have genuine concerns that very vulnerable children could be placed at risk by removing that responsibility from the Health and Social Care Board. Although I believe that that result would have been unintentional, it would still have been a possibility.

It is appropriate that the Executive take responsibility for the strategy document and set out its key objectives and aims across the board to improve the well-being of children and young people. However, and this is all up for discussion, it may be better that the actual services plan is drawn up and implemented by a single Department or body that is more directly involved with children's services. Again, we can come to that at a later stage.

Another issue that we had with amendment No 5 was that one of the original intentions was to place the Children and Young People's Strategic Partnership into statute. The amendment did not achieve that, and, on the face of it, it does not appear to improve the effectiveness of that body. However, we can look at all those things, and there are many ways in which those can be progressed before the next stage of the Bill. We welcome the opportunity to engage further with Mr Agnew and other parties on that issue.

Amendment No 6, which deals with reporting, is the last amendment that I will address, as the rest are pretty self-explanatory. A report must be produced every three years detailing actions taken and progress gained on the agreed outcomes, as well as identifying further opportunities for cooperation and good practice, which Steven mentioned. That is an important part of the Bill. I am aware that some may have wanted annual reports, but I believe that the nature of reporting and the actions behind those reports are much more important than their frequency.

Overall, with the amendments, this is a good Bill that will make a positive contribution to our society and, most importantly, to the lives of

children and young people. It is an important first step in changing mindsets and breaking down the silo mentality that I am sure everyone in the Chamber has been frustrated with at one point or another. I would like the roll-out of this collaborative approach to be extended to other areas, such as job creation and tackling poverty, as it ensures that the outcome is kept to the fore of each Department's decision-making process.

Sinn Féin will support the amendments, with the exception of amendment No 5, which will not be moved. I congratulate Steven Agnew on the Bill, and we hope to see the positive impact that it is capable of having in the near future.

Mr Attwood: As is always the case with a private Member's Bill, I acknowledge its primary sponsor, Steven Agnew. If you look at the narrative around private Member's Bills in the Chamber, you will see that it is arguably an area in which the Chamber has shown its greatest authority, or certainly a lot of good authority, when you consider the Bills that have been introduced or passed in this and previous mandates. This legislation is no different. Steven Agnew in particular, and all those who worked with him — I will refer to that in a second — need to be acknowledged and affirmed, not least in this vital policy area with this important part of our community.

In its very nature and character, the Bill makes a statement about our Government, which is that they are too dispersed and siloed in their approach and do not adopt a coherent, cohesive and integrated approach. If you look to the Government of Scotland — I always tend to do that — which is the best Government on these islands, as advertised by their success in the Westminster election and confirmed by their success in the campaign on Scottish independence, you will see that they have a fluid approach to Departments. They do not have a silo approach whereby Ministers work and do not relate as fully and effectively to other Ministers and Departments as they might. That is only one example of what we should learn from the Scottish Government about how they conduct ministerial and departmental work. It is a fluid approach.

There are echoes in the Bill and in Steven Agnew's comments of something that the SDLP argued for and succeeded in securing in an earlier mandate: Executive programme funds. That model recognises that there are issues that, by their character, are either of such priority or diversity that you need an Executive programme approach as opposed to a single departmental approach. Given the clauses in

the Bill, even the clauses about pooling resources, that demonstrates that there are models that can be applied to policy areas beyond the Bill for pooling resources and pooling approaches.

12.00 noon

I agree with the proposer's comments on OFMDFM. It was my concern that, once the Bill had been introduced, it would go into the bureaucratic system and either not emerge or emerge in a much-changed format. Mr Agnew will confirm the conversations that I had with him about my worst fears. Maybe tensions in the Office of the First Minister and deputy First Minister got in the way of the ambition and scale of the Bill, but, as Mr Agnew rightly pointed out, the experience of working with OFMDFM officials has been to work up this legislation and then get it over the line. It is not the failure of the office or its officials that Mr Agnew rightly made the decision to bring the Bill to the Chamber at this time, given the uncertainty around our political institutions. I recognise the good authority shown by people in OFMDFM in their response to Mr Agnew's Bill.

I also acknowledge what Mr Agnew has done for the children's sector. As he said, this is their Bill. Whilst he is the sponsor, mover and architect in legislative terms, the ambition, need and policy intent in the Bill come from the children's sector, and we need to acknowledge that.

Mr Agnew also acknowledged the work of the Bill Office. It is always the case in the last year of a mandate that the Floor of the Assembly, or of any legislative Chamber in these islands, can get very busy and crowded, and that places particular burdens on the Bill Office. In the event that our institutions continue for the residue of the mandate, that burden on the Bill Office will become more intense, given the current work-to-rule that we experience. Again, we see that there is nobody on the Benches opposite from the Democratic Unionist Party — nobody. The one person who was there earlier has now absented themselves, maybe for good reason — I do not know. In the event that we get through the current negotiations and the institutions continue for their full mandate, the burden on the Bill Office will become more intense. We need to acknowledge that as we move forward.

The policy content of the document has been corroborated and advertised over the last couple of weeks. The Churches in Northern Ireland and DSD gave huge evidence on the

scale of poverty and relative poverty in Northern Ireland, particularly the poverty of our children. In my view, that is the policy background — in fact, the policy foreground — that should surround the Bill because, if we want to have cooperation in children and young people's services, the first task of that cooperation must be to address the objective circumstances experienced by children and young people — children in particular — not least, the scale of relative poverty. That is what DSD confirmed last week.

I make my next point not just in respect of the content of the Bill but in respect of the content of the talks that continue a few hundred yards from here in Stormont House. These figures have relevance to the Bill and to the negotiations, and they should, for reasons that will I make clear in a second, inform both. Just last week, DSD confirmed that, in 2013-14, some 376,000 people in Northern Ireland remained on a relatively low income, with the average household income dropping by 1%. Among the households, 213,000 working-age adults and 63,000 pensioners were living on the breadline. When you probe further into the 376,000 people who are on relatively low incomes, the child poverty figure was 23%, or 101,000 people, which was up from 20% the previous year.

So, according to our Government, according to DSD, child poverty is up from 20% to 23% in a year, with over 100,000 children living in poverty. As one of the children's charities said, that number is expected to rise even further. There was an ambition to get the level of child poverty down over the lifetime of this mandate and up to 2020, yet some of the figures from the Institute of Fiscal Studies (IFS) suggest that relative and absolute child poverty will be above 30% by 2020. Some people dispute some of the figures, but they are all going in the wrong direction, even if you dispute the conclusions drawn from them.

Here we are in 2015, having gone up from 20% to 23% against one of the indicators in the last year, and the evidence indicates that the figures are going in the wrong direction over the next four or five years. That policy content is one of the features that is in the foreground and background of the Bill. It should be in the foreground of the negotiations that are going on a few hundred yards from here.

Quite a number of us are getting weary of the single transferable speech that is coming from the Secretary of State and the Treasury about there being no more money, when we have much more poverty. Whether it is an issue of

money for welfare or more money for work, will the London Government get it into their heads that the ambition of the Bill and tackling the scale of child poverty will be damaged and undermined if they do not fully understand the scale of the issues that we face when it comes to child poverty and the scale of response required to protect those who are in poverty, be they children or families, help the children affected to get work when they grow up and help their parents to get work now?

The London Government need to recognise that we are trying to legislate for our particular circumstances because they are trying to damage our ability to tackle those particular circumstances. The Children's Commissioner, writing in the 'Belfast Telegraph' yesterday said:

"The highest levels of child poverty and mental ill-health are in those areas most impacted upon by the conflict. Our children experience unacceptably high rates of mental ill-health, with more children in Northern Ireland dying through suicide than anywhere else on these islands."

In the talks, it has been the leader of the Ulster Unionist Party who has been making the point about the provision of a mental trauma centre and the needs of our people when it comes to mental trauma, remembering that one in 10 of our people receive incapacity benefits. In Britain, the figure is one in five — no, it is one in 20. I have to correct myself: the scale of people on incapacity benefit here is twice that in Britain, whatever those figures look like. When you interrogate those figures somewhat further, you see that the highest levels of child poverty and mental ill-health are in those areas impacted by the conflict.

Therefore, not only does there have to be a joined-up response from our domestic Government but the London Government need to recognise that, if we are to deal with the trauma of our conflict, including the good proposals that are coming forward in respect of mental trauma, on which I think there is probably unanimity across all the parties in the negotiations, they need to work through that. If they want to help us deal with the legacy of our conflict — they say they do and, today, they have shared with the parties elements of the Bill that is to be tabled in the House of Commons to deal with the past at an institutional level — they also need to recognise that we need to deal with it at a practical level. That includes dealing with the issues of the highest levels of child poverty and mental ill health in areas that have been impacted by the conflict. If we are to deal with our child poverty, we have to deal in

the talks with the emotional stress and difficulties that are being experienced by our children.

To conclude that argument, I want to quote from what the Church leaders said last week. They said:

"The unacceptable level of child poverty, affecting over 100,000 children, roughly 6% of Northern Ireland's population, constitutes a real crisis. Supports that have proved to be effective in recent years in addressing inequality and closing the gap in crucial areas such as educational disadvantage are now being withdrawn through lack of funding. The failure to invest adequately in the future leaders of our society is a cause of deep frustration among young people, leaving many feeling disconnected from political processes."

London should hear that, and the Bill is an effective response to that narrative. By having joined-up government across Departments and putting life on the various clauses of the Bill, you will end up addressing what the Church leaders recognised last week, which, to use their words, is "a real crisis".

I want to make some passing comments on the amendments that have been tabled. Amendment No 1 seeks to introduce a new clause. That is where the Bill defines the well-being of children and young persons and, in that regard, refers to the UN Convention on the Rights of the Child. That is a wise approach: to state in legislation, especially by reference to international codes, what the ambition of that legislation is, in this instance the well-being of children and young persons. That should also be part and parcel of the legislation that was shared with the parties this morning, with respect to international and European standards — the rights under article 2 of the European convention — that are involved in how the legacy mechanism, the HIU, should conduct its affairs. I acknowledge that model of putting the ambition of a Bill into a Bill by reference to international convention, as well as defining the nature of the issue and the challenges as new clause 1 would.

At an earlier stage, the SDLP and I commented on our concern about the words in new clause 1B of:

"so far as is consistent with the proper exercise of its children functions".

I look to the sponsor of the Bill to confirm in his reply that that language does not limit the

intended ambition of the Bill. In anticipation of confirmation that that is not the case and that that is not a word that dilutes or limits the ambition of that particular clause, we will support the clause.

Mr Agnew: Will the Member give way?

Mr Attwood: I will.

Mr Agnew: That is a phrase about which the Committee took its own legal advice or additional scrutiny from Daniel Greenberg. I also met him, and I think that he referred to it as — I am trying to remember his term, but I remember that the word "heffalump" was used. He said that it was an "avoidance heffalump", or something like that. I tried to seek other opinions and got reassurances from other legal opinions that that was normal practice in drafting and not simply a loophole through which a Department could escape. In that regard, I was content. I waited to see whether any other amendments came forward to seek that out. However, I am guessing that, whilst there are concerns about it, people are content that it is normal practice.

12.15 pm

Mr Attwood: Certainly, we are reassured by that. We are also reassured by the fact that people who have been drafting other clauses seem to have been shaping them in an expansive and positive way, which reassures me that other words that might be open to interpretation will not be interpreted in a negative and limited way.

Amendment No 3 inserts a new clause stating:

"The Executive must adopt a strategy".

That is a critical clause, irrespective of the fact that there was a previous strategy. It is critical not least because of the decision of the High Court in July on the failure of FM and dFM to adopt an anti-poverty strategy. The Committee on the Administration of Justice took a judicial review of the conduct of the Office of the First Minister and deputy First Minister on that. Subject to correction, it is my understanding that the argument of the Office of the First Minister and deputy First Minister was that the Programme for Government was an anti-poverty strategy, and that, rather than adopt a dedicated anti-poverty strategy, the Programme for Government was somehow "the" anti-poverty strategy. If I am correct, that argument was rejected by the High Court when it required OFMDFM to adopt an anti-poverty strategy.

Therefore, this new clause, which will shape an anti-poverty strategy and the process around all that, is very important, given that High Court ruling on a related matter.

Amendment No 4 proposes a new clause, and Steven Agnew made the point in his opening contribution that this is the place in the Bill where it moves from process to product. This is a pivotal clause, because whatever legislation says and whatever its ambition might be — there is so much in the Bill that is good — unless there are resources to do the work and there is a pooling of resources, we could end up with limited outcomes or less joined-up outcomes. So, critical to the ambition of the Bill is the implementation of this clause for a pooling of resources. If Departments, especially in times of limited resources, protect and do not pool, the Bill could end up being frustrated.

I also acknowledge amendment No 5, which is on the children and young person's plan, noting that it is not to be moved. This clause on the children and young person's plan provision is where the processes are given dynamism. That is because you can have the best processes, but at the end of that you need the best plans with the best follow-up of resources, including pooled resources. That makes dynamic the ambition of the Bill.

Amendment No 6, which will insert a new clause reporting the operation of the Act, is also critical. I note that it has been said that a report may come forward more often than every three years. It is my view that, in the early life of this new duty, it will have to come forward more regularly, because my experience in government is that there will be a natural resistance to the ambition of this legislation, be it to having a joined-up approach on policy or the pooling of resources in practice. There will be a resistance. If some who may resist think that they have to account only every three years or a Minister thinks that he has to account only every three years, that could, in my view, especially in the early life of these new legislative responsibilities, frustrate what the Bill, its authors and the sector want.

However, subject to all those comments, in the days that are in it when Ministers are in and out, when Members are in and out of the Chamber — I acknowledge that there could be very good reasons in respect of Mr Moutray, so this is not a personal criticism but more of a party criticism in general — this is actually the Assembly showing its good authority, as well as government and government officials showing good authority.

