



Official Report (Hansard)

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Northern Ireland Assembly

Tuesday 30 April 2024

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

Members observed two minutes' silence.

Assembly Business

New Assembly Member: Andrew McMurray

Mr Speaker: Yesterday, I announced that I had been informed by the Chief Electoral Officer that Andrew McMurray had been returned as a Member of the legislative Assembly for the South Down constituency to fill the vacancy there. This morning, Mr McMurray signed the undertaking and the Roll of Membership and entered his designation in my presence and that of the Clerk to the Assembly. Andrew has now taken his seat, and I welcome him to the Assembly and wish him every success.

Members' Statements

Mr Speaker: If Members wish to be called to make a statement, they should indicate by rising in their place. The usual rules apply.

COVID Inquiry

Mr Buckley: Today is a very poignant day for many of our constituents, with the start of the UK COVID inquiry in Northern Ireland. More than 4,000 people tragically lost their life in Northern Ireland during the period. I think of the bereaved families in particular, for whom today will bring back many memories of some very painful times that they went through.

As constituency MLAs, I am sure that each and every one of us has personal memories of a very difficult time. I remember, from my own perspective, losing a dear friend who was in a care home. I remember going to the window of the care home to see him in his final moments before he passed. I remember the pain that the family felt because they could not even get to his bedside because of the fear of COVID spread in the care home.

I think of constituents who impaled themselves on railings trying to get to loved ones' graves as councils closed cemeteries. I think of the many decisions that were taken in this place, some with more thorough scrutiny than others, and how those impacted on people's lives.

More importantly, however, we need to renew the firm call that the families have made, which is that today is a search for the truth and for accountability. It is a search for political accountability, when, sadly, it was lacking in this place at times.

Decisions were taken that were, "Do as I say, not as I do", for some Members. Primarily, today, with victims very much at the front and centre, we can only hope and pray that their families find some form of closure as the inquiry comes to Northern Ireland.

International Workers' Day

Mr Kearney: I want to highlight the significance of International Workers' Day, otherwise "May Day", tomorrow on 1 May. May Day celebrates the struggles and achievements of working people and organised labour. It also reminds us of what still needs to be done to maximise industrial democracy and workers' rights. Securing full union recognition and collective bargaining rights in all workplaces across Ireland remains a critical priority. Notwithstanding the challenging economic and financial realities in the North, our power-sharing institutions need to have the backs of workers and families.

I extend solidarity to the Irish Congress of Trade Unions (ICTU) and the international labour movement this May Day. I encourage everyone to participate in May Day meetings and rallies this week, especially on Saturday.

United Nations Committee on the Rights of Persons with Disabilities Report

Mr Donnelly: I rise to speak on the latest UN Committee on the Rights of Persons with Disabilities report, which was published last week following an inquiry into the rights of disabled people in the UK in March. The committee found that there has been no significant progress on delivering its previous recommendations that were outlined in 2017. The UK Government have failed to address any of the systematic violations of the human rights of persons with disabilities and have failed to tackle the root causes of inequality and discrimination for disabled people. Whether it is difficulties in accessing personal independence payment (PIP) or adult disability payment (ADP) or proposed amendments to the Data Protection and Digital Information Bill that would violate the right to privacy for many people, it is clear that the outgoing Conservative Government have no interest in addressing any of the inequalities that continue against people with disabilities. I hope that the next Government provide a more equitable and human rights approach to equality issues.

The report highlights some of the most pressing issues that are specific to Northern Ireland, such as the loss of EU funds and the failure of the UK Shared Prosperity Fund to provide the same level of support. I will quote two paragraphs directly from the report, which is available online. It states that deaf and disabled persons organisations (DDPOs)

"in Northern Ireland reported that disabled people were in a particularly dire situation. Disabled people are 50% more likely to live in poverty. Debt is a significant issue, with many losing a substantial portion of their income to debt repayments. Despite some individuals qualifying for disability benefits, the financial support often fails to cover the extra costs associated with disability, leading to [financial] hardship and material deprivation, and indicating that disability benefits for those who meet the threshold for entitlement, are not sufficient to meet the extra costs associated with disability and ill health.

DDPOs in Northern Ireland also raised concerns about disabled people being targeted for financial exploitation and illegal lending during the recent political and economic crises. This has highlighted a gap in formal responses to protect disabled people from such exploitation."

Significantly, the report highlights the disproportionate impact of political instability in the Assembly on disabled people and their rights. The report displays the urgent need for institutional reform to prevent the Assembly from collapsing for years again.

Equality law in Northern Ireland has fallen behind that in the rest of the UK. One way in which to resolve that gap would be the incorporation of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) into domestic law, as it is recognised as the gold standard for equality rights. I hope that the Executive bring that to the Assembly before the end of the mandate.

Rugby: Fermanagh and South Tyrone

Mr Elliott: I want to bring to Members' attention the success of two rugby clubs in Fermanagh and South Tyrone, namely Clogher Valley Rugby Football Club and Enniskillen Rugby Football Club, this season. At the weekend, Enniskillen Rugby Football Club's ladies became Women's Junior Cup champions, beating Malone Rugby Football Club by a staggering 27 points to 8 points. It was a great win for that young side.

Clogher Valley has also had success this year, with the women's team winning the Ulster league B and the first men's team winning the all-Ireland league 2C and the Bank of Ireland Senior Shield final. All that comes off the back of great youth programmes in both clubs. They

bring forward those young players and teach them respect and competitiveness. There is a healthy competitive relationship between Clogher Valley and Enniskillen, which is always good, and both excel themselves when they play each other. Enniskillen firsts just missed out on being champions in their league as well, coming in second place. I wish both clubs well, I wish the youth programmes well and I love to see those youth programmes thriving.

Mental Health Services: South Down

Mr McGrath: I want to make a Member's statement about the provision of mental health services in South Down, notably those that are offered by three local organisations that I have worked with, Life Change Changes Lives in Downpatrick, Mind Your Mate and Yourself (MYMY) in Newcastle and Castlewella and The Well in the kingdom of Mourne.

The issues of mental health and well-being and, indeed, suicide will impact all of us at some point, whether directly or indirectly. While we are 26 years since the Good Friday Agreement and are grateful for the peace that we now enjoy, so many families and individuals still live with the trauma and the trans-generational trauma that the Troubles caused. Medical professionals tell us that the legacy of the Troubles has contributed to the greater prevalence of mental health issues in the North compared with England, Scotland or Wales. Therefore, the need to implement a fully resourced and funded mental health strategy and action plan has never been greater.

Often, those who require counselling to help care for their adverse mental health can avail themselves of only six free sessions under the current model that is provided by the statutory health trusts. It seems ridiculous that we have one size that is expected to fit absolutely everybody and is such a short supply of what they need. Mental health does not follow statutory guidelines. After six sessions, people are often left at a cliff edge, wondering whom to turn to. In that void left by the statutory sector, it is often community and voluntary sector organisations such as Life Change Changes Lives, MYMY and The Well that step in to provide a much-needed listening ear, a shoulder to cry on or words to calm a troubled soul. In some circumstances, those organisations literally talk people back from the edge of death. They do it not for profit or headlines; rather, they do it because it is the right thing to do and because they care for the people in our communities.

Yet, here we have an Executive who do not believe that those organisations deserve the funding to do the work that they do. Often, there is no cure for adverse mental health but, rather, the imparting of skills, knowledge and understanding to help those suffering to live with their conditions. Therefore, the need for a multi-year budget to enable the Department to fund those organisations has never been greater. Our Executive should work to provide that funding.

Legacy Act

Mrs Dillon: Tomorrow is 1 May. For some, that is the beginning of summer, but, for many families, tomorrow is a day that they have dreaded for some time because they lost loved ones in the conflict and, as a result of the British Government's Legacy Act, it is the day that numerous inquests will be halted and over 330 Troubles-related cases that are being investigated by the Office of the Police Ombudsman will be axed. Those families aptly named the Legacy Bill "the Bill of shame", because it will end all access to legal pursuit of their cases.

We may not always agree in the Chamber, particularly on sensitive matters such as legacy, but, on this, I believe, we are all agreed. The British Government Legacy Act is wrong and serves nobody. It serves no victims and no families. We believe that the Stormont House Agreement, whilst not perfect, at least offered families some access to truth and justice. The families themselves believe that, as shown by the number of responses to the consultation on the Stormont House Agreement Bill. Many of the 17,500 responses were from families who lost loved ones. Many of those people poured their hearts out in the consultation responses only for those to be scrapped, along with the Stormont House Agreement Bill, by the British Government.

I have spoken to many families from all sections of our community, and all they want is peace.

They want the truth about what happened to the people whom they loved, and they do not want the next generation of their families to have to carry the burden that is the fight for truth and justice. Be in no doubt, however, that while they do not want their families to have to carry that on, they will if they have to.

10.45 am

The irony in some of these cases is that the very Secretary of State who has blocked

access to justice through the courts and the Coroners' Court is the same person who will decide whether those families get access to a public inquiry. That is not right. Public inquiries into some of the cases were recommended by the Coroners' Court itself.

I am asking for support from across the Chamber in continuing to fight the British Government on this issue and insist that they repeal the Legacy Act.

Bovine TB: Proposals to Reduce Compensation

Mrs Erskine: Bovine TB is destroying farms across Northern Ireland. I am calling on the AERA Minister to move at pace to bring forward a plan on how he is going to deal with that scourge.

Farmers are under intense pressure, and bovine TB hits their farms through no fault of their own. The AERA Minister must meet the needs of farmers and defend their livelihoods. I know of family farms, especially in my constituency, that are at breaking point. In 2003, my area had some of the highest incidences of bovine TB in Northern Ireland, with a herd incidence rate of 12.6%. That was the second highest rate in Northern Ireland, behind only that in Newtownards. In my constituency, 96 herds were closed up in January and February of this year alone.

For those who are not aware of what that means for farmers, I suggest that you get out and visit some who have been hit. Farmers are left without an income or the ability to sell their animals at a time of rising costs, never mind the toll of seeing your livestock being loaded onto a trailer to be culled. I cannot imagine that feeling.

Bovine TB takes away any form of control on how you can operate your farm. There are those who see the figures paid out in compensation to farmers who lose a herd to TB and think that it is sufficient. Yes, animals are assessed at the market value by DAERA staff, but there is no allowance for the subsequent loss of milk production or progeny. That has a serious impact on farm finances. The Secretary of State pushed for a consultation on proposals to reduce the compensation by up to 25%. I warn of the consequences of introducing such a measure. It may seem alluring to some in the Chamber to save up to £9.3 million for the public purse. However, the contribution to GDP by NI cattle and sheep farmers is cited to be worth £2.8 billion.

Deal with the problem. That is my thinking and the thinking of farmers the length and breadth of Northern Ireland. I want the Minister to bring forward his assessment of the consultation and a plan to tackle bovine TB as soon as possible. We need to stand by our farming community.