More than anything else, it is the children's sector, on behalf of whom it advocates for, showing the very best of authority. That is why I hope that, even if the Assembly were to go into adjournment, an election or whatever it might be, the Bill gets through all its stages before that day and hour were to come so that, at this time of turbulence, the Assembly shows good authority. If there is to be more turbulence, and I do not believe that there will be, and I trust there will not be, it will perhaps be a willing conclusion to this mandate that, in its latter days, legislation is passed that responds to the human condition and the needs of those who are most vulnerable in our society — children in poverty.

Mr Lyttle: I welcome the opportunity to speak to this stage of the Children's Services Co-operation Bill. The Alliance Party has had a long-standing manifesto commitment to support a statutory duty for Departments to cooperate as part of our commitment to step forward for better government in Northern Ireland. Therefore, I have been glad to support the principles of the Bill to introduce a statutory duty to cooperate on Departments to achieve better outcomes for the well-being of children and young people in society. Indeed, I was glad to engage proactively with the Committee Stage. During it, we gathered a significant amount of evidence to support and progress the Bill to this stage. We welcomed OFMDFM's contribution. It presented a revised draft of the Bill to the Committee. The Committee was broadly content with it, as was the Office of the First Minister and deputy First Minister. It is regrettable therefore that a full, final draft was not presented by OFMDFM, meaning that the Executive did not have a full opportunity to respond to such a draft. It is also regrettable that we do not have full party and ministerial responses to this stage of the Bill. To be honest, I fail to see how a ministerial resignation or a ministerial boycott is doing what is right for Northern Ireland, given the opportunities that we have in the Assembly and at the Executive table to deal collectively with some of the difficult challenges facing society in Northern Ireland, not least to endeavour to improve the outcomes for children and young people. It is not ideal that we do not have that final draft, or for us to be at this stage today, but I appreciate the sponsor of the Bill's desire to see progress made with this important legislation. I am glad that we have an opportunity to respond today.

Improved cooperation is needed on many issues in our society, such as early intervention in health and education and the delivery of a shared and prosperous society, but it is

absolutely required to improve the well-being of children and young people. Cooperation is vital in any Government but perhaps most particularly in a multiparty Executive. We have some positive examples of cooperation in our Executive. Parties may not be surprised to hear me cite the Alliance Party Ministries of the Department of Justice and the Department for Employment and Learning as examples of where work is being done, such as to improve learning outcomes at the Hydebank Wood young offenders' facility. I also recognise the work of the DRD cycling unit, in cooperation with the Department of Health's Public Health Agency, to pool resources to improve the Active School Travel programme. That has had positive active travel outcomes for children and young people.

I welcome the amendments under consideration. Amendment No 1 sets out good, high-level outcomes to be monitored and achieved as part of the Bill. Those are physical and mental health; the enjoyment of play and leisure; learning and achievement; living in safety; economic and environmental well-being; enablement to make a positive contribution to society; and living in a society that respects the rights of children and young people. These are all issues that I have worked on as an Assembly Member and indeed on which I have worked with the proposer, Steven Agnew, on the all-party group on children and young people. Indeed, it has been a pleasure to work closely with the children's sector on all those issues.

I welcome the placement of the UN Convention on the Rights of the Child in the Bill, as other Members have done, and the opportunity that any amendments to those high-level outcomes would require the positive approval of the Assembly and full consultation with it. I welcome therefore amendment No 2, the key amendment to the Bill, on the introduction of the statutory duty to cooperate and the provisions that are being made for all children's authorities to cooperate on the key high-level outcomes.

Amendment No 3 to put the adoption of a children and young persons' strategy in the Bill is also a positive inclusion, as is the provision to ensure that it achieves specific outcomes, has specific actions, and is achieved within specific timescales.

I support amendment No 4 on the sharing of resources and the pooling of funds. Indeed, I have asked a number of questions of OFMDFM to seek updates on work that it has done on children's sector budgeting. That would be a

positive provision in the final law that comes forward.

The proposer of the Bill has said that he is willing to reflect on the provision in amendment No 5. I will therefore do the same if and when it returns at Further Consideration Stage.

Amendment No 6 is a very important amendment, as it ensures robust reporting on progress on the work that would be carried out as part of the new law when it comes forward. There can be no more important task for an Executive than to report to the public on whether they are achieving what they said they would achieve. We could improve drastically the Executive's reporting on the Programme for Government in general. I am glad that such specific reporting mechanisms for children and young people are being included in the Bill.

The other amendments are all positive. With regard to amendment No 8's definition of the age of children and young people, I think that it is important that we appear to have provision for that age to be stretched to up to 21 years under particular categories. One particular piece of evidence that was given at Committee Stage was that the transitional period between the ages of 18 and 21 and 23 and 25 can be extremely important for some of the most vulnerable children and young people in our community. I welcome the provision in the Bill of a duty to cooperate on those key age groups.

In conclusion, it is absolutely essential that the Assembly require the Executive to coordinate services and maximise resources as effectively as possible, particularly on behalf of children and young people in our community. We have heard stark warnings from the Institute for Fiscal Studies, the UN and, today, in statistics that have been presented by DSD on the growing issue of child poverty. The UN has warned that the failure to achieve positive outcomes for children is one of the most costly mistakes that this society can make. I certainly hope that the Bill will go some way to ensure that we do not make that mistake in Northern Ireland and that we can deliver for children and young people.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak on what I believe is a very transformative Bill, like Daithí McKay's private Member's Bill on the plastic bag levy, which had a transformative effect on the environment, society's use of plastic bags, and its approach to recycling.

This Bill will hopefully have a very transformative effect on the delivery of children's services right across Government, so I congratulate Steven Agnew for bringing it forward.

12.30 pm

I think that this is a great win for the children and young person's sector and, indeed, for the working of the OFMDFM Committee. Mike Nesbitt, the Committee Chair, outlined some of the work that it has done to date on reporting and working through a variety of issues. Coming to the Bill recently, I have looked through a lot of the reporting and some of the work done by the OFMDFM Committee. It is quite clear that the stakeholders out there and the sector have big things to say, and they are unanimous in their approach to this.

The Health and Social Care Board has said that more can be done when it comes to cooperation. NSPCC said:

"where a policy issue crosses several government departments and their remits, it becomes increasingly difficult to progress in terms of determining leadership and priority."

NILGA said that much work needs to be done to overcome the silo approach to work towards a single outcome. The Commissioner for Children and Young People talked at great lengths right throughout all the reports about the extent of the barriers that are there for children and children's services.

At the heart of the issue, it is about putting children and their rights first. For too long, government processes have focused on the interests of institutions at the expense of the rights of the child. I think that the ongoing education reforms such as the upcoming Special Educational Needs and Disability Bill, coupled with this private Member's Bill, are crucial in finally giving children and young people a say in their own personal journey and in that of all children and young people in our society.

For too long, the management and configuration of vital services such as health and education have not taken into account the need to strategically plan, deliver and evaluate to meet the needs of all the children and young people in our society. Like much of what government does, that silo mentality of Departments and their agencies has remained an incorrigible barrier to progress and has,

undoubtedly, lead to a huge duplication of services in recent decades. With the ever-increasing pressures on the public purse, there is a real and urgent need to explore ways in which we can collaborate between Departments and deliver across agencies, and I think that the Bill does that. It is wrong, of course, to suggest that relationships and sharing have not developed extensively in recent times, but I think that we have reached the point of solidifying those partnerships and putting concrete expectations in place to build upon the good practice that has, indeed, flourished.

I now turn to the amendments. It is fair to say that amendment No 1 captures the spirit and the intent of the Bill. It really focuses upon the centrality of the child. I think that it is hugely welcome to see the link with the UN Convention on the Rights of the Child. That is a very welcome step. As has been outlined already, far too often, institutions neglect the fact that children are rights-bearers. They are the ones who bear the rights in this regard. Bringing that into the Bill is a very welcome step indeed.

If amendment No 1 captures the spirit of the Bill, it is fair to say that amendment No 2 goes to the very heart of the issue. Moving from this permissive notion of cooperation to requiring collaboration between Departments is, I think, going to be a very transformative step indeed. It is going to be a real game changer, and I think that all the stakeholders will, indeed, welcome it.

Again, having a children and young person's strategy in amendment No 3 is to be welcomed. One of the most important parts — we have seen this again in the Committee for Education's deliberations on special educational needs — is about consulting children. We must start to put the child right at the centre of everything that we do, and this amendment certainly looks at that.

Again, continuing on from the analogy about the spirit and the heart, I think that amendment No 4 will be the engine for real change when it comes to sharing resources and pooling funds. No doubt, yes, it is important that we get a more efficient use of public funds, but I think that what is vital here is a realisation of the hopes of many families when it comes to the services for their children. That will be a catalyst for real and welcome reform in Government and will build upon the good practice. We see it with Delivering Social Change programmes, and this development can undoubtedly make a real difference to children and their families.

I came across an issue in my constituency lately when it came to meeting the special educational needs of a particular child. Along one road in the Mourne area, one education authority said that it would fully cost and meet the needs of a child with autism, and at the other end of that road, a different education authority said that it would not meet the needs and the family would have to pay to meet the needs. That was an absolutely disgraceful situation, but it has now been remedied, of course, with the establishment of the Education Authority. However, it highlights the need for Departments and their agencies to work together. No family should ever have to go through such a circumstance. Again, the outworkings of the Bill will give us a great opportunity to relegate those sorts of stories to the past.

I welcome the fact that amendment No 5 will not be moved. That gives us time to bridge the gaps and work in partnership going forward. Amendment No 6 is the last amendment that I will touch on. When it comes to reporting, quality rather than quantity is important. I would like an innovative and diverse approach as to how we report and come back. From government, we also need a rich diversity in how we use the information that is gathered. This has the scope to do that. I will not touch on amendment Nos 7 and 8.

In conclusion, this is a well-deserved win for all those who work in the children and young persons' sector. As I outlined, not only is it a real game changer for children and young people, but, if done right, it will provide a template across government for how best practice can be rolled out. I have no doubt that the issues that we have dealt with today will inspire those people who work in the sector and result in a great improvement. It is about rolling it out. There is no reason why this model cannot help us to tackle environmental issues, the need to build a more socially just economy and issues to do with education in a more holistic and joined-up way. Overall, I welcome the Bill and call on all parties to support the amendments and continue working in a partnership approach that befits the very nature of what we are discussing today.

Mrs Overend: I commend Mr Agnew for getting the Bill to Consideration Stage. It has noble aims and worthy objectives behind it. Although I am not a member of the OFMDFM Committee, which scrutinised the Bill, as the Ulster Unionist spokesperson for children and young people, I have a keen interest in this legislation.

The Bill, as Mr Agnew pointed out, is for the benefit of all children in Northern Ireland. Its purpose is to increase the efficiency of service through effective cooperation and to ensure better outcomes for children and young people in Northern Ireland. The lack of cooperation and joined-up government has been detrimental to the people of Northern Ireland time and time again, but, with issues relating to children, failings in their early years have the potential to have an effect on the rest of their lives.

My party colleague Mike Nesbitt has spoken before of the silo mentality in government, as have a number of those who gave evidence to the OFMDFM Committee on the Bill. The ability to cut across Departments and work horizontally is essential for effective policy delivery, and, at present, there is a concerning lack of this type of cooperation. When Dr Alison Montgomery of NICCY gave evidence on the Bill to the OFMDFM Committee, she said:

"children cannot divide their needs across Departments as we currently have them."

Indeed, the Commissioner for Children and Young People noted that, not having a duty to cooperate:

"has thwarted the full realisation of children's rights and effective services."

As a constituency MLA, I have been dealing with numerous cases in which children are experiencing difficulties in getting education and health authorities to take action and deliver the care to which they are entitled. I am sure that other MLAs are experiencing that in their own daily work. We have many powerful examples of how Departments, when left to their own devices, can often revert to the instinct of seeking to pass the buck to others, hoping that a problem will go away. Likewise, in my pursuit of the development of a cross-departmental Internet safety strategy, I know only too well, unfortunately, how such an important issue can be dealt with like a hot potato. These attitudes are exactly why I am particularly drawn to the intent of the Bill to ensure:

"Each Northern Ireland department must cooperate with the other Northern Ireland departments so as to further the achievement of specified outcomes".

The consultation on the Bill received overwhelming support, and I understand that the vast majority of the amendments received broad support prior to being moved today. I welcome that and the groundwork done by Mr

Agnew. The Bill is aimed at all children, and, in essence, it is hoped that it will be a preventative mechanism. It is about creating a culture of cooperation so that all Departments have a role, and all children benefit from the very beginning of their lives. This is a forward-thinking idea, but the question is whether legislation is needed to create this culture. If so, will this proposed legislation be effective? The problem, which has been noted time and time again, is the silo mentality of our Departments.

Will this legislation, if enacted, provide the basis for a better system of cooperation between Departments? It is difficult to say, especially without clearly set out sanctions outside that of judicial review, although that seems to be the only reasonable and appropriate sanction available.

The original Bill sought to put into legislation the Government's six high-level outcomes from their children's strategy and establish a requirement for Departments to discharge their functions and cooperate to further the achievements of those outcomes. The Bill, as amended, focuses more on a legal definition of the well-being of children and young people. At the very least, the Bill would, in its current state, create a floor of cooperation below which Departments must not fall.

The children and young people strategy, guidance on reports on the operation of the Act and the guidance available to children's authorities from OFMDFM should provide clarity to bodies that are to cooperate and ensure effective work towards positive outcomes. I look forward to further amendments to the plan, as per amendment No 5, which I believe is not being moved. However, I am slightly concerned at the phrase in amendment No 2:

"The Executive must make arrangements to promote co-operation of the kind mentioned in subsection (1)".