Belfast Metropolitan College, Castlereagh Campus: Proposed Closure

Mr McReynolds: I rise to speak on the importance of Belfast Metropolitan College's Castlereagh campus in my East Belfast constituency.

Members will be aware of the sudden announcement of the proposed closure of the campus last year and of engagement on redundancies within the wider Belfast Metropolitan College estate. Since becoming an MLA, I am proud to have worked with parents and staff on that matter and have attended consultation evenings; consistently engaged with management; put forward our concerns on how the process is being handled; and raised what is happening with the Economy Minister in the Chamber and in writing.

The consultation recently closed, and the Minister has consistently told me that it would not be appropriate for him to meet with management of the Castlereagh campus until the significant number of public consultation responses have been reviewed by the college. However, it is precisely because of the large number of responses that it is essential that the Minister engages with the college, although not specifically on the proposed closure. The campus is such an important part of the community in east Belfast and the surrounding local economy. We cannot sleepwalk into closure and not know what could have been.

Moreover, we need to remember that this place sat silent for five out of seven years, while Departments cried out for support and ministerial direction, and groups and organisations cried out for support but were allowed to go to rack and ruin. I am firmly of the view that everyday issues such as potholes, street lights, struggling businesses and proposed campus closures can be linked back to the lack of a consistently functioning Government. That is why a functioning Assembly is so important to Northern Ireland.

Now that Ministers are in post and Departments have some energy behind them again, it is crucial that Ministers hear about problems and potential solutions and that they see the

opportunities that lie in front of them, with government support in place.

On behalf of the staff, current students and potential new students of Belfast Metropolitan College's Castlereagh campus, I call on the Economy Minister to urgently accept our request to meet staff and see the potential that the Castlereagh campus has for supporting the next generation of minds in Northern Ireland.

Independent Commission for Reconciliation and Information Recovery

Mr Nesbitt: I was listening carefully to Mr McGrath and Mrs Dillon. Mr McGrath made a point about our shocking rates of poor mental health compared with those in England, Scotland and Wales. A fact that we can all agree on is that that is a legacy issue. If you were to take a map of Troubles hotspots, measured by bombs, shootings and murders, and then take a contemporaneous map of hotspots for poor mental health, measured by attempted and completed suicides, drug abuse and alcohol abuse, you would basically have a match. We need to do more about mental health.

Linda Dillon made the point that, unusually, there was universal condemnation and rejection of the Legacy Act. Yet tomorrow, the Independent Commission for Reconciliation and Information Recovery (ICRIR) will come into being. It will effectively become the only show in town. Rightly or wrongly, that is the position that we are in, and it is up to the ICRIR to prove to us that it is worthy of our support.

The two things overlap: people's poor mental health and well-being may be a direct consequence of failure to secure truth, justice and acknowledgement for their loved ones. As a former victims' commissioner, I can testify that we have not done particularly well by victims and survivors, over the years. They had a reasonable expectation that, the moment that they were injured or lost a loved one, the agencies of the state would form a circle of wagons around them and that they would get whatever they needed, be that a bit of shopping, having the children taken to and collected from school or some cash. Those things did not happen.

For some reason, I am minded of a widow whose husband was murdered. She was left with a farm, a herd of milking cows, a slurry tank and two toddlers — the last two being a potentially fatal mix. She had to milk the cows

every day, and there was nobody to help her. How did she keep the children safe and away from the slurry tank? She got two tractor tyres and piled one on top of the other to create a prison cell into which she placed her two toddlers while she milked her cows, because nobody was there to help.

I do not know what the ICRIR will achieve, but there is a lot of pressure on it, because victims and survivors deserve truth, justice and acknowledgement.

Personal Independence Payments: Proposed Reform

Mr Durkan: The personal independence payment (PIP) is a lifeline that provides support for basic needs such as housing, transport, food and heating. As complex and flawed as the PIP process can be and often is, disability benefits in general offer a safety net: assurance from the welfare state that society's most vulnerable will be protected.

Recent proposals from Rishi Sunak fly in the face of that objective. The Tories' proposed reform of the system, including stopping regular cash payments, is an immoral attack on those with disabilities. If, in turn, the reforms are foisted on the North by the Executive parties — as happened with welfare reform — the outcome will be ruinous. As we heard this morning, the legacy of the conflict is that we have a much higher prevalence of long-term illness and disability here than in Britain. We also have some of the worst outcomes for people with disabilities. A series of unprecedented budget cuts in recent years, including the loss of access to the European social fund, has disproportionately impacted disabled people. Overnight, services like Action Mental Health in my constituency disappeared, stripping many disabled people of loving, supportive community networks. Vital organisations were gone in an instant, and the most vulnerable were left high and dry. Cuts to discretionary housing payments (DHPs) were devastating for people who rely on disability benefits, making them unable to meet the shortfall that is caused by ever-increasing rental costs. Executive parties promised to overturn those cuts and many others that were made in their absence. Instead, the Budget has copper-fastened decisions such as those on DHPs, which have been a key contributory factor in rising homelessness.

It is deeply concerning that, on witnessing an increase in the number of claimants with a mental health condition, the first reaction of a

Tory Government is not, "How can we improve the life of those who are suffering?" but, "How do we tackle benefit scroungers?". It is really troubling to see such blatant disregard for people laid bare. The British Government do not care about tackling the underlying issues with poor mental health; they care only about cutting costs, even if the cuts cost lives.

The measures are not reforms; they are regressive measures that threaten the well-being of society's most vulnerable. They are dystopian and destructive by design. Those callous proposals must be opposed at all costs.

St Mary's Primary School, Fivemiletown

Mr Gildernew: I will pick up, geographically, from where my colleague Tom Elliott was in his statement — the village of Fivemiletown in south Tyrone — to acknowledge another fantastic achievement in the shape of St Mary's Primary School. The school has been shortlisted for the award for best community campaign at the Sheila McKechnie awards, which will take place in London on 15 May.

A short time ago, St Mary's faced the threat of closure, but under the excellent leadership of Mairaid Kelly of the board of governors and Brian McCloskey, the principal, the entire school community and that of Fivemiletown, including businesses and sports clubs — I acknowledge Deborah Erskine and Tom Elliott's work on this too — rallied around what is an excellent school with excellent educational outcomes. It is a growing, thriving school in a growing, thriving community. People in the community recognised its value and mounted and fought a campaign to save their school.

The Sheila McKechnie awards celebrate the best campaigns and campaigners, with a focus on those who have made change happen in their communities. With patrons including broadcaster Jon Snow, the Sheila McKechnie Foundation was established in 2005 to support and recognise campaigners and to encourage social change through civic action. That makes the school an excellent nominee for the award, given the social change that it has brought about through civic and community action. I acknowledge its work. It was an absolute privilege to be part of the campaign, which was positive and inspiring throughout. I wish the entire school community all the best in London on 15 May, and I hope that it wins the award.

Madison Wright

Ms Brownlee: I congratulate an inspiring young Carrickfergus woman who has been recognised as the Rotary Young Citizen of the Year 2024. At only 16, Madison is the only youth ambassador for the Northern Ireland Children's Hospice, and she has raised more than £100,000 through a series of fundraising events. She has organised coffee mornings, bag packs, walks, non-uniform days and even leg and chest waxing events, with the flagship event, a gala ball at Titanic Belfast, raising over £60,000.

Madison first got involved with fundraising after learning that her childhood friends Noah and Gracie Coates had been diagnosed with a rare form of cancer. That life-changing event is where Madison found her inspiration not only for charitable causes but for raising awareness of cancer. Madison is the well-deserved winner of the Rotary Young Citizen of the Year award, and she was presented with her prestigious award at a ceremony in Birmingham.

That achievement is testament to Madison's character and the time that she has dedicated to supporting the NI Children's Hospice. She is a shining example of how young people have a positive and vital role to play in our society today. Well done, Madison.

11.00 am

Preschool Provision: Kells

Mr Allister: I want to raise a constituency issue: the disparity and gaps in preschool provision in parts of my constituency. I refer in particular to the situation that prevails in and around the village of Kells. Historically, the provision was largely met by the Kells group, which has long existed, and what was colloquially known as the "Country Garage" preschool facility. It, unfortunately, closed, meaning that, this year, there were 65 applicants for the Kells provision, yet only 42 places were provided, even though it could cope with 52. That means that two dozen families or more in and about the village of Kells have no provision. They have been told that there are places in Crumlin or Rasharkin. Sorry, that is not good enough, because the scheme, as articulated by the Department, is to meet the "needs of each area" with the provision of targeted places.

I say to the Education Authority that there needs to be an adjustment and a revisiting of specific areas where the need has not been

met. I have been in touch with Mr Pengelly, and I trust that he will take the issue on board. The Education Authority was, I have to say, accommodating when a similar issue arose in Cloughmills, and I look for the same approach in respect of Kells. We cannot have a situation where two dozen families are left out in the cold when another 10 places could be provided if the Kells facility were granted the norm of 52 places. I hope that that will happen, because the stress and dismay that the issue is causing local families need not happen.

Ministerial Statements

North/South Ministerial Council: Plenary Meeting

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

Mrs O'Neill (The First Minister): In compliance with section 52C of the Northern Ireland Act 1998, I wish to make the following statement on the 27th plenary meeting of the North/South Ministerial Council (NSMC), which was held at the NSMC joint secretariat offices on 8 April 2024.

The deputy First Minister and I have agreed that I will provide the report. The deputy First Minister and I led the Executive delegation, and the then Taoiseach, Leo Varadkar TD, led the Irish Government delegation. The meeting was chaired by the deputy First Minister and me, and all Executive Ministers attended.

At the start of the meeting, Ministers offered their sincere condolences to the family, friends and former colleagues of Dr Peter Smyth, a former joint secretary to the NSMC from June 2002 until October 2005, who sadly passed away on 11 February 2024.

The Council then discussed environmental challenges, including those facing our watercourses, such as Lough Neagh, and agreed that both jurisdictions would share learning, expertise and research. The Ministers went on to discuss the fiscal outlook for each jurisdiction, and promoting economic growth, skills and job creation is a key priority for both Administrations. Ministers discussed relevant areas relating to trade and business.

The next agenda item was a progress report from the NSMC joint secretaries that provided updates on the NSMC meetings that had taken place since the previous plenary meeting and outlined the work taken forward in each of the NSMC sectors, including the North/South bodies. It was agreed that, building on the learning from the response to the pandemic, officials in both jurisdictions should continue to consider civil contingency planning and resilience arrangements across both jurisdictions and that an update should be provided at a future meeting. Ministers noted the significant challenges faced in both Administrations in addressing climate change and the loss of biodiversity and agreed that all NSMC sectoral meetings will consider those

issues so that a report of the discussions can be brought to the next plenary meeting.

The NSMC noted that this year marks the 25th anniversary of the establishment of the North/South Ministerial Council and the North/South bodies and that that will be commemorated during the year.

We then received an update on the various New Decade, New Approach (NDNA) commitments with a cross-border element. The NSMC welcomed the positive developments in the delivery of the commitments and noted that the Irish Government and the Executive will continue to work together, including through the North/South Ministerial Council, to deliver key infrastructure projects that will deliver social, environmental and economic benefits to improve the lives of people across the island.

Ministers welcomed the announcement in February by the Irish Government of funding of €800 million for Shared Island investment priorities, including €600 million for the A5 western transport corridor, as well as funding for the Narrow Water bridge, an hourly rail service between Belfast and Dublin and the completion of the cross-border Carlingford greenway. Ministers received an update on the A5 western transport corridor, including the fact that a public inquiry into the scheme was reconvened in May/June 2023, that, in October 2023, the Department for Infrastructure received the final report from the Planning Appeals Commission (PAC) and that Ministers and officials are carefully considering its findings and recommendations.

The NSMC noted that both Administrations continue to work together to progress the Ulster canal restoration project; that substantial completion of the main infrastructure works of phase 2, Clonfad to Clones, is expected in quarter 2 of this year; and that the estimated completion of all phase 3 elements, Castle Saunderson to Clonfad, subject to funding, is 2028-29. The Council was advised that the main infrastructure work on the subsection between Clones and Clonfad of the Ulster canal greenway is expected to be substantially completed in quarter two of 2024 in parallel with the completion of the Ulster canal blueway and that the subsection between Clonfad and Gortnacarrow is anticipated to be delivered in 2028-29.

A strategic environmental assessment, including a public consultation, is being carried out on the draft report of the all-island strategic rail review in 2023. The final report will be published, with recommendations appropriately

incorporated, pending approval in both jurisdictions. The NSMC noted that the Department of Transport and Department for Infrastructure continue preparation for projects to be funded under the PEACE PLUS programme, which includes improvement of the Dublin-Belfast rail link through the replacement and expansion of the Enterprise rail fleet to provide for sustainable rail stock and reduced journey time.

The NSMC noted that a tender process for the main construction works contract for the Narrow Water bridge was conducted in 2023 and that Louth County Council expects to award the contract to the successful bidder in the first half of 2024.

Ministers also noted that the Department of Further and Higher Education, Research, Innovation and Science and the Department for the Economy continue to work closely with Atlantic Technological University and Ulster University on the potential for future collaboration, skills provision and research and innovation. There is a particular focus on the key drivers of human capital and innovation in driving strong economic development in the north-west region. The Council received an update on higher education provision in the north-west region and noted that, in June 2023, subject to due diligence, the Irish Government committed up to €44.5 million from the Shared Island Fund to the construction of a new teaching and student services building at Ulster University's campus in Derry and that that implements the Irish Government's commitment under the NDNA agreement for capital investment in the campus to expand higher education provision in the north-west region.

The NSMC noted that, in November 2023, the Department of Further and Higher Education, Research, Innovation and Skills, the Department for Science, Innovation and Technology and the Department of Agriculture, Environment and Rural Affairs announced €70 million in joint funding to create two new research centres on climate and sustainable resilient food systems. The NSMC was advised that the North/South Research Programme, established in 2021, had granted €37.28 million to projects to date. Ministers noted the ongoing engagement of both Administrations with the North West Strategic Growth Partnership. A plenary meeting of the partnership took place on 30 November 2023. An allocation of an additional €1 million from the Irish Government was provided to the north-west development fund, which allows expenditure on the current phase of the fund to extend to March 2025. The NSMC agreed that commitments under NDNA

should remain one of the agenda items of relevance to the NSMC sectoral meetings and that further updates would be provided to future NSMC plenary meetings.

The Council then considered a number of CEO appointments for the North/South bodies. The NSMC appointed Gary Kearney to the post of chief executive officer of the Food Safety Promotion Board and approved the appointments of Sharon McMahon as chief executive of the Loughs Agency and Alice Mansergh as chief executive of Tourism Ireland. The NSMC reappointed Gina McIntyre as chief executive officer of the Special EU Programmes Body and approved the reappointment of Seán Ó Coinn as chief executive of Foras na Gaeilge.

The NSMC welcomed into post the newly appointed and reappointed chief executive officers and thanked Niall Gibbons, the former chief executive officer of Tourism Ireland, and Ray Dolan, the former chief executive officer of Safefood, for their significant contribution in providing leadership and direction to the work of those bodies. The NSMC also thanked the interim chief executive officer and designated officers for their leadership and important contribution to the work of the North/South implementation bodies and Tourism Ireland. The NSMC then appointed board members to the Food Safety Promotion Board and Tourism Ireland and agreed that appointments be made to fill the remaining vacancies on those boards and the boards of other North/South implementation bodies at future NSMC meetings.

The NSMC then approved a schedule of future sectoral meetings, a meeting in institutional format and the next plenary meeting in quarter 3 of this year.

Finally, I place on record our thanks to Mr Tim Losty, the previous joint secretary to the North/South Ministerial Council, who retired in May 2022.

Mr Speaker: Before I call Mr O'Toole, I remind Members that they should ask questions of the statement. I will not be tolerant of speeches.

Mr O'Toole: I assume, Mr Speaker, that that was not in any way directed at me.

First Minister, thank you very much for that update. It is welcome that the NSMC is meeting again after three years. That will be the height of my speech. You talked about the all-island strategic rail review. I am pleased to see that it was a subject for conversation. You said that

the final report will be published "pending approval in both jurisdictions". Can you confirm whether the all-island strategic rail review and its recommendations are agreed policy by both jurisdictions? If not, will you advance the cause that they should be?

Mrs O'Neill: I concur that it is great to see the North/South bodies and institutions up and running again. It was very much an opportunity to refresh and restart them.

The strategic rail review is hugely important, and that vital work continues. It is important that both jurisdictions come forward with their proposals for how they will take forward the review. There was an absolute recognition at the meeting that improving our rail network has the potential to drive economic growth and promote environmental sustainability. I look forward to the relevant Ministers bringing that forward through their area of work at the next North/South ministerial apparatus meeting. The two Ministers will bring forward proposals from their respective Departments on how they will publish the final review in the coming months and then on how it will be taken forward.

Ms Kimmins: I thank the First Minister for her update. Does she agree that the NSMC provides an important forum for developing shared approaches to the delivery of essential public services, most obviously all-island health interventions but also in other areas, such as agriculture, infrastructure, climate and tourism?

Mrs O'Neill: I absolutely agree with that. It is such an important forum. I am so glad that it is back up and running. There are huge opportunities for us to share initiatives through the various sectoral meetings. I could not think of what those meetings were called when I was answering Matthew's question. A huge volume of work will be taken through those bodies now that they are operational again.

It makes a lot of sense for us to adopt shared practices and strategies on our small island. Many of the challenges that Ministers face across the board are shared challenges. There are also opportunities, however. You referred to health: we can see the many benefits of cooperation, particularly on health facilities. Children's cardiac care is a huge example of how cooperation pays off for citizens here. There are many opportunities when it comes to our tourism offering, protecting our environment and tackling climate change. The mechanisms are now in place across all the sectoral interests to allow us to develop effective solutions to many of the issues.

Ms Bradshaw: Thank you, First Minister, for your statement. It sounds as though a lot of ground was covered and that it was all very positive, but, as has been indicated, there was a period in which the Council did not meet, during which we saw the passing of the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023. Was that discussed? If so, are there any plans to bring forward some all-island good relations or Shared Island projects in that space?

Mrs O'Neill: The Act was not discussed in any kind of detail at the meeting, but I suspect that, as all the sectoral meetings happen, we will have the opportunity to promote and advance some of that work, particularly on good relations. Some of the Shared Island Fund initiatives that have been announced in recent times will help foster and build good relations in communities.

There are the practical pieces and infrastructure investment, but there is also investment in communities and in people who do good work on the ground. I look forward to all that work across the piece being restarted and rebooted through the sectoral engagements.

11.15 am

Mr Buckley: As someone with an interest in the history and beauty of the Ulster canal, I wondered whether the Minister could give an update on the progress on that project from a tourism perspective, with a particular focus on the Northern Ireland section. In the past, there has been interest from Minister Heather Humphreys TD about exploring that, particularly in the counties of Fermanagh, Armagh and Tyrone.

Mrs O'Neill: I concur that the Ulster canal project has huge momentum. It has been a long time in the making and the development. The momentum of the canal restoration project, with both Administrations working together, is a fine example of how to progress such a huge infrastructure project that brings so many benefits for communities. Significant construction work is ongoing in the Clonfad to Clones phase. It will be completed in the next few months.

There is the potential for expansion of the greenway work. Heather Humphreys and others, particularly our representatives in the area from across the parties, are promoting its further expansion. When we see progress on the greenway work, which will be completed this summer, we need to keep building on the

potential to extend it even further to help to boost tourism and our local economies and to provide a resource that can promote active travel and recreation. There are huge benefits, and we will continue to see those develop in the years ahead.

Mr Elliott: My question also relates to the Ulster canal. Which agency or Department is responsible for taking forward the on-site work on the projects, including the designs?

Mrs O'Neill: I do not have the detail of the company to hand, but I am happy to provide that information to the Member.

Miss Brogan: Gabhaim buíochas leis an Chéad-Aire. [*Translation: I thank the First Minister.*] I am glad to hear that the A5 road upgrade was discussed at the NSMC meeting. Will the Minister tell us whether the development of the A5 upgrade is a priority for Ministers in the North and South of Ireland? Is seeing the upgrade developed at pace a priority?

Mrs O'Neill: Yes, absolutely. It was an area that we discussed. Updating the road is a priority not only for the Executive but for the Irish Government, who recently committed €600 million towards the project. We all know that the number of tragedies that have occurred on that road is absolutely shocking. While we met that morning, news came in of another person who lost their life on a stretch of the A5. That highlights and underlines why we need to urgently upgrade that dangerous road in order to save lives and ensure that no other family suffers the heartbreak that far too many families have endured.

The Infrastructure Minister, our colleague John O'Dowd, and his officials are considering the findings of the final report by the PAC and are actively considering the next stage in due course. I am sure that Minister O'Dowd will want to take the matter forward at the next NSMC transport meeting, because it is a key infrastructure project that, we know, will transform and save lives. The project will be better for everyone, so it is important to advance it.

Mr T Buchanan: I will follow on from the previous question. The A5 has been a priority for the Executive for well over a decade. Was any indication given at the meeting of when the project will change from being a commitment and a priority to a reality, with action starting and works commencing on-site?

Mrs O'Neill: That level of detail will be discussed over the course of Minister O'Dowd's deliberations on the PAC findings, which are in front of him right now, but also at the next transport sectoral meeting. I absolutely agree that it is time to get the road built and to get spades in the ground and advance the project. It will provide enormous benefits for the people in that part of our community because of the issues I have highlighted about road safety and the number of deaths that have occurred on the road. It is time to get feet on the ground and make sure that the road is built, and I concur with the Member on that.