That was discussed in Committee, and it was noted that using the word "promote" rather than "advance" or "achieve" was easier to measure. However, as with DETI in recent years, where many jobs have been promoted but fewer realised, that could harm the efficacy of the proposals. The flexibility permitted by the Bill would allow areas of weakness and ineffective plans and strategies to be amended, with proper oversight from the Assembly. That seems to strike the right balance.

Permitting the pooling of funding and sharing of other resources, although not legal

requirements in the Bill, would allow a flexible method of cooperation. Mr Agnew spoke of his hope that through the required departmental cooperation, the pooling of resources will happen organically. That is a vital aspect of the Bill, and a lot rests on the successful pooling of resources to ensure not only efficiency savings in the long run but the effective implementation of strategies to improve outcomes for children and young people. That will be the true test of these proposals.

It is important that cross-departmental work is successful, not only across Ministers but across government officials and workers in various Departments. We need this, and the Bill has the right tools to ensure effective delivery. We will support it, and it will be up to all parties in the Executive to use it to the benefit of the people of Northern Ireland.

Mr Beggs: I declare an interest. I am the chair of the Carrickfergus children and young people's locality group, which works with a range of government agencies and the voluntary sector. The group feeds into the Northern Ireland Children and Young People's Strategic Partnership. I am a committee member of Horizon Sure Start, which tries to assist expectant mothers and parents with children of nought-to-four years. I am also a Boys' Brigade officer and a governor of Glynn Primary School. I have a general interest in this area and feel that it is very important.

I am minded of information that I received about Professor James Heckman and the importance of investing in the young. I see that the Bill tries to avoid duplication. The amendments require cooperation and aim to get better value for money. In that, I support the Bill and the amendments to it. We must not only invest more in the young but make better use of the money that we invest.

I thank Steven for his efforts. The Bill is the right direction of travel, and Mr Agnew's detailed engagement with officials and the Committee have helped to refine it.

I can see, in his amendments, that he is still trying to achieve the original objectives but perhaps in a more practical and workable fashion by altering the wording.

12.45 pm

I will turn to amendment No 1. The idea of trying to improve children's well-being is important, and we must look at a wide range of activities. I note that new clause 1A(3) states:

"In determining the meaning of well-being for the purposes of this Act, regard is to be had to any relevant provision of the United Nations Convention on the Rights of the Child".

I think that that is the correct wording. Regard has to be given to them, but we should not necessarily slavishly follow everything that is there. I am content with that wording. If there is international good practice, we should try to follow it, but we should not follow everything slavishly. We have to satisfy ourselves that it makes sense.

I will turn to amendment No 2, which requires cooperation between different authorities that are working with children and young people. This is essential, and, in my previous experience of working in this area, I have come across some quite surprising things. Originally, I got drawn into educational underachievement not through the Department of Education but, believe it or not, through the Northern Health and Social Services Board's children and young people's planning section, which was concerned with levels of exclusion, suspensions and, indeed, absenteeism in parts of my constituency. It was very surprising that the Department of Health was appreciating the long-term adverse effect that this could have on children and young people and the frequent need for a range of services and support, not just the school, to intervene, and the need for a wide variety of bodies to work in a coordinated fashion.

There are a range of interventions that public bodies can make when families get into crisis. That crisis is sometimes shown by a child's behaviour and perhaps lack of attendance at school, but there can be involvement from social services, the Department of Health, the Education Welfare Service and the Department of Justice.

It is very important that you do not have a wide variety of engagements, because, potentially, you will not have a consistent message or may have several people engaging with an individual. This does not bring about the best results. Generally, in my experience, it is important that there is coordinated working between the range of officials who are trying to assist a family and that someone takes the lead and coordinates all the information required to bring about the best outcomes. I agree that there is a need for close working between all the Departments and that this is an important method of direction.

Some of that engagement can bring about very dramatic improvements in the short term and in the long term. Through the Action for Children Choices programme, engagement with families in which children were seen to be at risk of offending brought about dramatic improvements in the family situation. Additional parenting skills were given, boundaries were given, consistent parenting became much better and children's attendance at school once again improved. It is important that that type of work continues in a coordinated fashion, not through multiple government officials but in an efficient way that brings about the best outcome.

I am generally content with the remainder of the amendments. I, too, welcome the Member's decision not to press amendment No 5 at this stage. If practical discussions are needed to further refine it, to try to bring about improvement and to enable it to cross the line, that is a wise decision. I hope that the time between this stage of the Bill and the next stage will not be too long and that it can be finalised and come into statute.

Mr Deputy Speaker (Mr Dallat): I call Mr John McCallister. I inform the Member that, if his contribution extends beyond 1.00 pm, I will have to interrupt him for the Business Committee, which meets at that time.

Mr McCallister: Thank you, Deputy Speaker. Normally, when people assure the House that they are not going to take long, they usually go on and do exactly that. I think that, on this occasion, I can say with some degree of certainty that I will not take long.

First, I congratulate Mr Agnew on the work that he has put into the Bill and for the engagement generally around getting the Bill to this stage. I welcome, of course, some of the change in direction that the Bill has taken during its Committee Stage that is coming out here at Consideration Stage. I have a few points that may be useful, and I apologise for not being able to stay for the first part of Mr Agnew's winding-up speech. I note the references to "economic and environmental well-being" and:

"the making by them of a positive contribution to society".

I am slightly concerned how government would measure such a thing. I welcome the reference to:

"the enjoyment of play and leisure".

It is no secret that I have long been an advocate of the councils, particularly with their new powers of community planning, all developing a play park strategy. I would like to see much more emphasis on the importance of that and local government trying to deliver. I am a little concerned about how those aims would be measured, and I would like some ideas from Mr Agnew on how he sees that. Are we creating something in legislation that, quite frankly, we may not ever be able to achieve, as laudable as the goal and the anticipation of it might be?

I, like Mr Beggs, welcome the Member's not moving amendment No 5, which is to insert a new clause. It will be interesting to see at Further Consideration Stage what the work that he has done on that has developed into and what it looks like.

I think that the Chair of the Committee made a point about the lack of sanctions, and that is a worry to me, given the nature of our government and how good it is at delivering on things. Do we need to look at and seriously think about whether we build in some form of sanction if government does not measure up to this? Almost the only recourse available is taking Departments to court to try to exercise that. Is there some other sanction or mechanism that we can use?

On the broader policy debate that we have had around the amendments to the Bill in this Consideration Stage, I think that, as Mr Agnew touched on in his opening remarks, there is a huge onus on how this place does its business and the actual ability of an Executive to formulate an agreed policy agenda. There is an onus and an emphasis on political parties to come up with agreed policy agendas and not always be passing the buck. I have heard others, including Mr Attwood, who talked about child poverty figures, always looking to London and blaming what is happening there and what other Governments are doing, sometimes forgetting that he is in a party that is in the Government. It is incumbent on all those who hold office in the Executive arm of the Assembly to formulate agreed Government policy to tackle the very issues that Mr Agnew wants to see tackled and that his Bill is driving to do through having a collective approach to dealing with children and young people's issues and services. It is about how best to get those innovative policy advancements, instead of always cutting those services at the very times we need them the most. Many of us speak about early interventions, but we do not seem to be able to deliver them.

I wish Mr Agnew well on the passage of the Bill at this stage. I will certainly be voting in support of him and his advice on these amendments.

Mr Deputy Speaker (Mr Dallat): The Business Committee has arranged to meet at 1.00 pm. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm.

The debate stood suspended.

The sitting was suspended at 12.56 pm.

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

2.00 pm

Notice taken that 10 Members were not present.

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

Upon 10 Members being present —

Oral Answers to Questions

Mr Principal Deputy Speaker: As the Speaker announced yesterday, the Minister for Social Development and the Minister for Regional Development resigned their positions on Thursday 24 September. The positions remain vacant, so, in accordance with Assembly convention, questions listed for oral answer will fall. I advise Members that, until Ministers are appointed, questions for written answer will not be accepted. Unanswered questions submitted before the Ministers' resignation will be answered when the vacancies have been filled.

Assembly Business

Suspension of Standing Order 20(1)

Mr Dickson: I beg to move

That Standing Order 20(1) be suspended for 29 September 2015.

It is with protest that I moved the motion. The failure of Ministers to be here for the job that they are paid to do is nothing short of a disgrace.

Mr Principal Deputy Speaker: Before we proceed to the Question, I remind Members that the motion requires cross-community support.

Question put and agreed to.

Resolved (with cross-community support):

That Standing Order 20(1) be suspended for 29 September 2015.

Mr Principal Deputy Speaker: We will now return to the debate.

Private Members' Business

Children's Services Co-operation Bill: Consideration Stage

Debate resumed on Question, That clause 1 stand part of the Bill.

The following amendments stood on the Marshalled List: Amendment Nos 1 to 10

Mr Agnew: I thank all the Members who contributed to today's debate. I believe that the spirit of the debate so far has reflected the process involved in getting the Bill to this stage. It has been cooperative and constructive. I will speak to some of the comments made on each of the amendments and conclude by reflecting on some Members' contributions.

On amendment No 1, there was a broad welcome for the inclusion of regard being paid to the United Nations Convention on the Rights of the Child (UNCRC) in defining "well-being", particularly from Megan Fearon and Alex Attwood. Roy Beggs welcomed the language of "regard is to be had" and made the point that regard should be paid to the UNCRC rather than it be slavishly followed. That having been said, he welcomed the benefit that regard being had to the UNCRC could bring and said that, where we can look internationally for best practice, we should do that.

The only concern raised about amendment No 1 was how we measure the outcomes. That was raised by John McCallister, who made specific reference to measuring the economic and environmental well-being of children and whether they are positively contributing to society.

Throughout my research on the Bill on measuring outcomes, we looked a lot at the UK Children Act 2004, which had similar high-level

outcomes enshrined in it. By their very nature, they are difficult outcomes to measure, particularly when you are looking at outcomes for children and generational outcomes and changes. So the measurement, even in the research of a historical piece of legislation such as the 2004 Act is, to some extent inconclusive, although many indicators are used. However, the outcomes are those used in the 10-year strategy for children and young people. They are outcomes that Departments are used to assessing, and, in that regard, they do not deviate from work that is already being done in Departments. So, whilst I do not think that you can definitively answer questions about outcomes, you can measure indicators as to whether travel is in the right direction, and that is how I anticipate the reporting of those outcomes taking place.

I turn to amendment No 2. The Chair of the Committee, Mike Nesbitt, raised the issue as to whether the Executive requirement to "promote co-operation" was sufficient and whether the term "advance" would perhaps be stronger. I said in my opening comments that I was content with the language because it is an absolute requirement on children's authorities to cooperate: the word is "must". The promotion of cooperation by the Executive was additional to wording that was in the original draft of the Bill, so, in that regard, I support it because it went further than the original Bill. That said, however, now that the issue has been raised by stakeholders, I will seek advice on whether the term "advance" would further the aims of the Bill.

One of the things that I have learnt through this process is that, sometimes, words that we use in everyday language that seem strong may not have much legal meaning. That is something that I will investigate, and, if necessary, I will bring an amendment if the advice is that that would indeed make the Bill stronger. That said, I am relaxed about the wording and echo the comments that Alex Attwood made. The constructive nature by which the Office of the First and deputy First Minister engaged with the Bill makes me think that the language that has come from the Department is there to assist rather than somehow to escape responsibility.

Similar to that point — indeed, I think that it was in reference to this point that Alex Attwood talked about the genuine spirit of the work of the Department — the question was asked about the phrase:

"so far as is consistent with the proper exercise of their functions"

in relation to the statutory duty to cooperate. Again, that was a phrase that I interrogated. I think that I made reference in the opening remarks that it was Daniel Greenberg who described that as an "avoidance heffalump".

What it came down to when I interrogated this was different styles of drafting and different opinions. I sought a number of opinions, and it is not unusual language. I did not find examples where Departments had used this type of language to avoid their responsibilities. In the absence of evidence of harm from this sort of language, I am relaxed about its usage. I am content, in that regard, and I think that Mr Attwood was content when I intervened and explained my position.

Both Megan Fearon and Chris Lyttle highlighted that amendment No 2 is key to the Bill. It absolutely underpins the purpose of the Bill; it is about cooperation, and that was the purpose of the Bill when I set out on this journey.

Amendment No 2 being the latest draft or the latest iteration of that purpose, I absolutely think that it is essential that the Assembly supports that today in the Bill going forward.

On amendment No 3, Megan Fearon highlighted the need, not just to consult with children, but to ensure that different socio-economic backgrounds were captured in any consultation. I think that is right. Whilst this is a Bill about children and, I suppose, about age, I think it is important that we do look at socio-economic background and that we do not just consult those who may seem easiest to reach or most able, but actually seek to engage those who might otherwise be seen as marginalised in society. I think that it was a point well made.

On amendment No 4, Alex Attwood described the pooling of resources as taking the Bill from one of process to one of product, and I liked that phrasing, because to me it is an essential part of the journey. The research that I did around this — and there was a great piece of guidance from the Department of Communities in the UK on the pooling of resources — showed that aligned budgets were what took place before the culture of true cooperation really happened. First, the Departments, agencies or whatever it might be would hold their own budgets but work together, but, in the natural course of trust and cooperation, pooled budgets would be the outcome and, indeed, the most effective measure. If we look at some of the evidence of the Children Act 2004 in England, which contained the statutory duty that inspired a large part of this Bill, the evidence in England is that, where cooperative

working and integrated services take place, they are a more efficient use of resources, meaning more money gets to those who need it, meaning better outcomes in the long term.

On amendment No 5, there was a welcome throughout the House for delay and the desire to get this right. I hope, with the contributions made around amendment No 5, that there is a willingness to continue the work on this clause. As I say, the time frame will be weeks, rather than months, because this Bill does need to progress, but I think that, if there is a will, there is a way. I think that we are close to the end product, and I hope that, by Further Consideration Stage, we can achieve that end product and get an amendment that receives unanimous support.