Ms Egan: First Minister, your statement referred to numerous vacancies in some North/South Ministerial Council implementation bodies. Will you please outline how many vacancies there are and the timeline for them to be filled?

Mrs O'Neill: There are a number of vacancies that have to be progressed over the coming months. I do not have the actual figure. We were able to make some appointments of chief executive officers. At the sectoral meetings in the coming weeks and months, individual Ministers will bring forward appointments to each of the boards. I will provide the actual number to the Member in writing because I do not have the figure in front of me.

Mr Kearney: Gabhaim buíochas leis an Chéad-Aire as ucht a ráitis. [*Translation: I thank the First Minister for her statement.*] First Minister, will you expand on the specific discussion that took place at the NSMC on the environmental catastrophe in Lough Neagh and reassure the lough shore community and my constituents that the crisis will be taken forward as an all-island environmental priority?

Mrs O'Neill: Yes. That was one of the first areas that we discussed at the NSMC. Given the significance of the issue and the need for shared learning, expertise and research, we discussed, in the margins of the meeting and in the meeting itself, how we want to continue to face the issue together. I anticipate that we will continue to engage closely on it.

We specifically highlighted and discussed the challenges that we jointly face and the strenuous efforts that are in place to overcome the difficulties in Lough Neagh; how it is essential that we continue to work together across all Executive Departments and across the island in addressing the challenges that arise as the result of climate change; and how we need to take action across all sectors to

address the troubling trends that we see. I was delighted that there was a commitment from the Irish Government to work with us on that learning, expertise and research. As we know, it is about much more than just Lough Neagh; it is about all the tributaries and everything that contributes to the situation that we find ourselves in. This is a time for learning together and taking on the challenges together. I know that we will continue that conversation and work in the NSMC.

Mr Brett: I thank the First Minister for her update. The First Minister is on record as saying that victims of terrorism deserve truth and justice. Will she outline how the North/South Ministerial Council can be used as a platform to achieve that aim? Will she join the deputy First Minister in calling on the Irish Government to launch a public inquiry into the Omagh atrocity and ensure that those victims of terrorism get the truth and justice they deserve?

Mrs O'Neill: That issue was not discussed at the NSMC, but I am absolutely on record as saying that all families are entitled to truth and justice in whatever form and from whatever quarter that comes.

Dr Aiken: I declare an interest as a member of the steering committee of the British-Irish Parliamentary Assembly. In paragraph 11, we referred to the economic activity that was likely to be mentioned at the North/South Ministerial Council. Was the issue of electronic travel authorisation (ETA) raised, bearing in mind the significant impact that it may have on Northern Ireland tourism?

Mrs O'Neill: No. That issue will be taken forward in the sectoral meetings involving the Department for the Economy and the relevant corresponding Department.

Mr McGuigan: I appreciate the update from the meeting. Will the First Minister elaborate on whether there was any discussion at the NSMC about our economy and, in particular, addressing regional imbalances?

Mrs O'Neill: Yes. Again, one of the early conversations that we had was about supporting businesses and growing trade — that is a key priority for all of us in the years ahead — and how we are all committed to addressing regional imbalance. We have shared priorities in promoting economic growth, job creation and improving skills, all of which we discussed in a broad way at the meeting. We have similar barriers to people entering the

workforce, including childcare, which was also briefly touched on.

We are keen to support local businesses as they grow, take the next step and venture into other markets, whether that is on the island, in Britain, in the EU or beyond. Obviously, Invest NI will play a key part in that, and I welcome the work that it is doing with InterTradeIreland and Enterprise Ireland to deliver support in innovative ways. Another area in which we have common ground in trying to grapple with is our desire to ensure that our young people want to stay here and build their careers here when they come out of education. We want to stop that trend. Those are areas where we can continue to collaborate.

Mr Kingston: With regard to academic research collaboration, was there any discussion of the impact of the United Kingdom's reassociation with Horizon Europe, including access to funding, which will be beneficial to all partners?

Mrs O'Neill: That was not discussed, because the discussion was at a higher, more strategic level, but it will be discussed at a sectoral meeting. Absolutely, we can all concur that having access to Horizon Europe is where we all wanted to be, so I am glad that we are back in that spot.

Mr Durkan: First Minister, we welcome the commitment of Shared Island funding to the university campus in Derry. Was the NSMC updated on the appointment of the new task force focused on expansion of the university there, and are there plans for future engagement between the two?

Mrs O'Neill: As the Member can see from my statement, we discussed research and innovation and higher education in the north-west, the North/South research programme and the North West Strategic Growth Partnership. The Economy Minister spoke at the meeting, particularly about his plans for a task force, which he subsequently announced. I look forward to that work continuing in order to ensure that we do everything to support the university's expansion. The task force will, in time, produce the road map that will enable us to do that. We had a strong commitment from the Irish Government on their approach to the area and to working with us on building research and innovation and higher education more widely in the north-west.

Ms Ennis: The Narrow Water bridge is much anticipated by the people of South Down. The

First Minister will know that that project is about more than just infrastructure; it is key to unlocking the huge tourism and economic potential that we have in South Down and across the Carlingford lough region. Is the Minister in a position to provide more detail on the Narrow Water bridge project?

Mrs O'Neill: It was discussed. It is another important infrastructure project for both Administrations. The Irish Government announced further Shared Island funding for the construction of the bridge back in February. We know that the bridge will facilitate cross-border active travel, including through further development of the network of greenways and of local connectivity. Again, like the A5 project, it is a project that has been in the making for many years, so it is great to see progress being made. No doubt, the communities in Down and Louth who have campaigned tirelessly for progress will be delighted that their hard work is bearing fruit and that we are seeing advances.

Mr McGrath: The discussions about tourism at the NSMC meeting have been mentioned, including the appointment of Alice Mansergh as CEO of Tourism Ireland. Given the opportunity for joined-up working through the NSMC, does the First Minister agree that the development of the Ireland's Ancient East brand must extend beyond the border to my constituency of South Down, bringing economic, cultural and historical opportunities?

Mrs O'Neill: Yes, I agree. There is enormous potential there, and our Minister with responsibility for tourism, Conor Murphy, is determined to advance that project.

Mr Allister: With the Executive short of money, does the Minister know or care what the North/South institutions cost? Will she supply that information? Does she know or care about the fact that none of the North/South bodies have a balanced workforce? They all have an inadequate number of people from a Protestant background? Does that matter?

Mrs O'Neill: I am aware that the Member has submitted questions about the resourcing of the North/South bodies. I remind him that those bodies are jointly funded by the Irish Government and the Executive and that they are an integral part of the jigsaw that makes up the Good Friday Agreement institutions and the relationships across these islands. It is important that, as public bodies, they are properly resourced to do their work. In general terms, the resourcing of individual bodies is a matter for Ministers, and such bodies continue

to be developed collaboratively by Executive colleagues and their Irish Government counterparts.

Mr Carroll: A lot of anti-migrant and anti-asylum seeker rhetoric has been whipped up, particularly in the past few weeks. What discussions, if any, took place at the NSMC about the detested Rwanda scheme or any other anti-asylum seeker scheme of the British Government or the Irish Government? Will the First Minister commit to raising at the next meeting her opposition to that rotten scheme and all the anti-asylum seeker rhetoric of the past few weeks?

Mrs O'Neill: I am on the record as having called out the British Government's approach in the Rwanda Act.

It is disgraceful, disgusting and does not meet any human-rights standards by any stretch of the imagination. The issue has arisen only in the past number of days, so it was not discussed at the North/South Ministerial Council. However, suffice it to say, we should all support a system that is fair, efficient, compassionate and can be enforced. There is no doubt in my mind, as I said yesterday during Question Time, that Ireland cannot become a casualty of the horrible Rwanda legislation that the Tories have brought forward in England.

11.30 am

Ms Nicholl: Thank you, First Minister. You briefly touched on the fact that childcare was discussed, which is unsurprising given its relevance to economic growth, skills and job creation. Could you elaborate on what was discussed and what we can hope to see coming forward in the future?

Mrs O'Neill: It was discussed more in a high-level strategic way in the context of building our economy, and that will be one of the component parts if we are serious about building our economy. It was discussed in the vein that it is something that we, as an incoming Executive, want to prioritise and work on. We restated our Executive commitment to doing something on childcare and bringing forward an appropriately funded and accessible childcare package. That was the way in which we discussed the issue. Again, it is one of those areas that will follow through into the sectoral meetings, and there will be much more discussion about that then. It was for us to state our priority, and, likewise, the Irish Government addressed their approach to the issue.

Ms Sheerin: First Minister, it is important that we acknowledge the 25th anniversary of the North/South institutions. Our peace agreement here in the North is the envy of the poor people across the world who are suffering as a result of conflict. What is being done to mark that anniversary?

Mrs O'Neill: Yes, this is the 25th anniversary, as you acknowledged. It is a significant milestone in the profile of the work of the bodies and what has been achieved. There have been some very significant achievements over that period, and it is important that they are profiled and publicised. It is also important that we continue to build on those achievements when we look towards the next 25 years and what can be achieved.

Members may be aware that the bodies have launched an exhibition in the Ulster Museum. It is titled North/South 25, and it will be on permanent display in the lecture theatre at the Ulster Museum throughout 2024. I strongly encourage Members to get a look at the exhibition so that they can see the kind of practical collaborative efforts that have been brought forward and the benefits and advantages that the North/South bodies have brought to our people.

Mr Delargy: I thank the First Minister for her statement. First Minister, can you provide an update on the PEACE PLUS programme?

Mrs O'Neill: Yes. I can confirm that significant work has been undertaken by the Special EU Programmes Body (SEUPB) in the development and implementation of the £1.14 billion Peace programme so far. That aims to build on the work of the previous Peace and INTERREG programmes, and I welcome the huge impact that it will have in promoting economic and social cohesion and supporting peace and prosperity. I am very pleased that the programme opened for funding calls in June last year and that programme implementation is progressing well. A significant number of funding calls have already opened and closed, and I understand that, in the remaining investment areas, calls are scheduled to open throughout the remainder of this year. There is huge potential for projects to be taken forward under the Special EU Programmes Body.

Mr Speaker: That concludes questions on the statement from the First Minister and deputy First Minister.

Mr Buckley: On a point of order, Mr Speaker. The House is due to have a statement on MOT

waiting times, and it seems to have suffered the same fate as many MOTs, with it just being supplied now at 11.30 am. Mr Speaker, do you agree that it is highly unacceptable for Members to have just received a statement that they are meant to scrutinise?

Mr Speaker: The Member raises a point of order that I was going to raise with the Minister. Whilst he is coming to take his place, I remind him that statements are due to be in one hour beforehand. I encourage officials to maybe get up a wee bit earlier in the morning and make sure that statements are out in good time for the Assembly.

Members, take your ease whilst Mr O'Dowd takes his place and whilst we change the top Table.

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

MOT Test Waiting Times

Mr Deputy Speaker (Dr Aiken): Order. Further to the Speaker's comments, the Minister has failed to meet the requirement on the delivery of this morning's statement. Therefore, prior to making that statement, in accordance with Standing Order 18A(2), I ask him to state the reason for that.

Mr O'Dowd (The Minister for Infrastructure): My apologies to the House for the statement's not being available on time. I can only assume that the error occurred because we have a shortage of staff in the office this morning. I apologise again to the House.

Mr Deputy Speaker (Dr Aiken): I have received notice from the Minister for Infrastructure that he wishes to make a statement.

Mr O'Dowd: In compliance with section 52 of the NI Act 1998, I wish to make a statement regarding proposals to help reduce the current waiting times for MOT testing. At the Assembly debate on 11 March, I listened carefully to all Members and let them know that I had asked officials to urgently consider a range of policy options to reduce MOT waiting times and that I would make a statement after Easter. I have considered the policy options that have been presented by my officials, and I am now in a position to provide you with an update on the further measures that I am introducing to reduce current MOT waiting times.

Before I do, it is worth noting the context in which the proposals are being brought forward. In each of the past two years, the Driver and Vehicle Agency (DVA) has conducted over 1.1 million vehicle tests, which is the highest number ever recorded. That increase has been achieved through a range of measures, including the recruitment of additional examiners, the use of overtime to provide cover for leave and offering vehicle testing appointments on Sundays and bank holidays. In 2023, there were only seven days on which the DVA did not offer MOT appointments. Despite that, waiting times for MOT tests remained unacceptably long, and that demand is increasing each year.

The DVA is investing in new test centres. The construction of the first new test centre in almost 50 years at Hydebank has been completed, and the DVA is going through the rigorous process of testing the newly installed equipment and software. Hydebank has already opened for driver testing, and I expect it to open to vehicle testing later this year, but I stress that that cannot happen until my officials and I are satisfied that the new equipment is safe to use and meets the requirements that are set out in the contract specification. A second new test centre at Mallusk is expected to open in late 2025.

Once fully operational, each centre will have the capacity to deliver over 100,000 vehicle tests per year. While those are positive developments that will help the DVA meet the future demand for vehicle testing, they will not reduce MOT waiting times in the short term. I recognise that the current demand for vehicle testing means that many customers cannot secure a MOT appointment before their current certificate expires. I appreciate the frustration and anxiety that that causes to our citizens, and I know that all of us are regularly contacted by constituents who raise similar concerns. I am, therefore, announcing my intention to issue temporary exemption certificates (TECs) from 1 June for a specified range of private cars.

Under current legislation, the Department has powers in exceptional circumstances to issue TECs exempting relevant vehicles from testing requirements. They were used previously during the COVID pandemic. I am satisfied that the delay in the construction and opening of Hydebank test centre, the challenges that are associated with the recruitment and retention of vehicle examiners in the past few years and the ongoing increase in demand for vehicle testing meet the definition of exceptional circumstances. Therefore, I have decided to introduce TECs for a limited period in order to

relieve the pressure on the system and help reduce the waiting times. Having considered potential demand and future capacity, the DVA plans to introduce exemption certificates for private cars that were first registered within the following date ranges and that have a valid MOT certificate in place: those first registered between 1 June 2019 and 31 May 2020, which will be five-year-old cars; and those first registered between 1 June 2017 and 31 May 2018, which will be seven-year-old cars.

Vehicle licensing information shows that around 115,000 cars may be eligible for a TEC. DVA information also shows that 96% of five-year-old cars and 91% of seven-year-old cars pass their MOT the first time. Those date ranges have been selected carefully, with road safety very much in mind, and I am satisfied that this decision strikes the right balance between managing waiting times and the impact on road safety.

One of the best ways to ensure safety on our roads and fulfil our long-term goal for eliminating death and serious injury by 2050 is by changing road-user behaviour. As road users, we all have a personal responsibility to behave in a way that keeps us and others safe. The sad reality is that, if we do not change our attitudes when using the roads, our death toll will continue to increase. Road-user behaviour extends to maintaining our cars. Vehicle owners, it is worth remembering that it is your legal responsibility to ensure that your car is always kept in a roadworthy condition. That is also the expectation of the police and insurers, and that does not change whether an MOT is in place or not. You should regularly service your vehicle and carry out basic checks, such as ensuring that all lights are working properly, tyres are correctly inflated and tread depths are legal.

When it comes to the implementation of TECs, the DVA will apply those automatically to eligible private cars. The vehicle licensing record will be updated to enable cars issued with a TEC to be taxed. Customers will not need to do anything, as the process will be automatic. For eligible private cars that have an MOT appointment booked, the DVA will cancel the booking, refund the fee and automatically extend the MOT certificate by 12 months from the expiry date of the current MOT. That process will be implemented from late May onwards, and I ask owners to be patient while the DVA implements those arrangements.

The DVA booking system will prevent anyone with a car that is eligible for a TEC from making an MOT appointment, and the system will

advise them of the reasons. More detailed information will soon be available on the nidirect website, and social media messaging has been developed to direct customers to the relevant information. MOT reminder letters will continue to be issued as usual to all other customers with other vehicles, and customers should book an MOT appointment in the normal manner. If those customers already have an appointment, they must continue to get their cars MOT'd, as they will not be issued with a TEC.

While some early gains will be seen in waiting times, the position is expected to gradually improve over the TEC period. I am confident that that will provide relief for many of our customers, whether or not they are covered by a TEC. In a few weeks, a number of appointments will be released that are no longer needed for those private cars that will have a TEC instead.

The DVA will closely monitor the demand for vehicle testing during the period in which TECs are applied, and any further information to extend, reduce or remove their use will be brought forward on a timely basis. The DVA has consulted the PSNI and the Association of British Insurers (ABI), both of which understand the need to introduce measures to reduce waiting times. Both organisations have also confirmed that they will continue to apply the mitigations that are currently in place for their customers who cannot secure an MOT appointment before their current certificate expires. The DVA will also work with other partners, including the PSNI, to develop mitigations to protect road safety, such as conducting additional roadside safety checks.

I now move to biennial testing. The Assembly debate in March also raised the option of biennial MOT tests to address the current waiting times. Our existing legislation does not allow that, and any change would therefore require primary legislation, which could not be done quickly. MOT waiting times can be expected to already be reducing by the time biennial testing could be introduced. I can confirm, however, that I am minded to consider that issue further and have therefore asked my officials to provide me with advice on launching a consultation on biennial testing. I will need to consider the resources and time frame that that will require and weigh it against other priorities and the budget and staffing available.

I will provide an update when I have reached conclusions on those matters.

11.45 am

I reiterate my commitment to reducing MOT waiting times. The introduction of TECs is intended to be a short-term measure to reset the balance, enabling all customers to access the service in a more timely manner whilst the new test centres become fully operational and provide the additional infrastructure capacity to meet the increasing demand for the service.

Mrs Erskine (The Chairperson of the Committee for Infrastructure): I thank the Minister for his statement. What percentage of vehicles that require a test over the next 12 months do the 115,000 eligible vehicles represent? Is the Minister confident that capacity will have been increased sufficiently to manage when those vehicles re-enter the testing regime? Can he assure the House that the measures that are being taken will result in a sustainable long-term solution to the problem, so that we are not in the same position at the end of the mandate?

Mr O'Dowd: I thank the Chair for her questions. A bit of quick maths suggests that it is around 10% of vehicles being taken out of the system at this stage to free up appointments, so that will have a significant impact on waiting times and will allow more customers to get a timely MOT.

I do not see temporary exemption certificates as being a long-term solution but as part of a plan to bring us to where the long-term solution is. The long-term solution will be opening the two new test centres and recruiting more examiners. We have been quite successful in that recently. We have brought in around 47 new recruits and are opening up the application process again to recruit more. That will be part of the long-term solution. When I publish the consultation process, we will have to decide collectively whether biennial testing is part of the long-term solution.

Mr Deputy Speaker (Dr Aiken): I call Mark Durkan. I apologise for not calling you before; I was still digesting the 10 pages of ministerial statement. My apologies. Over to you, Mark.

Mr Durkan: Me, too, Mr Deputy Speaker, so I was glad for an extra minute to do so. Normally, we know what the Minister is going to say because we see it on the news that morning.

I welcome the statement and this action from the Minister. He has responded to calls from the Assembly to do something different and dramatic. This will certainly bring relief to the situation in the short term. Like Mrs Erskine, however, I am concerned that it is just a short-

term measure. I urge the Minister to proceed with the consultation on biennial testing without undue delay. It seems to me that it has been kicked down the road a wee bit with the introduction of further barriers that the Minister had not mentioned in the Assembly debate in March. Can he outline where in primary legislation he is prevented from moving to biennial testing now?

Mr O'Dowd: First, to the best of my knowledge, it was not on the news this morning — for good or bad reasons — although I may be wrong.

I can supply the Member with the legislation and ask my officials to give him the exact clause from that legislation, but it is my firm understanding, and that of my officials, that we have to change the legislation in order to introduce biennial testing. I am not sure what extra barriers I have put in the way since March. The Member may be referring to the budgetary and staffing constraints. As the Member knows, the Executive have published their Budget. I am working my way through it. I have to match my budget against the business plan moving forward. It is only sensible to do that. I expect that we will see a consultation on this matter in the late summer or early autumn, for a number of reasons, as I have outlined. I also want to engage with the insurance industry and PSNI on the options that are available, so that we present an informed consultation product, not only to MLAs but to the public and others, on what options are available and what their implications might be.

Mr Boylan: I welcome the Minister's statement. What is his assessment of how the introduction of TECs will improve waiting times?

Mr O'Dowd: From 1 June, eligible private car owners of five-year-old and seven-year-old cars will receive temporary exemption certificates. Anyone who is eligible for exemption and goes on to the system to book will automatically be informed that they are not eligible for an MOT and are covered by this system. Once we see the roll-out of the 115,000 new appointment places for people, that will have an immediate impact. It will take the pressure off and lessen the anxiety of customers who, to date, have been finding it quite difficult to get an MOT appointment. As I said earlier, this is but one step on the journey. There are other steps, including the recruitment of examiners and the opening of new MOT centres. We will then move to our consultation and see where that journey takes us.

Mr McReynolds: I thank the Minister for his statement. He has advised that the issuing of temporary exemption certificates will be a short-term measure. Can he give any indication of how short-term a measure it will be? Has issuing reminder letters sooner been explored, given the large number of missed appointments that are contributing to the backlog?

Mr O'Dowd: I hope that we will have TECs in place for around one year, but there are a number of moving elements to the story, with the question of when we can get Hydebank opened being one of them. Another is when we can get the consultation rolled out and get views back from it to inform how we then move to drafting legislation. The matter is being kept under review, and any changes will be notified to MLAs and the public in a timely manner.