On amendment No 6, the Chair of the Committee suggested that the report did not include outcomes, just cooperation. I draw the Member's attention — I appreciate that he may be drawn elsewhere in the closing stages of the debate — but, for the record, in amendment No 6, new clause 4B(3)(b) does say that the report must include statements on:

"what progress has been made towards achieving those outcomes, or the extent to which they have been achieved".

While the Chair was right to draw attention to the importance of measuring outcomes and reporting on outcomes, I do believe that it is sufficiently contained in the Bill, but, if that in any way can be strengthened, I am certainly open to looking at that.

A number of Members throughout the process raised the question of how regularly reporting should take place: whether it should be annual, whether it should be every three years, every two years, or what it might be. I know that, in discussions with some of the stakeholders, there was a contentment that, within the children's plan, there would be an annual review, and that, alongside the three-year reporting on the overall statutory duty to cooperate in the children's strategy, this may be sufficient. I make note, however, of Mr Attwood's point that perhaps if this legislation is passed and there is a feeling that nothing needs to take place — well, no reporting — for three years, there may be less urgency than otherwise might be the case. I think that would be something that I would be willing to look at, even if, perhaps, it is an initial report after one or two years, with maybe reporting every three years. What I do not want to happen — there was a lot of concern about this at Second Stage and Committee Stage — is for the Bill to

become overly bureaucratic and for Departments to spend more time reporting on how they are cooperating than actually cooperating. I have sought to find a balance, but perhaps the initial impetus is that there is something that could be looked at to ensure that the urgency of the Bill is not lost in a reporting time frame that may allow too much time to come to terms with it.

2.15 pm

The Chair of the Committee mentioned an issue that was raised by stakeholders: whether there should be an independent report on the Bill's effectiveness. I have looked at the issue, as I told the Committee that I would. I did not find a great desire for the Bill to include a requirement for an independent report, but it was pointed out that it was well within the powers and remit of the Children's Commissioner to produce such a report. That ability is already there, and, when I spoke to the commissioner, I got the impression that the commission is keen to produce a report on the Bill alongside that of the Department rather than instead of it. The present commissioner and previous commissioner have both been very supportive of the Bill. The commission has produced research that points to the need for a statutory duty to cooperate. There is a feeling that, if the requirement to report is taken away from the Department, it might have the unintended consequence of taking away the desire to put the Bill's requirements in place.

I believe that those were the main comments on specific clauses. However, I will touch briefly on points that were made that I thought added positively to the debate. Alex Attwood highlighted child poverty rates in Northern Ireland. While the Bill is not specifically about child poverty, it has the ambition of helping in strategies to combat child poverty, ensuring that the child poverty strategy is joined up and that Departments work to tackle the issue in a joined-up fashion. It was worth highlighting because while the drafting of the Bill is about process, its ambition is about changing children's lives for the better and reducing the wasted opportunities and potential that might arise from a lack of support for some of the children who are in need in our society. I thought that highlighting the failures of governance on child poverty was beneficial.

Mr Attwood referred to the Scottish model and Scotland's more integrated approach. I took time to meet the Scottish Minister, Aileen Campbell, and to hear about the work of the Children and Young People (Scotland) Act 2014. It very much follows the approach of a

statutory duty to cooperate. In that regard, Northern Ireland, in introducing this Bill, would be following a similar track to that taken by England in 2004 and Scotland more recently.

Although I think that he was speaking as an Alliance Party member, the Deputy Chair of the Committee, Chris Lyttle, lamented the lack of ministerial response. Although I am saddened by that, I will not get into the wider politics too much because my focus is on getting the Bill passed, but, because there has been so much constructive work by OFMDFM and the other Departments in engaging with the Bill, it would have been good, as a private Member and a Back-Bencher, to have been standing alongside the junior Ministers in bringing forward the Bill and the amendments, because they and their office have worked constructively on it.

As I said, I felt that it was more important to progress the Bill than to worry too much about the choreography. I hope that, in my contributions, I have given credit where it is due — to all stakeholders. Whilst, in title, this is a private Member's Bill from Steven Agnew, it is very much a collaborative Bill with stakeholders, including OFMDFM, the other Departments, the Committee and the children's sector.

Chris Lyttle referred to the work of the all-party group for children and young people, the secretariat of which is provided by Children in Northern Ireland. The genesis of the Bill emerged from that all-party group, and I pay tribute to Chris Lyttle's chairing of it. I pay tribute, too, to another contributor, Roy Beggs, who chaired the group when I was a researcher for Brian Wilson and sat on the group representing him. That is where these ideas were kicked around. The group, under Mr Beggs's chairmanship, took the issue to the then junior Ministers and has raised it consistently. I am delighted that the Bill has come to the Chamber and is receiving the support that I believe it deserves. I further congratulate Chris Lyttle on his work on children's budgeting. He referred to, I think, a UN comment — the failure to achieve positive outcomes for children is one of our greatest mistakes — and I think that that is right. I have talked about wasted opportunity and wasted potential, and that is the result when government structures fail children. The reverse of that is getting it right and making a real difference to the lives of children to help them to maximise their potential, realise their opportunities and tackle the disadvantage that comes from poverty and other societal issues.

Chris Hazzard referred to the extent of the silo mentality in government and to the report on

barriers to effective governance by the Children's Commissioner. One of its conclusions was that we needed a statutory duty to cooperate. In introducing the Bill, I came forward with an idea that had the backing of the sector, that emerged from the sector and on which the sector had produced significant research. Barriers to effective governance was just one piece of research conducted by Queen's and commissioned by the Children's Commissioner that pointed to that.

I welcome Sandra Overend's comments as UUP spokesperson for children, and I welcome her work. There was a reference to the work of the Assembly, not just the Executive, and the work that private Members, including Mrs Overend, do on child protection and Internet safety. When we take the Bill, along with her work and the work on children's budgeting that Chris Lyttle is engaged in, we see an Assembly that is interested in children's issues and seeks to make progress on improving outcomes. That constructive relationship between the Assembly and the Executive can only be a good thing.

Roy Beggs referred to the work of Professor Heckman, and that, too, underpins what the Bill is about. If we get the processes and the vehicles for delivery right, we can intervene earlier and more effectively. We have the research and the evidence: invest early and you get better outcomes. Whether it is health, justice, education or employment, it is for the betterment of society to invest in the early years of a child's development. If we put in the support then, we could avoid many of the problems that dog our society, whether that is poverty, crime or educational underachievement.

Another criticism of the Bill that came from both the Chair of the Committee and Mr McCallister was on the lack of sanctions. That is something that I looked at. I looked across legislation, and, whilst I can understand the compulsion to have some sort of punitive sanction in there, I was at a loss to find any good examples. How do we put a punishment on the Executive or even individual Departments in legislation? Do we fine them? If it is a fine on the Executive, the Executive do not promote cooperation. Who fines the Executive? What are we fining, and how does it help? Why would we fine Departments? Where would the money go? What is the incentive?

Looking through legislation, I think that judicial review is the normal mechanism of sanction. It is legal action. Whilst it might not be ideal, short of any alternative proposals coming forward, I was at a loss as to how I could put

sanctions into the Bill that would be constructive and beneficial in achieving the proposals contained in the Bill. I am sympathetic to those, like me, who want the Bill to be as strong as it can be, but I think the accountability of reporting, the accountability to the Assembly, the accountability to Committees and the accountability to the public — indeed, I referred to the powers of the Children's Commission — are, in the first instance, what the Departments will pay regard to. However, the threat of judicial review is not a minor threat. It is one that Departments are mindful of, and it is, in that regard, a useful tool for holding Departments to account.

To conclude, I thank all Members for their contributions. I specifically thank Children in Northern Ireland and its membership, the Children's Commissioner and her team and, indeed, the Children's Law Centre, all of which have been working for, calling for and driving the calls for this legislation or something similar to it. I know that there will be many watching: I hope they feel that the Assembly has listened, that we have stepped up and that we will take action to end the waste that is created by duplication and end the wasted opportunities and potential that poverty and the other consequences of lack of support for children and families create. I hope that, with the Bill, we can achieve better outcomes for children in Northern Ireland.

Mr Principal Deputy Speaker: Before I put the Question, I remind Members that we have debated Mr Agnew's opposition to clause 1, but the Question will be put in the positive as usual. Members will also note that clause 1 is mutually exclusive with amendment No 1.

Question put and negatived.

Clause 1 disagreed to.

New Clause

Amendment No 1 made:

After clause 1 insert

"Well-being of children and young persons

1A.—(1) *The functions conferred by this Act are to be exercised for the purpose of improving the well-being of children and young persons.*

(2) *For this purpose the "well-being" of children and young persons includes—*

- (a) *physical and mental health;*
- (b) *the enjoyment of play and leisure;*
- (c) *learning and achievement;*
- (d) *living in safety and with stability;*
- (e) *economic and environmental well-being;*
- (f) *the making by them of a positive contribution to society;*
- (g) *living in a society which respects their rights.*

(3) *In determining the meaning of well-being for the purposes of this Act, regard is to be had to any relevant provision of the United Nations Convention on the Rights of the Child (which is to say, the Convention of that name adopted by General Assembly resolution 44/25 of 20 November 1989).*

(4) *The Office of the First Minister and deputy First Minister may by regulations make such amendments to subsection (2) as it thinks appropriate.*

(5) *Regulations must not be made under subsection (4) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly."— [Mr Agnew.]*

New clause ordered to stand part of the Bill.

New Clause

Amendment No 2 made:

After clause 1 insert

"Co-operation to improve well-being

1B.—(1) *Every children's authority must, so far as is consistent with the proper exercise of its children functions, co-operate with other children's authorities and with other children's service providers in the exercise of those functions.*

(2) *The Executive must make arrangements to promote co-operation of the kind mentioned in subsection (1).*

(3) *Every children's authority must co-operate with the Executive in the making of the arrangements mentioned in subsection (2).*

(4) "Children functions" are any functions which may contribute to the well-being of children and young persons."— [Mr Agnew.]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 3 made:

After clause 1 insert

"Children and young persons strategy

1C.—(1) The Executive must adopt a strategy (the "children and young persons strategy") setting out how it proposes to improve the well-being of children and young persons.

(2) The strategy must in particular set out—

(a) what outcomes the Executive intends should be achieved for that purpose;

(b) what actions will be taken by Northern Ireland departments (among others) for the purpose of achieving those outcomes;

(c) how it will be determined whether, and to what extent, the outcomes have been achieved.

(3) The strategy must state the period within which it is intended that the outcomes should be achieved (the "lifetime" of the strategy).

(4) Before adopting the strategy, the Executive must consult—

(a) children and young persons,

(b) parents and guardians of children and young persons,

(c) such persons representing the views and interests of children and young persons as the Executive thinks appropriate, and

(d) such other persons as the Executive thinks appropriate.

(5) The Executive may—

(a) revise or replace the strategy if the Executive is satisfied that changes in circumstances justify doing so;

(b) amend the strategy by extending its lifetime.

(6) The Executive must—

(a) lay the strategy, and any revisions to it, before the Assembly, and

(b) publish it, and any revisions, in such other manner as the Executive thinks appropriate.

(7) At the end of the lifetime of the strategy, the Executive must adopt a new one.

(8) Subsections (2) to (7) apply to any new strategy."— [Mr Agnew.]

New clause ordered to stand part of the Bill.

Clause 2 (Co-operation report)

Mr Principal Deputy Speaker: Clause 2 is mutually exclusive with amendment No 6. I remind Members that we have debated Mr Agnew's opposition to clause 2. The Question will be put in the positive, as usual.

Clause 2 disagreed to.

Clause 3 (Sharing resources and pooling funds)

Mr Principal Deputy Speaker: Clause 3 is mutually exclusive with amendment No 4.

Clause 3 disagreed to.

New Clause

Amendment No 4 made:

After clause 3 insert

"Sharing of resources and pooling of funds

3A.—(1) This section applies to a children's authority for the purposes of exercising any functions in accordance with arrangements under section 1B (co-operation).

(2) For those purposes, a children's authority may—

(a) provide staff, goods, services, accommodation or other resources to another children's authority;

(b) make contributions to a fund out of which relevant payments may be made.

(3) A "relevant payment" is a payment in respect of expenditure incurred, by a children's authority contributing to the fund, in the exercise of its functions."— [Mr Agnew.]

New clause ordered to stand part of the Bill.

Clause 4 (Amendment of the Children (Northern Ireland) Order 1995)

Mr Principal Deputy Speaker: Clause 4 is mutually exclusive with amendment No 5.

Clause 4 disagreed to.

New Clause

Amendment No 5 not moved.

New Clause

Mr Principal Deputy Speaker: Amendment No 6 is consequential to amendment Nos 3 to 5.

Amendment No 6 made:

After clause 4 insert

"Report on the operation of this Act

4B.—(1) For each reporting period, the Executive must prepare a report on the operation of this Act.

(2) The reporting period is—

(a) for the first report prepared after the adoption of a strategy, the period since its adoption;

(b) in any other case, the period since the preparation of the preceding report under this section.

(3) The report must include statements on the following matters, so far as relating to the reporting period—

(a) what actions have been taken by the Executive, and Northern Ireland departments, for the purpose of achieving the outcomes set out in the children and young persons strategy;

(b) what progress has been made towards achieving those outcomes, or the extent to which they have been achieved;

(c) how children's authorities and other children's service providers have co-operated with each other in the provision of children's services;

(d) how children's authorities have exercised the powers conferred by section 3A;

(e) how the well-being of children and young persons has improved.