Releasing appointments earlier has been discussed previously. It is my understanding that doing that would only increase the backlog. We need to open up space in the system. Hopefully, today's announcement will do that.

Mr Chambers: Minister, in your statement, you said that you have consulted the PSNI and that it has confirmed that it will continue to apply the mitigations that are currently in place for customers who cannot secure an MOT appointment before their current certificate expires. Can you confirm that motorists from Northern Ireland who take their vehicle over to GB without a current MOT certificate and are subject to a documents check by a police force in GB will potentially be subject to prosecution?

Mr O'Dowd: As I have confirmed to the Member before, that may well be the case. The processes that we have in place with the PSNI and the insurance industry apply only to this jurisdiction. If motorists leave this jurisdiction without an MOT, they may be subject to prosecution elsewhere. That is why it is important that we introduce measures such as those that I have announced this morning. We need to free up more capacity in the booking system, and we have done that. The recruitment process has been quite successful. I expect that motorists will not be facing the same difficulties in the weeks and months ahead that they have been facing over the past period.

Mr Buckley: The statement certainly includes some sensible proposals that buy time. Hopefully, with that time, we can see some long-term solutions put in place to address the issue. We know that there are individuals and, indeed, businesses that rely on MOTs for their

livelihood. I think particularly of second-hand car dealers, who cannot legally sell unless the car has an MOT certificate. Has the Minister engaged with that industry, and, indeed, do the proposals help address such issues for second-hand car dealers in Northern Ireland?

Mr O'Dowd: I have not personally engaged with the industry, but my officials have. The DVA engages with it regularly. As I said, the proposals will open up spaces in the booking system, which will allow private car owners and private car dealers to access more appointments. The proposals will therefore take the pressure off that industry as well.

Mr Blair: I thank the Minister for his statement, and I want to ask for some definition of one aspect of it. The new MOT centre at Mallusk will now, we are told, be delivered in late 2025. The Minister will be aware that it was originally promised for 2024. Can he assure us today that the timeline will not be extended again and that that long-awaited facility will be delivered in late 2025 as promised?

Mr O'Dowd: Thank you for your question. I have had no indications at this stage of further delays to the Mallusk project. If, however, you have had any experience with building works, contracts and so on, you will know that projects can run into unexpected delays. At this stage, I am not aware of any.

Mr Gildernew: I thank the Minister for his statement and the information that he has provided. I acknowledge that many people will find it a welcome initiative. Minister, can you outline why the temporary exemption certificates cover only private cars and not other vehicles?

Mr O'Dowd: Commercial vehicles are a different matter. It is important that annual MOTs continue for those vehicles because of the number of miles that they do in any given year.

Mr Dunne: I thank the Minister for his welcome statement. I am glad that he listened to my contribution in the debate in early March on our DUP motion calling for MOT action, when I suggested five years. Is the Minister confident that this measure will reduce the unacceptable waiting times, which continue to extend to many months, and that 72 days will not be the new normal? Also, will you clarify the situation for six-year-old cars? Is that due to the TECs that were issued during COVID?

Mr O'Dowd: I always listen to debates on DUP motions. [*Laughter.*] I may not always act on them, but I always listen.

We have taken a significant step today towards reducing the backlog. For a six-year-old motor car to continue on the road, it will have to get an MOT. It will be MOT'd when it is four years old, it will not be MOT'd when it is five but will have to be MOT'd when it is six for road safety purposes and to —.

Mr Dunne: Not seven?

Mr O'Dowd: Not seven. What we have done there is to make sure that the vehicle is being regularly checked. Our decisions are based on road safety as well. We have to ensure that vehicles are roadworthy. All of us are drivers. I again emphasise that the responsibility for making sure that a car is roadworthy rests with the driver of that vehicle, whether they have an MOT certificate or not. A temporary exemption certificate does not give you an exemption from making sure that your car is roadworthy.

Mr Butler: My question picks up on that last point, and perhaps it is difficult to answer. The risk is very much transferred to the road user. Whilst the statement is welcome, how robust will the guidance be on maintaining vehicles so that people understand fully what checks they should carry out to mitigate that risk as much as possible?

Mr O'Dowd: There has been no transfer of risk on this occasion. It has always been the case that the responsibility for the roadworthiness of a vehicle rests with the driver. My changing the MOT rules here and offering exemption certificates for five- and seven-year-old vehicles has not changed the responsibility of any driver, so there is no change there.

I am sorry: I missed the last part of your question.

Mr Butler: The second part was how robust and detailed will the information be to ensure that cars are roadworthy?

Mr O'Dowd: The information will be on the nidirect website. The DVA has tasked and spoken to its people who will be on the other end of the phone about that information, so information will be readily available to MLAs, councillors and citizens who are trying to engage on MOTs. There will be a social media programme as well. We will continue to monitor that, and if further information is required, we will make it available.

Mr McAleer: I thank the Minister for his statement. How does the introduction of TECs impact on those who may have to tax their vehicle or use vehicle recovery services?

Mr O'Dowd: Anyone in possession of a TEC will be able to tax their vehicle because it is registered on our system. Roadside recovery operators will be able to work with anyone who has a TEC. A number of recovery companies are working in partnership with the DVA on an understanding of the previous situation and are responding to calls from motorists who may not have an MOT but have an MOT booked and are moving towards that. That situation has improved, but I would hope that introducing this measure will result in fewer people being in that situation.

Mr K Buchanan: Thank you, Minister, for your statement and answers. You indicated in your statement that 1.1 million vehicle tests were carried out in the past two years. Are the current 15 test centres operating at maximum capacity and doing 100%, bearing in mind that you are going to add 20% with Mallusk and Hydebank?

12.00 noon

Mr O'Dowd: They are operating at 100% capacity with the personnel they have to carry out inspections. As I noted, we have carried out a recruitment exercise. We have 47 new recruits, who will become vehicle examiners. That is significant. They will be posted out to centres where vacancies need to be filled. We are starting another recruitment process. Interestingly enough, we also recently recruited 15 new driving examiners. You will find that, on occasion, driving examiners double up as MOT examiners, so that may no longer be necessary. We are beginning to see an improvement in the recruitment of staff due to the recent wage increase as well. That rightly recognises the work that those team members do. The centres are operating at full capacity with the number of staff they have to operate with.

Mr McNulty: I thank the Minister for his statement. I warmly welcome any initiative that will lessen the load on MOT test centres and take pressure off drivers. Over recent months, so many drivers have been pulling their hair out due to red letters about tax having run out at a time when they cannot get an MOT, so the statement is hugely welcome.

Is this biennial testing by another name? Make this 'Sesame Street'-simple for drivers. Is that

what it is? With no MOT being necessary from four to six years or six to eight years, is this biennial testing by another name?

Mr O'Dowd: It does represent biennial testing. To put biennial testing on a legislative framework, we will have to change the law, if that is the will of the Assembly, after we carry out our consultation. If we were to get to that point, beyond consultation, that would be a sensible way forward. My main test of that will be around road safety.

Yes, it is biennial, but, to move to a permanent position on that, we would need to change legislation.

Mr Allister: Can a car owner who holds an exemption certificate but regularly drives their vehicle to GB and is concerned about prosecution opt in and seek to have an MOT test?

Mr O'Dowd: Following on from Mr Chambers's comment, I will clarify: if a driver has an exemption certificate, they have an MOT, so they will be able to drive to Britain. There would be no question about that. In fairness, Mr Chambers put it in a different context. Mr Chambers was referring to the current situation locally where a driver may have an MOT booked and, if that driver is stopped by the police and the police are satisfied that the driver is doing everything in their power to achieve an MOT and that the car is roadworthy, they will not take action. The new situation that we will now have is that, if a driver has a temporary exemption certificate, they have an MOT; it will be registered in our system as the vehicle having its MOT. If that driver drives to Britain and is stopped, the system will show that they are legally compliant.

Ms Sugden: One challenge of not having an MOT certificate is with the ability to get road tax, almost to the point of some vehicle users declaring their cars as off-road before their car tax expires and then refreshing that within weeks. That feels like an abuse of the system and not the intention behind it. How will the Minister's announcement affect road tax for cars? I point him to the comment he made about it being frustrating for some people. In many cases, people cannot go to their work, so it is much more than frustrating. I ask that he reflect on that and do more. I am not sure why it needs to be temporary. It is something that the Minister could plan for, moving forward.

Mr O'Dowd: Anyone with a temporary exemption certificate will be able to tax their

vehicle. I advise anyone who falls outside the five- and seven-year categories and continues to have difficulty booking a test to go to the nidirect website, where there is a significant amount of information to assist drivers in relation to questions such as those around taxation. I hope that we will release an additional 115,000 appointments this year and that many fewer drivers will find themselves in the situation that many have found themselves in in recent times with regard to taxation and MOT certificates.

The Member asked why we would not move to a permanent situation with this. As I said, to change primary legislation, we have to go through the consultative process and then present legislation, and you know the rest of that story. This is a positive step, but the House will have an opportunity at a later date to decide whether it wants to move to a permanent position.

Mr Baker: I thank the Minister for his statement and actions. How were the eligibility criteria determined?

Mr O'Dowd: The core of it was road safety. When we looked at the stage at which temporary exemption certificates should be set, road safety was the key question. A car will have an MOT test at four years old, an exemption at five years old, an MOT test at six years old — hopefully, I do not have to go through the whole journey. Drivers are acutely aware that, at some stage in that journey, their car will have to have an MOT test. I emphasise again and again that, regardless of whether a person has a temporary exemption certificate or an MOT certificate, they still have a legal duty to look after their car if it is on the road.

Mr T Buchanan: Minister, thank you for your statement. One of the issues that a number of my constituents face and complain about is difficulty in using the booking system. Will the measures that you are bringing in help to alleviate that problem? Have you looked at the entire system of booking an MOT to see whether it can be freed up a little?

Mr O'Dowd: The frustration that members of the public have with the booking system is that they cannot book an appointment on it. The release of more appointments will make it much easier for drivers to book an appointment. Any driver or vehicle owner who goes on to the system and has a vehicle that is either five or seven years old will automatically be informed that they do not require an MOT and will be issued with a temporary exemption certificate.

Hopefully, drivers will find much less frustration with the system.

Ms Forsythe: I welcome it that the Minister has brought the subject of MOT testing back to the Chamber. From what I have heard, 115,000 tests are being put back into the pot luck system. Will the Minister take steps to ensure that people can secure tests in their local or reasonably accessible centres?

Mr O'Dowd: I cannot make that guarantee. The booking system works on the basis that it is open to all centres. I hope that extra tests being available will mean that a local, or more local, centre will become available to drivers.

Mr Deputy Speaker (Dr Aiken): As no other Members have indicated that they wish to speak, that concludes questions on the statement. Members, please take your ease while we change the top Table.