(4) The report must also identify—

(a) any further opportunities for co-operation between children's authorities and other children's service providers that could help to achieve the outcomes set out in the strategy,

(b) any other ways in which the well-being of children and young persons could be improved, and

(c) any ways in which the children and young persons strategy might be revised in order to contribute to those improvements.

(5) The Executive must prepare a report under this section—

(a) not more than 3 years after the date on which it adopted a children and young person's strategy,

(b) thereafter, during the lifetime of that strategy, at intervals of not more than 3 years, and

(c) at the end of the lifetime of a strategy.

(6) But subsection (5)(c) does not apply if a report was prepared under this section less than 6 months before the end of the lifetime of the strategy.

(7) Children's authorities must co-operate with the Executive in the preparation of a report under this section.

(8) The Executive must—

(a) lay the report before the Assembly, and

(b) publish it in such other manner as the Executive thinks appropriate."— [Mr Agnew.]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 7 made:

After clause 4 insert

"Guidance

4C.—(1) *The Office of the First Minister and deputy First Minister may issue guidance to children's authorities, or to any particular children's authority, on the exercise of functions conferred by this Act.*

(2) *A children's authority must have regard to guidance issued to it under this section.*".— [Mr Agnew.]

New clause ordered to stand part of the Bill.

Clause 5 disagreed to.

New Clause

Amendment No 8 made:

After clause 5 insert

"**Interpretation**

5A.—(1) *In this Act—*

"children and young persons" means persons who are—

(i) *under the age of 18, or*

(ii) *aged 18 or over and fall within subsection (2) or (3);*

"children's authority" means any of the following—

(i) *a Northern Ireland department,*

(ii) *a district council,*

(iii) *a Health and Social Care trust,*

(iv) *the Regional Health and Social Care Board,*

(v) *the Regional Agency for Public Health and Social Well-being,*

(vi) *the Education Authority,*

(vii) *the Northern Ireland Housing Executive,*

(viii) *the Police Service of Northern Ireland, or*

(ix) *the Probation Board for Northern Ireland;*

"children's service" means any service which is provided (whether by a children's authority or by any other person or body) wholly or mainly to or for the benefit of—

(i) *children and young persons generally, or*

(ii) *children and young persons of a particular description or with particular needs;*

"the Executive" means the Executive Committee of the Assembly, established under section 20 of the Northern Ireland Act 1998;

"other children's service provider" means any person or body, of whatever nature, who provides a children's service or is engaged in activities which contribute to the well-being of children or young persons (but does not include a children's authority);

"well-being" has the meaning given by section 1A.

(2) *A person falls within this subsection if services are provided to or in respect of the person by, or on behalf of, or under arrangements made with, the Regional Health and Social Care Board or a Health and Social Care trust by virtue of—*

(a) *Article 34D, 35, 35A or 35B of the Children (Northern Ireland) Order 1995 (which provide for the continuing duties of those bodies towards young persons), or*

(b) *regulations made under Article 34E of that Order (which may provide for the appointment of personal advisers for certain young persons).*

(3) *A person falls within this subsection if the person—*

(a) *is under the age of 21 years, and*

(b) *is a disabled person within the meaning of the Disability Discrimination Act 1995.*

(4) *The Office of the First Minister and deputy First Minister may by regulations make such amendments to the definition of "children's authority" as it thinks appropriate.*

(5) *Regulations under subsection (4) are subject to negative resolution.*".— [Mr Agnew.]

New clause ordered to stand part of the Bill.

New Clause

Mr Principal Deputy Speaker: Amendment No 9 is consequential to amendment No 3.

Amendment No 9 made:

After clause 5 insert

"Commencement

5B.—(1) This Act comes into operation on the day after the day on which it receives Royal Assent.

(2) The first strategy under section 1C must be laid before the Assembly before the end of the period of 12 months beginning with the day on which this Act receives Royal Assent."— [Mr Agnew.]

New clause ordered to stand part of the Bill.

Clause 6 ordered to stand part of the Bill.

Long Title

Mr Principal Deputy Speaker: Amendment No 10 is consequential to amendment Nos 1 and 3.

Amendment No 10 made:

Leave out from first "Northern" to end and insert

"co-operation among certain public authorities and other persons in order to contribute to the well-being of children and young persons; to require the adoption of a children and young persons strategy; and for connected purposes".— [Mr Agnew.]

Long title, as amended, agreed to.

Mr Principal Deputy Speaker: That concludes the Consideration Stage of the Children's Services Co-operation Bill. The Bill stands referred to the Speaker.

City Deal for the North-west

Mr Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All

other Members who are called to speak will have five minutes.

Mr Eastwood: I beg to move

That this Assembly notes that the One Plan endorsed in the Programme for Government has not enjoyed full delivery traction in a number of key areas but still provides a valid and viable prospectus for driving growth in the north-west; further notes that Derry City and Strabane District Council has resolved to explore the potential of a city deal for the council region and its relevance to the One Plan priorities; recognises that city deal compacts are now developing under devolution in Scotland and Wales, as well as in their varying formats in England; and calls on the Executive and the north-west ministerial subgroup to join in scoping a city deal for the north-west, and encourages their best engagement to this end with the UK Treasury, council, the North/South Ministerial Council and relevant stakeholders, focusing on key commitments of the One Plan and utilising the potential platform of the north-west gateway initiative.

It is not often that I rise to encourage our Executive to adopt a Conservative Party proposal, but the fact that it is a Conservative Party proposal does not mean that it is not a good one. Chancellor George Osborne's proposal and the outworkings of it in England and now in Scotland and Wales have been very positive for the cities involved.

City deals began in smaller cities across England, and we were told at the time that we would not have access to them because of our devolution settlement. Since then, we have seen Glasgow enter into a city deal compact with the Treasury and the Scottish Government that will, in effect, draw down over a billion pounds of investment in Glasgow. Like other cities in England, Scotland and Wales, Glasgow has decided and will decide how best they will spend that money and use that new power to determine and develop their future and their economy.

I think that it is a fantastic idea to allow cities to play a full part in deciding their own priorities and developing their own plans. Of course, in Derry, we have a lot of experience of developing our own plans. Unfortunately, many of those plans are sitting on a shelf somewhere in one or more Departments in and around this Building. We now need to ensure that we have delivery of some of those plans. We were delighted to see the Heenan-Anderson report

recognise the ability that city deal has to be transformational for local economies.

We all know the difficulties in Derry. I have had to stand up in this place far too many times and explain that Derry is at the wrong end of many of the economic league tables and that Derry lags behind in investment, infrastructure and skills and in investing in our young people to try to ensure that we can have a stable and sustainable economy, in which our young people do not have to leave to get work.

Very recently, we saw the Department for Social Development's 'Households Below Average Income Northern Ireland 2013/14' report. Derry, which is the second city in the North and is recognised by the Programme for Government and the Executive's economic strategy as one of the key economic drivers for Northern Ireland, ranked number 21 out of the 26 previous council areas for high earners. Is it really the legacy that we and the Executive want to leave for the next generation that the second city in Northern Ireland, which is recognised as one of two key economic drivers by the Executive, is ranked at number 21 out of 26 areas for having high-value jobs. I do not think that that is good enough. That is why we have come here with the motion and why Mark Durkan and the SDLP have, for a long time, campaigned for a city deal.

We have been told by the Treasury and the Secretary of State that, if the Executive come with an idea, a plan and a proposal for a city deal for Derry, they will look positively at that idea. Why would we look a gift horse in the mouth? We all played varying degrees of a part in developing the One Plan for the city. It recognised all the issues that we have talked about. People in the House who are not from the north-west are probably fed up listening to all of us talking about the problems that we face in Derry. Unfortunately, we are going to have to keep talking about those problems if the Executive do not begin to find ways in which to resolve them.

Our view is that the One Plan and a city deal can operate side by side. In fact, a city deal is the way of delivering the One Plan objectives, one of which was that we would see 9,400 students at Magee university by 2020. Even I now can recognise that we are not going to meet that target. Of course, it has been 50 years since we were told that Magee university would not be able to reach its full potential because of the University of Ulster campus being sited at Coleraine. Fifty years on, and we are still here making this argument. We have been without a motorway from Derry to Belfast

for 50 years. It is God knows how many years since we began calling for a motorway from Dublin to Derry. I am glad to hear more soundings and positive words coming from the Irish Government today around the A5.

I think that people have had enough of positive words and of nice reports being written. People want to see delivery. They want to see us taking people off welfare. The best way in which to take people off welfare is to ensure that they have the opportunity of getting a job, and the best way in which to get a job and to create employment in areas of high unemployment is to invest in infrastructure and skills. We have not done that. There is a black spot in Northern Ireland: it is called the north-west. It has not got a motorway going in or out of it, nor has it a university of the right size to attract the investment that is required. That is a stain on the reputation of politics in Northern Ireland. We are offering a very obvious solution, even though it comes from the Tory party in England. We do not look a gift horse in the mouth. If Glasgow can attract £1.3 billion of investment to their area, why can we not do something similar? Why can we not ask the simple and obvious question to which the Treasury has already said it would say yes? Why can the Executive not do that? I do not understand.

2.45 pm

We are not surprised that we have not had movement on this yet. In a question for oral answer, in September 2014, I asked OFMDFM how it planned to deliver the One Plan commitments. That question has not yet been answered. In June of this year, I asked OFMDFM how it planned to progress the north-west gateway initiative. That still has not been answered. I have asked OFMDFM to detail job promotion targets for 2015-16. They still have not been decided by the Executive. The north-west ministerial subgroup, which we all welcomed, has met once.

We all know the problems; we are coming to this with solutions. I think that everybody recognises that road infrastructure and investment in Magee and higher education in the city are starting points. We have the One Plan, but the solution to delivering those things is for the Executive to ask the Treasury to allow a city deal for the north-west. We recognise that Belfast is also looking for a city deal, and we wish them well in their endeavours, but we will not accept a city deal for Belfast and a road to Derry. I can hear those arguments being made: "Och, wouldn't it be great if Derry and Belfast got together and did one big city deal?".

We have had experience of that. The north-west is the area of highest economic need; the north-west needs investment first, as was the case with the enterprise zone idea, which came from the Executive. The question was asked and the proposal was made by the First Minister and the deputy First Minister, and it went off to the Treasury. However, the first enterprise zone in Northern Ireland is going to Coleraine — an area that does not need it. It is also an area that got things before Derry in the past, and we are still feeling the effects of that. So, I implore the Executive. We will all play our part, but if we are going to ask for city deals for Northern Ireland, let us ask for one for Derry first, because it is Derry that needs it most.

Ms Maeve McLaughlin: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the opportunity to contribute to the debate. I make no apologies for enjoying the fact that we have an opportunity to debate the needs in Derry and the wider north-west and, indeed, solutions to how we tackle the very apparent regional disparities that exist in my city and the wider north-west. I agree with the proposer of the motion that we need delivery — certainly, people in my city and beyond require that delivery — and that we should not look a gift horse in the mouth. However, we need to ensure that that gift horse has teeth; we need to ensure that that gift horse can deliver. I say that in support of what the motion is calling for in relation to scoping out its proposal for a city deal, but I want to make a number of observations.

City deals are basically contractual agreements between the Westminster Government and local councils. They have, no doubt, provided councils with some devolved powers, although what is devolved in each city has been very much discretionary. The contract means that there are offers and demands on both sides. I do not think that we can lose sight of that as we explore this concept.

The devolved powers have allowed councils to make demands about public spending, growing businesses and growing the economy. Of course, we are prepared to look at any genuine attempt to see investment in Derry and in the wider north-west, but the city deal is the contract, and it is a contract with a Tory-led Government. That will require us as a society to give something in return.

That giving-back element could be anything from directly elected mayors to placing more autonomous powers, functions and decision-making capabilities elsewhere. With the One Plan process, which the proposer referred to,

and now indeed the new community planning process — whilst it is not perfect and is certainly time-consuming — we have a model towards greater participation in decision-making that encourages a balance of elected representatives, members of the public, the community and voluntary sector, the public sector and the private sector. There is a developing remit there for more of a partnership.

Let me make this second point: no new public money is being attributed to city deals. Thirdly, the population in Derry and the north-west is very small in comparison with the other city regions in England. Twenty-seven city deals have already been created; 26 in England and one now in Scotland, which was given to them after the referendum. Some of the larger cities there have populations of upwards of 1 million people, and some city regions have populations of over 2 million. Because of this, their revenue-generating powers are substantially stronger than what we have in the north-west. More money is available for capital and investment projects than we could possibly hope to raise. Our rates levels are low compared with those of other regions. There is obviously pressure on us as a society, and in the north-west individually, to keep them low and to provide rate relief. Again, this situation limits revenue-generating capacity. I want to make this point because where they have succeeded in England, they have succeeded well. It is expected that the first wave of city deals will create 175,000 jobs over the next 20 years.

If the devolved powers that would be required for a city deal include tax takes, it is difficult to see how they can be devolved to a city or region in the North when the North itself does not have devolved fiscal powers. Focusing on business rates, there have been concerns about how this would work for us. I do however say that what we need to do is scope out what city deals mean.

Mr Principal Deputy Speaker: I ask the Member to conclude her remarks.

Ms Maeve McLaughlin: I support the call in the motion to scope out the benefits and outcomes of a city deal proposal for the north-west.

Mr Hussey: On behalf of the Ulster Unionist Party, I wish to state our support for the motion despite the fact that it is so long-winded and convoluted that it could have been dreamt up only by a committee. Insofar as the motion calls on relevant agencies to explore the

possibilities of a city deal for the north-west and to build on the One Plan document, we fully support it on these Benches.

Sometimes it could be argued that debates relevant to the north-west can be parochial, but, in this case, the issue of city deals belongs in the wider context of the devolution and decentralisation of powers throughout the United Kingdom. This is a debate that we in Northern Ireland, not just in the north-west of Northern Ireland, need to have. Speaking as a convinced unionist and devolutionist, I welcome its being on the agenda.

It is interesting to see how the concept of city deals has evolved in past years. The White Paper 'Unlocking Growth in Cities', published in December 2011, led to the Westminster coalition Government's rolling out the first wave of eight city deals in July 2012. The second wave followed in 2013-14 for 18 other urban centres. The basic premise of the policy was to shift responsibility for creating local growth to local leaders and businesses, the buzzword being "localism". The deals so far have been bespoke to each city and covered a range of policies, such as transport, housing and skills. They are designed for cities to develop their capacity to manage devolved funding and to take increased responsibility for economic growth. They are also designed to empower local leaders and businesses to create local growth and have enabled cities to present their local economic priorities directly to government decision-makers. Departments have committed up to £2.3 billion to the deals, spread over 30 years. So far, as has already been said, city deals have been developed in England and followed by Glasgow, with Cardiff also in the pipeline. It would appear that Northern Ireland needs to play catch-up.

As for a potential city deal for the north-west, it seems to me that the ball is firmly in the court of civic leaders in Londonderry and Strabane. They should come to the UK Government with a business plan and make their case. It is high time that civic leaders in the north-west stepped up to the mark, prioritised elements of the One Plan and kick-started the transformation of the economy in the Maiden City and its hinterlands, including Strabane.

There is, however, a problem that we need to consider. A city deal needs a delivery body. Despite the recent reform of the public administration process, local government in Northern Ireland still has considerably fewer powers than its compatriots in the rest of the United Kingdom and does not have direct responsibility for things like transport,

infrastructure and housing. Stormont and Stormont Departments have a key role to play in the delivery, possibly in conjunction with council community planning.

I respectfully point out that the new council in the north-west has, in my opinion, not been covering itself in glory during the relatively short time that it has been in existence. Its record thus far on inclusiveness and partnership has been less than stellar, and I know that my party colleagues in the new Derry and Strabane council have been struggling to get their voices heard.

We also need to be mindful of the continual difficulties with and the recent debate in the media about the management and role of Ilex, the urban regeneration company for Londonderry. Ilex produced the One Plan referred to in the motion. Remember that One City, One Plan, One Voice aimed to be the plan to end all plans. We have had plans, strategies, reports and committees, but, at the end of the day, we need delivery.

The official economic statistics are not good. The figures for August relating to the claimant count, which consists of all people claiming jobseeker's allowance at jobs and benefits offices, show that the new Derry City and Strabane District Council area has the highest rate — 7.1% — in Northern Ireland. In the nearby Mid Ulster District Council area, the claimant count rate is 2.5%, while the Northern Ireland average is 4.7%. Historically, that pattern is deeply ingrained. Over the 30-plus years of the claimant count being the standard measurement of unemployment rates, fluctuations in the north-west have closely mirrored Northern Ireland trends. Strabane and Londonderry have always been above the average. In 1992, average unemployment for Northern Ireland was 10.7%, with 15% in Londonderry and 15.3% in Strabane.

If, in applying for and gaining a city deal for the north-west, we can start to change the record and tackle the long-term and deep-seated problems of intergenerational unemployment, youth unemployment and economic inactivity in the north-west, we will support it. We need to free up the entrepreneurial instincts of our people and allow the private sector to grow and prosper.

Mr Principal Deputy Speaker: Will the Member conclude his remarks?

Mr Hussey: As a unionist, I am delighted to be here today to support the motion. I remind the city of Londonderry not to forget the town of

Strabane, which is an integral part of Derry City and Strabane District Council.

Mrs Cochrane: I welcome the opportunity to contribute to this debate today. Just last week in the Chamber, we considered the use of the multiple deprivation indicators in trying to tackle poverty, deprivation and lack of opportunity in rural areas. This motion focuses on how we can tackle the issues in those same areas by creating an environment that champions innovation and prevents its workforce from having to migrate to achieve its ambitions. The Alliance Party certainly supports the general principle of the motion, but we believe that other factors need to be considered.

Before I became an MLA, I served at local council level, and I am fully supportive of our councils playing their part in driving economic growth. I commend Derry City and Strabane District Council for its willingness to explore how it can further support local businesses, improve infrastructure and create jobs, perhaps through a city deal approach.

As others said, city deals are not a completely new idea. They were originally introduced by Westminster in 2011-12 for the eight largest cities outside London. Then, in 2013-14, the Government agreed a second wave of city deals, with 18 more cities included. Further deals with Sheffield, greater Manchester and Leeds followed, providing increased flexibilities, and they have operated with some success.

More recently, the city deal model has been deployed in Scotland, with Glasgow negotiating a £1.13 billion deal with the UK Treasury, which it hopes will lead to the creation of 29,000 jobs by 2020 and unlock a further £3.3 billion of private sector investment across the city region. In addition, a city deal for Cardiff has recently been discussed with the UK Government, with a view to that being announced at the next Budget.

There may indeed be merit in exploring city deals, but the model itself is primarily geared to the English context of not having devolution. If we were to try to implement this model in Northern Ireland, it might not have as much economic potential, given the relative scale of our councils compared with England, even post-RPA.

3.00 pm

Further alterations would also be required, and they would need to be worked out between the Northern Ireland Executive and the Treasury.

While some Members might believe that a proposal will be looked at favourably, I am not quite sure whether our latest crisis might not have altered that view. If the city deal model does not prove to be a viable option, what more can we do to tackle the economic issues that face the north-west?

The One Plan has had some successes, most notably 81% of commitments being met during a difficult financial period, but a lot more needs to be done through the completion of the Ebrington site and meeting the continued need for motorway investment. The expansion of Magee was also a key element of the One Plan, but, despite some perceptions to the contrary, there was no specific commitment in the Programme for Government for the expansion of Magee. Despite starting with no specific budget for that expansion, the Minister for Employment and Learning has managed to expand the university sector. This has been the biggest increase in the size of the campus at Magee for many years, but, of course, it could now be under threat again from university cuts.

The Alliance Party supports the expansion of Magee and the higher education sector in general, but there is already a £55 million shortfall in higher education investment, and the recurrent cost of an expanded Magee would be around £30 million. If people want Magee to expand, it will mean a commitment of around £85 million every year. In the current financial climate, the only way for this to become viable is if we truly address the costs of a divided society, including, for instance, teacher training, but, of course, this was blocked by the same parties who say that they want money to be spent in certain areas but are not realistic about where that money will come from.

The skills pressures in the north-west are not just at higher levels; they are primarily at low and intermediate levels. In that regard, the north-west has a worse profile than Northern Ireland as a whole. It also has the highest unemployment and the highest economic inactivity. There is, of course, an Executive-agreed, DEL-led economic inactivity strategy that envisages subregional interventions in which the north-west would be a priority, but, unfortunately, there is no resource to deliver this at present. Perhaps some parties need to ask themselves why that is so. The failure to tackle the welfare reform issue and balance the Budget are compounding the problem, and Budget problems have also led to the suspension of many of DEL's specific additional employment interventions.

In conclusion, the UK Government are empowering cities to unleash their growth potential, and I believe that it is time for our cities to be more ambitious in achieving their aims. However, until we can show that we are financially responsible and can resolve our own budgetary issues, it is debatable whether the Treasury would be willing even to negotiate any further options for us at this time.

Ms Boyle: Go raibh maith agat, Mr Deputy Speaker. I agree with much of what has been said today. However, like the Member opposite, given the size and rural dimension of the new Derry City and Strabane District Council area, with Strabane making up 37% of the population of that area, what would a City deal for a rural area look like? It should take into account the rural aspect, and any negotiations with government on any new powers to support economic growth and fiscal devolution should bring further opportunities for those living in rural areas, as not everyone lives in the city.

Any prospect of driving growth in the north-west should and would be welcomed. If the north-west were to get control over its finances, the city would thrive, but we do not want certain areas in that city to be left behind, particularly constituents, as the Member opposite said, who live in Strabane or in smaller towns and rural villages. They would have to be taken account of. How would the finances gained remain in the city, and how would that operate? It would need to be distributed fairly: we would need to ensure fairness of distribution in order for our towns and villages to survive and have power over their own economic growth.

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

A City deal has to have its citizens at the heart of it unless there are life changes and opportunities for the people to be involved in the process. We cannot allow more taxes to be put onto the people who, in return, receive much greater losses. Fiscal devolution will work only if people, communities and business are allowed to have their say on financial matters and, indeed, gain in that. As was said, a city deal does sound good, but there remain many challenges and questions that need to be answered. For example, how do we deal with the process of increased powers and who will reside over those powers?

I represent a border constituency, and any City deal would have to include Donegal as there already exists cooperation between our councils. I understand that, through the north-

west gateway initiative, they are keen to achieve objectives with our Donegal colleagues. Many connections and linkages already exist between Derry, Strabane and Donegal, and everyone is interdependent. The radiotherapy unit at Altnagelvin is one great example. Even our previous Health Minister, Mr Poots, recognised its mutual benefits. That is relevant business for both Administrations on this island. Therefore, any benefit to the north-west will need the cooperation of the Irish Government, as that is vital to the success of a city deal for the north-west.

I support the motion. The positive outcomes of a city deal for the north-west within Derry City and Strabane District Council outweigh the negatives but we have to tread carefully. Businesses, elected representatives, citizens young and old having the power to set our own agenda over our own economic growth is an opportunity to be creative and innovative with our future finances. This will allow the north-west to prosper and grow.

The potential of a city deal for future investment in infrastructure, health, housing, education, transport and the wider economy is a good deal. We have social value partnerships already leading the way to putting greater financial powers into the hands of local businesses and bodies. That has to be welcomed. I support the motion.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. I also support the motion. Although, when Colum Eastwood was proposing it — I do not see him in his place — I was struck by the number of times he said that this came from a Tory Government. It seemed as if he had his own reservations about it.

All of us from the north-west realise the need for the appropriate framework and delivery mechanisms to ensure that there is a regeneration process to deal with decades of underdevelopment in the region. That is true of other parts of the North as well. In proposing the motion, its supporters accept the central role that the One Plan has played and will continue to play, much in the same way that there is an acknowledgement of the role that the north-west ministerial subgroup will have in ensuring that there is delivery on these issues, which we all know and have listed.

When people refer to documents proposing the city deal as a way forward, and when you read what it actually entails, you always find it a bit light on detail. At the strategy board meeting in May, there was a presentation on the city deal by Mark Durkan MP. All of us on the strategy

board agreed that it would be appropriate for the officials of Derry City and Strabane District Council to ensure that we had a scoping document to look at the pros and cons, and the pitfalls and issues, around city deals. This is relevant because, living in Derry, we have a tendency to see the north-west as being Derry and Derry alone. If we are going to develop any concept to broaden the horizon of the north-west, then we have to be mindful, particularly now with the new council and our neighbours in east Derry, who are very much part of the north-west.

Last week at a conference in the city, I heard the chief executive of Derry City and Strabane District Council talk about the great work that has been done in recent months with Donegal County Council. We all realise that if we are to tackle the deficit in our infrastructure — we all know that investment and increasing education and skills will flow from that, as was teased out at the conference — we have to be in a place where, when we define the north-west, we see Donegal as part of that. Sometimes, when people present aspects of this, I am not saying that it is ignored, but it is certainly not pointed up. We have to ensure that we get the maximum buy-in from the greatest number of people. We have often talked about Magee and about the A5 and A6: it will not just be the people within the city limits of Derry who will benefit from that. We see it in terms of the north-west. Indeed, truth be told, we see it in the context of the island of Ireland as a whole.

Some people have raised points that are worth exploring, and that is why we, as a party, await the scoping document from the council officials. With the size of the city deals at present, as seen particularly in England but even in the Glasgow experience — I want to talk about that briefly as we come to the end — the volume of people is sometimes upwards of half a million. There are issues about council boundaries. In Glasgow, I think, 13 councils have come together. I am wondering whether there is a legislative issue. The Minister is here; I am not sure whether he will speak, but he will certainly know that, quite recently, he has taken a legislative process through the Assembly. I am wondering about the implications for that, particularly if one of the demands is the idea of an elected mayor covering the whole area. How would that affect local government? Would legislation need to be tweaked as a result of it?

You will have read about the Glasgow experience. There are two aspects of it. You do not have to be from this part of the world to know that —

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

Mr McCartney: — the British Treasury has control over the rules and regulations, and it is sometimes not easy to change its mind. Glasgow is finding out already that the vast majority of the money in the Glasgow city experience is coming from the Scottish Government and from the local councils —

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

Mr McCartney: — with the Treasury falling short.

Mr Dallat: I am glad to take part in the debate today. While I do not represent the Foyle constituency, let me explain to the Members present that I believe that this is about more than Derry city because, when that city prospers, a very wide region will benefit from that on this side of the Foyle and Craigavon bridges but also in the Donegal hinterland, which was mentioned. God knows, east Derry might also benefit from it. In fact, I know that it will.

Let us be positive about this and dismiss the nonsense about having no money. That came from a Belfast MLA. There is a huge deficit here, and it needs to be addressed. A few years ago, a few of us took up the cudgels for the railways. That has been a success, and, with the £45 million invested in it, we will have a railway that is fit for purpose. The gas pipeline was a struggle, too. We were told that there was no money, but the case was made, and of course it happened. Let us apply that principle to all the other things that are not present but are needed in the north-west. The A5 has been mentioned. Do not forget the A6. Anyone who has travelled between Belfast and Derry and has undertaken that arduous journey will know exactly what I am talking about, and I doubt that anyone would make an argument that there is no money. I encourage them to use that.

The city deal, provided it recognises and addresses the regional inequalities and disparities in Derry, will have a ripple effect, which I have talked about, and will benefit us all. The motion did not come here today for us to bemoan an imagined situation and retread a tale of two cities. The reality is that deprivation and economic disparity in Derry continue to this day. That is a situation that, once again, was confirmed by the Heenan-Anderson report of 2015. Not surprisingly, that report recognises that the causes of poverty are structural and are

based on the distribution of wealth, power and opportunities. That certainly echoes what has been the SDLP voice for many years.