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

Transforming Capital Investment: Supporting Children with Special Educational Needs

Mr Deputy Speaker (Mr Blair): Members, notice has been received from the Minister of Education that he wishes to make a statement.

Mr Givan (The Minister of Education): Today, I will set out my vision for the development of school facilities to support our children with special educational needs (SEN) across Northern Ireland.

The profile of our children is changing. One in five children has a special educational need, and some of those children require specialist places in a special school or in a specialist provision class in mainstream schools, commonly referred to as "SPiMS". In recent years, there has been an unprecedented increase in the number of children with SEN. Since 2019, the total number of children with statements has risen from 19,000 to 27,000, and we have seen a 21% rise in pupils attending a special school. The increase is forecast to continue year-on-year to 2032, with a need to provide over 6,000 specialist special educational needs places across the education system over a 10-year period.

The changing profile has presented us with significant challenges in ensuring appropriate places for all children. It has overtaken all previous planning assumptions and placed an

unsustainable pressure on my Department's capital budget. Consequently, when I took office in February, I made it clear to the Assembly that Education could not continue with the current levels of capital funding. We were at risk of failing in even our most basic responsibilities to keep schools open and children safe and to provide places for our most vulnerable learners.

I also made it clear that transforming the existing special educational needs system must be a priority. Transformation of the scale needed will take time, but ensuring that our children with special educational needs have access to the right placements to meet their needs is the most important first step. I am delighted to have secured over £60 million of additional capital funding for education this year. That allocation is vital to provide those much-needed specialist school places. However, the funding is only the beginning of what is required to meet our children's needs. Therefore, today, I am announcing the biggest step change to capital planning in education for a generation, with an ambitious and far-reaching programme of investment in special education needs facilities that will transform our education system and the lives of our most vulnerable children and their families. My Department's new special educational needs capital programme will require sustained and increased capital investment of around £0.5 billion over the next decade. That must be additional investment; it cannot be at the expense of other essential capital investment in our schools.

I am committed to delivering a modern, fit-for-purpose education system that truly meets the needs of our society and our pupils in the 21st century. A wide range of much-needed education investment projects need to be delivered. I hope, in the coming weeks, to bring forward further plans for the wider education estate. Our special school sector, in particular, however, has a legacy of historical underinvestment. It is simply not good enough that many of our most vulnerable children are being educated in ageing facilities, too often without adequate equipment and resources. Our special school staff, who work with our most vulnerable learners, need and deserve facilities that match their skills and expertise.

I have seen for myself the impact that a poor physical environment has on our most vulnerable children. As a society, we can and must do better. Inclusive and well-designed school buildings can enable and empower those with special educational needs and disabilities to participate fully in life at school and in the wider community. The right learning

environment can support and inspire those pupils to thrive and achieve not only in school but throughout their lives.

To meet projected need, it is essential that we plan effectively for the delivery of capital investment of unprecedented scope and scale over the next decade. I have, therefore, asked my officials to establish a special educational needs capital investment programme as a discrete, stand-alone capital programme. The programme will be led by a dedicated SEN capital programme team in my Department. They will work closely with the Education Authority (EA), sectoral support bodies, school leadership teams, boards of governors and sectoral bodies to ensure a whole-school system approach to special educational needs investment. The new programme will provide visibility and coherence to SEN capital investment and be an integral part of the Department's SEN transformation agenda, driven through the end-to-end review of SEN.

The new programme will have four main strands. The first is an annual maintenance and equipment programme for special schools and SPiMS classes. That investment is the building block for success.

I have asked my officials to ring-fence £5 million annually to provide a programme of continuous planned maintenance across the special school estate. That will start to redress the longer-term maintenance backlog and ensure that our most vulnerable pupils are educated in fit-for-purpose classrooms. It will address health and safety, adapt facilities to meet children's needs and make much-needed repairs to the buildings, grounds and other facilities. In addition, I have allocated £4 million to provide equipment grants to special schools and schools with specialist provision in order to make sure that they have the right resources to support their pupils.

12.15 pm

The second key work stream in the SEN capital programme is the creation of additional specialist provision classes in mainstream schools across Northern Ireland. Specialist provisions are not new. Smaller, more specialist settings have long been a feature of our education system in providing suitable learning environments for some of our children with special educational needs. We know the benefits of inclusion through SPiMS for pupils and staff. For many schools, having such provision has enriched the entire school community. We now have almost 500 SPiMS classes providing small-group teaching in

nursery, primary and post-primary schools across Northern Ireland. We require, in total, around 100 new SPiMS classes for September. We have agreed 48 new SPiMS classes to date, as well as 69 new special school classes.

However, ensuring places for all children is a major challenge for us collectively as an education system. It will take considerable effort and commitment, alongside investment and strategic planning. To help meet that challenge, the permanent secretary of my Department wrote to all schools last week asking them to consider establishing specialist provisions for September. My officials followed up with an expression-of-interest survey. The response has been truly outstanding, with over 200 schools expressing interest in setting up SPiMS classes. It has been an extremely challenging time for school communities, and I am deeply encouraged by the positive response from so many schools and heartened by their commitment to play their part in one of the most important collective endeavours facing our education system.

I am confident that we are making significant progress, and I thank those schools that have come forward so far and encourage others to do the same. This is a critical phase in our SEN planning, and my officials continue to collaborate closely with their colleagues in the Education Authority in order to engage with those schools that have responded positively to our request to establish SPiMS provision and deliver the necessary accommodation.

We know, too, the life-changing impact that a successful special school can have on pupils and their families. We are, rightly, proud to have wonderful special schools across Northern Ireland. They must have the right facilities to support their work. Therefore, alongside the establishment of specialist provision, we will need to expand the available special school places in order to meet the individual needs of our pupils in the right setting.

The third key element of capital investment will, therefore, be the extension of existing special schools in order to provide additional places in high-quality accommodation. There are 10 special schools in my Department's school enhancement programme, which provides extension and refurbishment projects across the school estate. Those special school projects will be prioritised and expedited for delivery. We will also consider the longer-term needs for places at each of those 10 schools and, where required, adapt the project to increase the number of available places.

To facilitate that, I have directed my officials to set aside the funding thresholds for school enhancement projects in order to deliver those projects at the scale that is required. The Education Authority has also been asked to review all special schools across Northern Ireland and to submit applications for large-scale extension projects for any schools where additional places are needed. We will now take forward special school extensions at pace and scale in a planned, visible and expedited manner with a master plan for each school.

The final element in the SEN capital programme is new special schools. I am delighted to announce that planning of new-build schools for Sperrinview and Knockevin will begin immediately, as will the much-needed second campus for Ardnashee School and College. In addition, projections indicate that there may be a need for up to eight entirely new special schools across Northern Ireland over the next decade. Capital planning will also commence for other new special schools over coming months. A new special school in Belfast that will provide 275 additional places for children aged three to 19 has already been agreed, and capital planning work is well under way. A further special school in east Belfast will be taken forward.

Our hopes and ambitions for our children with SEN should be the same as those for any other child. That is why I am setting out a programme of capital investment that is wide-ranging and, necessarily, ambitious. Inclusion is not a strategy to help our children and young people to fit into the systems and structures that exist in our society; it is about transforming those systems and structures to benefit all learners. I will continue to listen to young people and their parents, and to school leaders and governors, so that we get this right. Together, we can achieve so much. Fairness does not mean that everyone gets the same. Fairness means that everyone gets what they need. We need to give every child the opportunity to reach their full potential, regardless of their background or circumstance. My Department's vision is for an inclusive and high-performing education system that enables all children to be happy, learning and succeeding. This capital investment programme will bring that vision closer for our children with special educational needs. I commend the statement to the House.

Ms Hunter: I thank the Minister for his statement. I warmly welcome today's announcement of investment that will support our schools, staff and teachers. Thank you for the meeting this morning about Rossmar School in Limavady.

Minister, you stated that there are 10 special schools in your Department's school enhancement programme and that those projects will be prioritised for delivery. Can I have a little more detail on the 10 schools that have been chosen, the process and how those decisions were made?

Mr Givan: I thank the Member for the question. We had a meeting this morning that my colleague Alan Robinson asked me to facilitate, and Cara attended. The Finance Minister was able to drop in as well, and we discussed the needs of Rossmar at that meeting. The principal spoke passionately about the needs of the young people in her school setting.

Ten schools are currently in the school enhancement programme. They are at various stages of that process. Members will be familiar with how those processes work: after feasibility, a business case and design, you get to the point at which a project is at a state of readiness so that, when capital becomes available, you move to construction. The 10 schools are Roddensvale School in Larne, Riverside School in Antrim, Clifton School in Bangor, Hill Croft School in Newtownabbey, Longstone School in Dundonald, Sandelford School in Coleraine, Thornfield House School in Newtownabbey, Beechlawn School in Hillsborough, Kilronan School in Magherafelt and Lisanally School in Armagh. I have asked the Education Authority to take forward the prioritisation of those schools by accelerating the various stages so that they get to that state of readiness. There are over 70 school enhancement programmes in my Department across the school estate. Those 10 will be prioritised for delivery. I am also asking the EA to assess the needs of other special schools that are not currently in the school enhancement programme. Where it is identified that they need to move into the school enhancement programme, they will be taken into that process.

This statement will benefit every single special school in Northern Ireland by virtue of our assessment and how we take forward meeting the need that comes out of that assessment process.

Mr Mathison (The Chairperson of the Committee for Education): I thank the Minister for his statement. There is much to welcome in it. I welcome the ongoing commitment to prioritising capital investment in special schools and in specialist provision in mainstream schools. I have received feedback from many principals in mainstream and special-school settings about the fact that the

whole system of investment appears to be done on a knee-jerk crisis-response footing as we try to deliver places. How will the Minister ensure that the investment he outlined, specifically relating to the SPiMS provision but also additional class provision in special schools, will be delivered in a planned, strategic and targeted basis, rather than by taking a crisis approach to deal with the shortage of spaces each academic year on a rolling basis?

Mr Givan: I thank the Chairman for his comments and his question. The very reason that I have made this statement is so that we are on the front foot and that we strategically address the issues in special education. I am taking forward this transformational piece of work in the Department so that we are not in a space of crisis management. There is obviously a critical need to address the provision for this September. I outlined in my statement the process that I have taken and how I commissioned my permanent secretary to engage directly with the schools with which we are carrying out the survey so that we can identify the need and provision in order to match it up with the right child or young person. We are responding to the immediate pressure, but I have also outlined the vision for special educational needs and how we will meet those and provide what is required in Northern Ireland.

Mr Sheehan: Gabhaim buíochas leis an Aire as ucht a ráitis. [*Translation: I thank the Minister for his statement.*] I welcome the Minister's statement and the announcement of extra funding for special educational needs and the fact that he is going to make transformation of the entire SEN system a priority. That is all very welcome indeed.