3.15 pm

I know that there are some in the Chamber — I wish that there were more on the Benches opposite — who envy the successes of Derry, particularly the way that it has embraced the two cultures and shown how it is possible, twice a year and perhaps more often, to invite thousands of Orangemen to the city without a problem. If a city can do that, surely it is deserving of the best will of the British Government to empower Derry City and Strabane District Council to identify all the other things that will allow Derry city to become the city I believe it could. Yes, it endured the worst years of the Troubles. It has emerged out of them a better place, where people are comfortable with each other and have a common purpose of creating prosperity, enlightenment, security and happiness for everyone.

While the Assembly at the moment is perhaps not the best example, let us for goodness' sake in these days answer the call of that wonderful city, which was there long before Belfast was even a village. Let us answer the call. Let us give it the resources and the empowerment it needs. Let us give the local super-council the opportunity to demonstrate to the wider world that the reorganisation of local government was a good thing. Let us accept that, whatever the reasons, there is that huge deficit in the north-west. It should not be competing with projects in the greater Belfast area, because, if that is the case, Derry will never get the infrastructure it needs. Let us accept that there are historical reasons why the infrastructure is not there, and let us for goodness' sake demonstrate that, as an Assembly, we have the wisdom and the goodwill to support the council and, indeed, all the other wonderful organisations in the north-west and bring about the city deal, which is desperately needed to make Derry city an even better place than it is today.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Is as an Iarthuaisceart mé agus beidh mé breá sásta a bheith ag labhairt ar an rún anseo inniu. Being from the north and west, I am very happy to speak on the issue, and I welcome any new ideas to tackle the inequalities in the north and west. I choose those two words carefully, because it is my contention that, in the past, the words "north-west" have perhaps had a different meaning for many people. For some in Derry

— "Derry wans", as they refer to themselves — it represents an area that is bounded on one side by Altnagelvin Hospital and on the other side by Budgen. For now, we see, particularly in the motion, that the area should cover the old Strabane council and Derry City Council areas. I contend that the north and west should be wider than that and should cover the areas that were covered by the former Limavady Borough Council, Coleraine Borough Council, Donegal, which my colleague referred to, and, perhaps, even as far away as Omagh.

During my time in local government, I was a member — indeed, the chair — of the North West Region Cross Border Group, which looked after the council areas of Donegal, Derry, Strabane, Limavady and, at that time, Magherafelt. The coming together of the northern councils on that was proposal 7 under RPA, and I believe that, at the time, it should have been a more natural model to go with. But we are where we are. Many, indeed, would consider the north and west to be an area north of Sligo and west of the Bann, which might actually be even more accurate. As I said, we are where we are, and we have to work on that.

There are not only economic inequalities in the area, which have been mentioned, but infrastructure inequalities, particularly the shortcomings in the delivery of the A6, the Dungiven bypass and the A5. The railway will be worked on, but that work has not been delivered on as yet. There are also shortcomings with the deep-water port at Lisahally and at Derry City Airport.

Some Members talked about population figures and the economies of scale needed for any city deal. The Derry City and Strabane District Council area has a population of some 147,000. However, if the other former council areas were to be added to that figure, and we were to take the north and west as a singular region, we would be looking at adding the populations of Limavady, which is 33,000; Coleraine, which is 59,000; Omagh, which is 52,000; and Donegal, which is 161,000. That would increase the entire population of the area to almost 450,000 — nearly half a million. Wearing my DRD hat, I think of the population requirements for core nodes for infrastructure, which are around the 300,000 mark. That might open up an opportunity for the delivery of some of the Trans-European Transport Network (TEN-T) funding for the entire north and west region.

One of the big events in the north and west in recent times was, of course, the City of Culture. Its biggest event — the anchor event — was Fleadh Cheoil na hÉireann, for which half a

million people travelled to Derry. That was of huge benefit to the local economy: some £43 million from that week alone. On Sunday, we have the county GAA final in Celtic Park. It is being played between two teams that are approximately 35 miles from Derry city, so the wider region would benefit from any development in the area.

We need proper buy-in to the ministerial subgroup. That initiative may be a more plausible way of delivering for the north-west, but I support the scoping document. I appeal for it to be widened out to include the wider north-west, because there is a sense of belonging right across all those former council areas, not just Derry and Strabane. I wish this well.

Mr Durkan: Last week, I participated in an event at the Magee campus of the Ulster University in Derry. It was hosted by the Chamber of Commerce up there and was attended by me, Minister Foster and Mr McCartney. We took part in what I found to be a very constructive discussion. It was more of a discussion or dialogue than a debate around the issues that are inhibiting the economic development of the north-west. Those are issues that everyone sitting around here will be familiar with. Those of us who are from the north-west will be more familiar with them than those who are not.

There is the issue of roads and the lack of good infrastructure in and out of the city. It is ridiculous that the second city in Northern Ireland and the fourth largest on this island does not have a motorway coming in or out of it. Mr Dallat touched on the issue of rail, where we have seen some real improvement. However, the fact is that, for many years, since long before I was here and long before I was even born, people have lobbied for road improvements that we have yet to see. There are connectivity issues that need to be addressed.

There is also the issue of digital connectivity, which is something that prospective investors and employers very much look for. We have seen improvements made in the past few years since the advent of Project Kelvin. I know that the Chamber of Commerce in Derry is working hard to maximise the benefits from those improvements. The issue of the university is a running sore that has never healed in the city. Most of us have been and are fighting for its expansion, but we now find ourselves fighting against its contraction.

However, the motion and debate is not about rehashing those problems but about identifying a solution to them. A lot of people in the north-west thought that there might have been a speck of light at the end of the tunnel with the establishment of the new north-west ministerial subgroup, which was then diluted to the regional opportunities task force. However, given more adverse publicity around the lack of progress that that group has managed to achieve, we have to be careful that it does not become seen as a wasted opportunities task force. I think it is vital that we have all Ministers in all Departments where there are no Ministers with responsibility for addressing these issues around a table with a commitment to doing just that: addressing them.

We need to look at a creative way of finding and securing the funding necessary to overcome the obstacles to Derry and the north-west's economic development. We in the SDLP believe that the city deal is such a vehicle. There has been quite a bit of discussion today, however I think that you would need a full day to discuss city deals and what they look like; they look different in different places. That is the beauty of them. We can work together with the council, businesses and communities to see what a city deal would look like, how it would work and what it can achieve.

Mr Eastwood, who proposed the motion, said that, in Derry, we are no stranger to plans. We have had lots of them, but the resources have never been allocated to allow those plans to be implemented. Colum gave some statistics around the low number of high-end jobs in the city, and he touched on economic activity and unemployment. Derry City and Strabane District Council area has the bleakest figures out of 650 councils across these islands.

Maeve McLaughlin agreed with Colum that we should not look a gift horse in the mouth, but her concerns about the idea of entering into a contract, as she saw it, with a Conservative Government suggest that she fears it might be more of a Trojan Horse than a gift one. To address one of Ms McLaughlin's points, it is not only big cities that are benefiting from city deals. While our population cannot compare to some of the bigger cities, why can the financial approach that is being taken there not be taken here? Ms McLaughlin referred to tax takes and wondered how that would or would not work in a devolved region, but Scotland and Wales are devolved regions and they will work. We can design our own deal. This is about empowerment — empowerment of Derry.

Ross Hussey said that civic leaders in the city need to step up to the mark. Civic leaders in the north-west have always stepped up to the mark; they just keep getting left there. It is time that we, as political leaders, stepped up to the mark and delivered for them. He touched on the subject of Ilex, the urban regeneration company in the city, which, despite being hampered by excessive red tape, has managed to make some progress but nowhere near as much as we would like to have seen or that the city needs. He spoke of the need to change the record in a remark that sounded scarily like Minister Foster. The Government need to change or improve their record of underinvestment and support for the north-west.

Mr Hussey: Will the Member give way?

Mr Durkan: I do not really have time, but I will chat to you afterwards.

Mr Hussey: Do not forget Strabane.

Mr Durkan: I will not.

Judith Cochrane is supportive of the concept of city deals. She spoke of the successes of the One Plan and said that 81% of it had been implemented. I must check that out, but small matters of it have not been implemented, such as motorways and the university. I recognise and acknowledge her party colleague Minister Farry's support for the physical extension to Magee but have seen little evidence of his commitment to increasing the student numbers there. Mrs Cochrane quite cynically played off the support of other Executive parties for teacher training at St Mary's and Stranmillis against the expansion of Magee. I think that was quite a feeble excuse for her Minister, unless he is proposing or considering that all teacher training be moved to Magee in the future.

3.30 pm

Michaela Boyle raised concerns — as did Mr Hussey and some other Members — that all citizens and constituents of the wider north-west region must benefit from this type of deal, and I have no doubt that they would. I have no doubt that the benefits of this would not be confined even to the north-west. All of Northern Ireland would benefit as a result of lifting the performance and value of the second city, primarily, and its environs, the surrounding towns and villages, of which Strabane is a most important one.

Collaboration with our neighbours in the South is imperative. We have raised this already as a party directly with the Irish Government, and it has been incorporated into the motion. For this to be a success, we have to raise the performance not just in the north-west of the North but in the north-west of the South, which has similarly suffered due to its peripherality.

Raymond McCartney spoke of the work of the strategy board and said that any discussions around city deals had been light on detail. As I said, we, the council and the community have a role to play in fleshing out that detail. Mr McCartney referred to the experience of Glasgow, with most money coming from the Scottish Government and not from the Treasury. The fact is that, for the north-west, not enough money is currently coming from this Government, never mind from the Treasury, so anything additional will be a bonus. Councils here have new powers and functions, but I will have to get back to the Member on the issue of the directly elected mayor.

Mr Dallat spoke of some of the successes of Derry, and there have been many, as there have been for Strabane and other areas of the north-west. Despite that, we have to accept that there has been a historical infrastructural and economic neglect of the north-west. Mr Ó hOisín also touched on some of those successes, namely around the UK City of Culture.

If the Assembly is to truly deliver for people and if the Executive are serious about addressing the economic deficit in the north-west, we need to step up to the mark and lobby Treasury for a city deal for Derry, Strabane and the wider north-west.

Question put and agreed to.

Resolved:

That this Assembly notes that the One Plan endorsed in the Programme for Government has not enjoyed full delivery traction in a number of key areas but still provides a valid and viable prospectus for driving growth in the north-west; further notes that Derry City and Strabane District Council has resolved to explore the potential of a city deal for the council region and its relevance to the One Plan priorities; recognises that city deal compacts are now developing under devolution in Scotland and Wales, as well as in their varying formats in England; and calls on the Executive and the north-west ministerial subgroup to join in scoping a city deal for the north-west, and encourages their best engagement to this end

with the UK Treasury, council, the North/South Ministerial Council and relevant stakeholders, focusing on key commitments of the One Plan and utilising the potential platform of the north-west gateway initiative.

Motion made:

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

Adjournment

PSNI Tactical Support Group in County Fermanagh

Mr Deputy Speaker (Mr Beggs): The proposer of the topic will have 15 minutes, and all other Members who are called to speak will have approximately seven minutes.

Mr Somerville: I welcome the opportunity to bring the issue before the Assembly for debate. It is especially appropriate, given that the tactical support group (TSG) officers in Lisnaskea only had it confirmed this time yesterday evening that their unit would be removed. From the outset, I register my disappointment at the absence of the Justice Minister from the debate. Many people, especially the officers affected, will struggle to see the difference between what are clearly overall ministerial responsibilities for law and order and what he claims are operational matters within the PSNI. I know that the Policing Board has its place, but, when it comes to matters like this, the Minister needs to realise that he cannot cast off all accountability. Nevertheless, I hope that the debate will allow the Minister and the top command of the PSNI the opportunity to read Hansard and reflect on some of the many concerns being raised locally.

I have been disappointed in the senior ranks of the PSNI and the way that they have handled the issue. They have not given the TSG officers in Lisnaskea the support that they deserve by landing out of the blue and making the announcement that they hoped to remove the unit. They have not placed enough weight on the impact that this will have on wider policing in the area.

There is no doubt that policing in Fermanagh has changed over the last 15 years. However, it would be foolish to say that everything is a bed of roses. Whilst I am so glad that no police officer has lost their life in recent years, we must not be complacent about the scale of the

threat that remains in the area. There are already too many bereaved policing families living in Fermanagh.

Dissident republicans retain significant and deadly capability, and, more importantly, I am aware that the capability even exists on the other side of the border in the Irish Republic. In addition, the almost regular finds of arms, including the recent discovery of Semtex in west Belfast, shows that serious levels of weaponry still exist. The tactical support group based in Fermanagh not only ensures that the PSNI in the county has the ability to respond quickly and forcefully, it ensures that the dissidents are well aware of this. Simply by being there, they act as a major deterrent to anyone or any organisation contemplating a terrorist attack. There are criminals operating along the border, jumping from one side to the other to suit their own convenience, but they are known to the security forces, and I suspect that they know that themselves.

If Fermanagh loses its only TSG unit, what guarantees are there that it will not lose that invaluable information and intelligence? In addition, the removal of the TSG in Lisnaskea now leaves Northern Ireland in a very vulnerable position, in that there will be no tactical support presence the entire length of the border from Castlederg to Armagh. Given the pressures on policing and the threats that very much exist in the area, its removal is simply unacceptable. Whilst I am glad that Fermanagh does not witness scenes of public disorder like many other areas in Northern Ireland, that does not mean that the skills of the TSG unit based in Lisnaskea are wasted. As and when necessary, the officers can be moved to other areas where needs exist, whether it be Belfast, Lurgan or anywhere else.

Of course, the strength of the TSG was the talent of the officers in it, and I have spoken to quite a number of them over recent weeks and, in fact, days, and I am in no doubt whatsoever of their dedication and skills. The removal of the TSG will have a major impact not only on the overall provision of policing in south-east Fermanagh and beyond but, on a more personal level, on the officers affected. Many have made homes across Fermanagh; they have families, and they have children in local schools. What happens to them now? Those officers face huge uncertainty at present. Many have made major personal sacrifices to be part of the unit. They have carried out the training, and they have spent many evenings — in fact, weekends — away from their families.

Many ordinary residents and businesses in Fermanagh are concerned that this decision is yet another example of the PSNI trying to roll back core service provision in rural areas. In recent years, changes to the neighbourhood policing teams in north and south Fermanagh have left communities often with skeleton services. For example, in Kesh, the neighbourhood policing team numbers were reduced, and now responses to calls are prioritised over traditional neighbourhood work. In the circumstances, I understand why, but in reality it has left crime prevention and deterrence weaker in the area. Towns across Fermanagh and South Tyrone will say that they have no regular police presence at all. The closure of so many stations in recent years has really reduced the level of visible policing, and now the decision to remove such an important group of PSNI officers is yet another blow to our area.

I know the financial pressures that policing in Northern Ireland is under, but that should not be allowed to have an impact on public safety. I do not envy the decision that the Chief Constable and his senior officers have to make. However, I would equally stress to them that changing service provision in Belfast, where support will always be only a matter of minutes away, is unlike removing key units in Fermanagh, where the nearest support could be two or three towns away. I am fearful of what the removal of the group could lead to, and I am annoyed at how the officers in it have been treated. I urge the Minister and the PSNI to reconsider the decision in the interests of public safety and to acknowledge that people living in Fermanagh and along the border deserve the same protections as are available in other parts of Northern Ireland.

Ms McGahan: Go raibh maith agat. I welcome the opportunity to speak in today's debate on the removal of the TSGs from Fermanagh, and I thank the Member for bringing forward the debate.

A large part of my work as a public representative has been to bring about a new beginning to policing, as envisaged by the Good Friday Agreement. As we know from international studies, policing needs to be about more than just the police. Delivering accountable policing with the community — I stress the phrase "with the community" — puts focus on many issues, including quality of life, community justice, public safety and freedom from fear and intimidation. Our work in Sinn Féin is about advancing a new beginning to policing, firmly based on the concept of policing with the community. It is about law and policy,

and it is about the PSNI networking and engaging with the community to gather intelligence, as the Member said, which is vital. Our role is to support good policing and to hold to account bad policing.

As for the removal of the TSG from Fermanagh, I want to take the opportunity to make the case for its replacement to be met by a policing initiative that firmly takes into account the need to tackle rural crime in a robust manner. Whilst many concerns have been expressed in relation to the functioning of the TSG, we need local police officers to be trained up in practices that effectively tackle crime in our communities in all of its manifestations, in a manner that is compliant with a human rights framework. Good neighbourhood police officers are the first in line in a good policing operation in all districts. Delivering personal, professional and protective policing to the people of the North was a commitment made by former Chief Constable Matt Baggott in his foreword to the Policing with the Community 2020 strategy. That commitment needs to be made a reality for all our citizens

As I have already reported in the Chamber this week, someone in my community recently lost another 13 or 14 cattle, worth £15,000. They were stolen between Aughnacloy and Caledon in south Tyrone. It gave me no satisfaction to learn from our Justice Minister that the rural crime unit has been allowed to dissolve due to budget cuts, which we know emanate from the pro-austerity decisions of Tory Ministers in London. We need to be granted a workable Budget to ensure that our society's needs in all aspects of our economic, social and cultural life can be met. Public safety is a key concern for many vulnerable citizens.

There must be more training on how to tackle rural crime for our neighbourhood police officers. I do not accept the mantra emanating from some quarters that nothing can be done to tackle rural crime. The PSNI has a statutory duty to tackle crime, and is being well paid for it. There is a statutory requirement that the PSNI must do this in an effective manner. Forging good relationships between the police and the community is vital for effective civic policing. I recall being at a meeting of the former district policing partnership in Fivemiletown where the PSNI was complaining that it needed more feedback from the community. A member of the public stood up and said, "Well, there is a poor community response because there is a poor police response." That relationship must, in the first instance, be based on mutual respect, and that can only happen if police activity is informed by an emphasis on human

rights and equality. Furthermore, it must also be based on partnership with the community and community consent.

These are elements of the approach that we call policing with the community. The removal of the TSG from Fermanagh will present challenges, but the most pressing will be to build upon the good work that has been rolled out to date in the context of policing with the community. For Sinn Féin, policing with the community is the overarching principle that we believe should be at the core of civic policing. Tackling rural crime and enhancing public safety and quality of life in the Fermanagh and South Tyrone constituency is a top priority for me as a local MLA.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an díospóireacht seo inniu. I thank Mr Somerville for bringing forward the debate. I welcome the opportunity to participate today, although, from my perspective, the focus of the debate is somewhat narrow. It focuses on one small aspect of policing within the county. In my opinion, that aspect is not the priority for the people that I engage with on a daily basis who find themselves the victims of crime in Fermanagh. The TSG does not, in my opinion, make people feel safer or protect them from crime. If that is what it is supposed to do, it certainly does not achieve it.

3.45 pm

As an MLA for Fermanagh and South Tyrone, I regularly have engagements with members of the police to discuss issues that affect the local community, and I engage with police officers at all levels in the county. I have access to the phone numbers of many police officers whom I can contact to discuss issues that are raised with me by the local community. In fact, I will be meeting the chief superintendent for the area on Friday to discuss a range of issues. However, I could not tell you the name of any single member of the tactical support group in Fermanagh. For me, that is why it does not feature heavily in the prevention of crime or the detection of crime in Fermanagh. Local officers should be known to the local community, but, equally importantly, they should be accountable through the local policing structures, particularly the local command structures, so that, if a member of the local community has a problem, a criticism or a suggestion that does not necessarily need to go to the Police Ombudsman, that person should be able to phone somebody locally to give feedback about the police without having to go through the

formal mechanism of a Police Ombudsman complaint. Unfortunately, that mechanism does not exist for the tactical support group. It may well have an office of some sort in Lisnaskea. I do not know who is in it or what they do — it seems that the local policing structures have no control over them and that they report to somewhere else. There are not that many people in Fermanagh who are overly exercised about the potential loss of the TSG, because few people know what it does, and it is not the priority for most of the people in the county who are concerned about crime.

The officers in the tactical support group fall outside the structure of local policing accountability. The main focus of that accountably mechanism, as Bronwyn said, from the report that was launched by the previous Chief Constable, is about policing with the community, how you build relationships with people in the community to maximise the outputs of the police, how they prevent crime and how they tackle crime. Community police officers who are in the local community and who are known to people and people can trust are the way to move ahead. I think that that presents a much brighter future than bemoaning the loss of the tactical support group from Lisnaskea.

The work of the tactical support group is not the most important aspect of policing in Fermanagh — far from it. In my opinion, more emphasis needs to be put on preventing crime and tackling and dealing with criminals. The tactical support group is not a strategic approach to dealing with crime. Local accountability structures are an important mechanism for building trust in the local community and for ensuring that the actions and priorities of the PSNI meet the needs of the local community.

We all agree that resources are scarce. Like everybody else, the PSNI is struggling to get as much money as it wants or as it could spend. Unfortunately, like other agencies, it has to make difficult and unpopular decisions. However, if additional resources were to be made available to the police, or when the police are deciding where to allocate resources, for me, the priority has to be in building up the community policing structures as well as preventing and detecting crime. Personally, I would be more concerned about the threatened removal of the roads policing unit and the public protection unit that deals with domestic violence than I would be about the tactical support group being taken out of Fermanagh. Those people, as well as the community officers, build a rapport with people and with the local

community, which is the proper way to improve the performance of the police.

I come from a rural community, and as I look at the implications of crime, it is clear that crime has a major impact on our society. In recent weeks, our local newspapers have been littered with cases of thefts and burglaries from houses, schools, chapels, workplaces and even cars outside places of worship. It has become so bad in recent times that members of different religious congregations are keeping an eye on each other's cars when people are inside celebrating their religious beliefs. That tells you that very many people living across Fermanagh are living in fear of serious and petty crime. A tactical support group will not address that fear, and it will certainly not tackle that crime, which is what most people in Fermanagh are complaining about and trying to deal with.

People want to see and are crying out for more community-based police officers on the ground engaging with the local community to tackle criminals and to prevent crime. The perception that I get is that the PSNI is lazy, disorganised and ineffective.

When victims phone the police to request support in the immediate aftermath of a crime, the police regularly fob them off. They say that they are under-resourced and overstretched — those are the excuses that people are given. However, when money had to be found to police the G8, there was no bother getting that. I think that, over the week of the G8, one person was arrested, yet £92 million was spent, nearly two thirds of it on policing. When it comes to the G8, there is an abundance of money, but when it comes to everyday policing, it seems that the money cannot be found.

In the past, many in my community had a major psychological and political problem with engaging with the police, but, thanks to recent changes, those barriers have, in the main, been dealt with. However, there now exists a different hurdle. There is little faith among many across the community in the ability or willingness of the police to respond effectively to criminal activity or work seriously to prevent crime. When people phone the police, they want help; they do not want to be fobbed off with excuses.

Right along the border, there is a widespread criminal enterprise in stealing livestock and farm machinery and transporting it into nearby counties across the border. The lack of joint working between the PSNI and an Garda Síochána makes life much easier for criminals. That gap needs to be addressed as a matter of

priority. Those crimes might appear low level in nature, but they are not victimless and deserve to be dealt with properly.

Crime costs the local economy millions of pounds every year. Efforts need to be put in to preventing crime, taking criminals off the streets and dismantling their operations, not worrying about where a tactical support group, which has questionable success in Fermanagh, is based. If we are to address criminality in Fermanagh, the words of Matt Baggott that Bronwyn quoted must be acted on and taken forward in all communities. That can be done only in partnership, through building trust and confidence and by working with the community.

Mr Hussey: It is very appropriate that I am taking part in the debate, given that I was away at the weekend attending the National Police Memorial Day service in Edinburgh, which paid tribute to all police officers throughout the United Kingdom who lost their life whilst serving the community. We should always remember that. Whether it is the Police Service of Northern Ireland, the Royal Ulster Constabulary or, indeed, even an Garda Síochána, anyone who serves as a police officer should be respected by the community.

Mr Flanagan referred to his community. I would have thought that, in Northern Ireland, everybody was part of the community. Regardless of whether you are Protestant or Catholic, a believer or non-believer, black, white or whatever colour you want to be, you should be part of the community, and the police are part of that community. Quite a few police officers live in County Fermanagh and have done so over the years. Local policing means local knowledge, and there is no doubt that the police must work with the community.

Community justice was mentioned. Sometimes, community justice has meant people having their kneecaps shot off or being shot in the legs, the knees, through the hands and, later, through the head, so we know what some forms of community justice can entail. We are dealing with a society coming towards peace, but we must bear in mind that, in Fermanagh particularly, there was an attempt at ethnic cleansing. There was an attempt to murder farmers who lived along the border, and that fear still exists. There are farmers in that area of County Fermanagh and County Tyrone who served in the security forces and still believe that there is a threat to their life. Dissident republican activity does not help us to come to a normal society, so there is a need for a TSG, whether it is based in Fermanagh or

Tyrone, because we have to have a police service that can react.

Mr Flanagan referred to some police officers whom he described as lazy. That is an intolerable position. If there is a serving police officer who is lazy, he should be removed, and that is what the force can do. There are police officers who are occasionally slovenly and might appear without their tie. They, too, can be disciplined, but that is the way that the service works. We have a police service that is there to defend and protect all.

I agree that rural crime is a major issue. Rural crime in the Clogher valley has had a major knock-on effect in my constituency of West Tyrone. My solution is quite simple: we should improve and we should attract part-time police officers from the area in which they live, because they will have stronger local knowledge than any police officer who comes in from outside, but that is a debate for another day. Crime is crime is crime, and we want to see police officers doing their job and taking people to court.

I support the call for the retention of the roads protection unit. I believe that it will stay, because I met the assistant chief constables to discuss the issue. We want to see that unit retained in Fermanagh, because it is necessary. We have far too many people taking to the roads who assume that they can do what they like.

Police officers are accountable. They are more accountable now than they have ever been: they can be reported to the ombudsman, or, as the Member has suggested, the local officers can be contacted. He said that certain officers cannot be identified but, within the neighbourhood unit, as he well knows, he can go up to the rank of inspector. The Member mentioned having a meeting with the chief superintendent: that door is open to him, and that is his opportunity to bring forward any complaints.

I thank my colleague for tabling this topic for the debate; I am glad that I stayed behind to participate in it. We want to see the police anywhere and everywhere, and we want to get as much support as possible for the police from the community.

Adjourned at 3.56 pm.

Suggested amendments or corrections that arrive no later than two weeks after the publication of each report will be considered by the Editor of Debates.

They should be sent to:

✉ **Editor of Debates, Room 248, Parliament Buildings, BELFAST BT4 3XX**

☎ **028 9052 1135**

✉ **simon.burrowes@niassembly.gov.uk**

Hansard reports can be made available in a range of alternative formats, including large print, Braille etc. For more information, please contact:

✉ **Hansard Admin Unit, Room 251, Parliament Buildings, BELFAST BT4 3XX**

☎ **028 9052 1463**

✉ **hansard@niassembly.gov.uk**

The Official Report (Hansard) is licensed under the Open Northern Ireland Assembly Licence, which can be accessed here: [Open Data Licence](#)

[To receive an alert each time an updated plenary report is published, you can follow @NIAHansard on Twitter](#)