In the shorter term, EA and departmental officials have been at pains to say that, this year, providing placements for children with SEN is not a crisis. Try telling that to parents who are waiting for their child to get a placement before September; it is certainly a crisis for them. It is a worrying and very stressful time. The only way of addressing it is by acknowledging that there is a crisis, and I am not talking about crisis management. I am talking about acknowledging that there is a crisis. The new chief executive of the Education Authority told the Committee recently that, come September, the number of children without a place —

Mr Deputy Speaker (Mr Blair): Do you have a question?

Mr Sheehan: — could be in the high dozens. Will the Minister acknowledge that it is a crisis and take the appropriate action to resolve it?

Mr Givan: When I came into post a number of months ago, I immediately recognised that there was severe pressure on the provision of placements for September, so we set about a piece of work that resulted in engaging directly with schools. Some 200 schools came forward to say, "We are willing to provide a placement in September". We have already secured additional capacity, so the figure of 1,000 has already been significantly reduced. We have further enhanced the provision through the work that we have taken forward, and those 200 schools will be critical to making sure that, come September, we will not be in the position where a child has not received a placement. I want to get to the point at which I can guarantee that. I am not at that stage yet.

The requirement on me, as Minister, is to make sure that we address the issue. I am doing that in the short term, but the Member rightly raises the challenges that have come about each year over the past few years. That is why I have set out a transformational programme to meet the needs in our special schools and to have specialist provision in mainstream education. The Department is now very much getting on the front foot, dealing with the long and medium term, but also putting in place measures in the short term. That includes enhancing the capacity in the Education Authority. That is why I took the decisions that I had to take with regard to the transformation that is needed there, and long-term work needs to be carried forward. I am also looking at the further support for placement processes that is needed by the Education Authority, and I may be able to articulate more on that in due course.

Ms Bunting: I welcome the Minister's announcement. Hearing it makes today a really important day for Northern Ireland. The Minister mentioned east Belfast in his statement. What additional information can he give us about such a project in east Belfast? I am also delighted to hear that Longstone School has been prioritised. Will the Minister give us some indication of the support that he and the EA will be able to provide to the school, as it seeks to establish and sustain a sixth form, which could teach life skills, bring employment opportunities and enhance the prospects of its pupils?

12.30 pm

Mr Givan: I thank the Member for her comments and also for the invitation, very early

in my time in office, to visit Longstone School, where I had the opportunity to meet the pupils, as I have had in a number of different school settings. For any Member who goes into a special school — I am sure that many, if not all, Members have — it is very difficult to come away from that engagement not feeling emotional and touched by the visit and not wanting to do more. That has been my experience in witnessing the excellent teaching provided and how the support staff put in place routines. On one of my school visits, to Knockevin School, to which Diane Forsythe and Colin McGrath had invited me, one of the girls in the class hugged me. One of the classroom assistants had to assist in her letting go. Another child beside me grabbed hold of my ear and pulled me over. It was just one of those moments when I asked myself what more we can do for children who face those really difficult circumstances. What more can we do for parents who struggle every day and who campaign and fight for their children? We should have a system that responds to that need. Not one that is hostile or litigious but one that is agile and supportive. That is what I am going to ensure happens.

Longstone is one of the schools in the school enhancement programme. Its processes will now be accelerated. I want to compress the number of stages that schools have to go through so that we can then allocate funding, when capital becomes available, to start construction. The school enhancement programme looks at a whole-school solution. Where there is a need in a community, we need to identify how the school can meet it. Where it is not a new build, but the school can be enhanced, we need to identify the need. Where adjustments need to be made to the school enhancement programme, we want to know about them so that we can make those adjustments accordingly in order to have an estate that matches up with the need, not just now but in 10 years' time.

Mr Butler: I thank the Minister for his very welcome statement. From briefly reading through it, I have one or two concerns for the Minister to address. The first is to accept and welcome the impetus for SPiMS. Hopefully, there will be an impact in September that will see many of our pupils with special educational needs receive their school place at the same time as children who do not have special educational needs. The Minister made the comment that he has listened to school leaders and parents. Will he therefore outline to the House whether those children will receive their school place at the same time as other pupils? Secondly, in every interview that I have had

with principals of special schools, I hear that they are still at odds with the Department and the EA over how they do not have control of their funding. Special schools are treated differently. Is that something at which the Minister is prepared to look?

Mr Givan: It is an issue that has been raised with me when I have been out visiting schools. The approach, with which Members will be familiar, is that other schools receive a delegated budget under the local management of schools (LMS) arrangements. Special schools do not get that, because they are directly funded. The costs are all directly paid. There will be arguments — pros and cons — around that. Rather than the issue being about the process of spending, it is about making sure that there is an available resource. On how that is spent and who takes the decision, I am up for the conversation, but we need to make sure that the appropriate resources are being made available to schools.

On the issue of placements, I absolutely understand, and 99.9% of children in mainstream education have received their placement. In fact, only 16 children remain unplaced in a mainstream setting, and that number has come down. Children therefore know where they are going. For children who have a statement of educational need, and for whom we are trying to find the right placement, some of them still do not know. We need to get to a place in which they have sight much earlier of the school that they will go to. That is an issue to which I am very much alert. It has not happened this year, but I believe that improvements can still be made. It is a slightly different process, because you need to make sure that the needs of the children and young people and the ability of the school's provision to meet those needs are properly assessed and that engagement with parents takes place. More time is required to do that than is the case, perhaps, when it comes to placement of children in mainstream education. I am alert to that.

The other thing that we need to look at is an earlier engagement process with parents when they choose a school in December. Often, a school is asked, with only two weeks' turnaround time, whether it can accommodate a child or young person, many months after the parent has expressed a view on what school the child should go to. We need to get to a place where the primary-school principal and the principal of the parent's preferred post-primary school have the conversation about that. It may be that the post-primary school that the parent wants their child to go to is not the

best place. In many cases, it will be the best place, but earlier dialogue is needed to work out the best solution for the child. That is another piece of work around the statementing and placement processes. I am alert to all those things, and we need to see improvement on them all in the months ahead.

Mrs Mason: Minister, thank you for your statement. It is welcome news that priority has been given to special educational needs, specifically with the much-needed investment in Knockevin Special School. Schools across the North are willing to use their current space and facilities to deliver the much-needed specialist provision that we are talking about, but, for some reason, they do not seem to be considered. Some even say that they are being ignored. That does not stack up. I am talking about rural schools in my area; we heard about St Mary's Primary School, Fivemiletown this morning. Will the Minister give an assurance that schools that are willing to step up and provide support for children with special educational needs will be supported and given the tools to do so?

Mr Givan: The Member is right to raise that issue. It has been raised with me when I have visited schools. At Carr Primary School in my constituency, the principal indicated that the school had expressed an interest in provision but the EA did not follow that through; indeed, it was indicated that it may not have been a suitable school because of the wider enrolment issue. I looked at that issue, and, in my view, it is a suitable school. That is one of the reasons why my Department — not the EA — engaged directly with schools and sought expressions of interest; I had my permanent secretary reach out to do that. We are carrying out a survey for the reasons that the Member has just articulated: too many schools said that they wanted to make that provision but that they did not get the support that they needed from the Education Authority.

Mr K Buchanan: I thank the Minister for his statement. I welcome the point, towards the end of the statement, about Sperrinview Special School, which will benefit the kids of mid-Ulster. My question is about finances. At the start of your statement, you referred to a figure of approximately £0.5 billion. Will you give a wee bit more detail on the, presumably, additional funding that is required for that and on the Executive's commitment to it?

Mr Givan: The Member previously raised Sperrinview and the facilities that are needed. Today's announcement of a new build for

Sperrinview opens up the mechanism, or gateway, for that process to commence. That will be very much welcomed in the wider mid-Ulster community.

When it comes to the budget, we need additional funding over the next 10 years in a sustained way. I was pleased that the Executive were able to provide additional resource to my Department for capital expenditure. I had raised it with the Finance Minister. I would have liked more, but I am glad that I got over £60 million. I fought hard, based on all my engagement and the evidence that some of our most vulnerable children need that support, and that is why Education received an uplift. I can spend so much more, and I intend to get these projects to the point at which they are ready to go into construction so that, when I next go to the Executive to seek funding, I will do so on the basis of being able to say, "These are schools that can be built when the resource is made available to us".

Over the next 10 years, the scale of that investment will be in the hundreds of millions. It will be developed strategically, through a planned process, and, obviously, it will be critical investment to create the right kind of school estate for special education.

Ms Nicholl: Thank you, Minister, for your statement. Last week, Donna Tyson shared a picture of beautiful twin boys; one had just received a placement in a school while the other one is still awaiting a SEN specialist placement. The inequality is very clear, and your statement outlines a way forward for how we address that.

How does your Department plan to measure the appropriateness and effectiveness of the SPiMS places? This will obviously be a central part of it. How do we ensure that those places are the right ones for the children, and how do we measure that?

Mr Givan: The survey is being carried out based on the physical need of the school. Some schools may have a classroom that can be repurposed, and others may require a classroom unit or a modular unit to be put on. My Department and the EA are assessing the 200 schools that have come forward, and we are doing that because we need to make sure that it is the right placement, not just because we cannot have a child not going to school. We have to make sure that children go to school, but it needs to be the right school. We should not be in a place where we are applying so much pressure to a school and saying, "You must take". It has to be right, and the school

has to be supported. What I am doing today, and what we have been doing, is making sure that school principals and leadership teams feel supported, because, instinctively, our school principals and boards of governors want to accommodate all children in their local community, but they need to make sure that they have the right support from government and the Education Authority to have the confidence to do that.

Mr Baker: I welcome the Minister's statement and the fact that he is prioritising funding for special educational needs. Given the stress and anxiety that families and children with special educational needs face again this year due to issues with placements, will the Minister consider an approach that no longer leaves children outside the enrolment but actually places children with special educational needs first?

Mr Givan: I think that the Member is referring to what we regard as supernumerary when it comes to the planning. We have been taking an approach that you cannot plan new builds and school enhancement programmes without including children with statements of special educational need and meeting that need. When carrying out future designs and builds, we need to make sure that we are building new schools on the basis that they will be able to accommodate all children, and the issue of how you build the supernumerary factor into it needs to be addressed. There is no point building new schools that are not able to meet the needs of the local community, particularly children with special educational needs.

Mr Dunne: I thank the Minister for his welcome statement and his commitment to supporting this very important sector. Can the Minister provide an update on some of the challenges facing the education estate, particularly the special education estate, including Clifton School in my constituency of North Down, which opened on its present site in 2004 and now has over 200 students and ever-increasing enrolment demands?

Mr Givan: I thank the Member for the question. He will have me in his constituency, I think, tomorrow for school visits, and Clifton is another school that he has raised with me. I thank him for his advocacy on that. It is one of the schools in the school enhancement programme, and we seek to move that forward at pace.

There is a clear challenge in the wider education estate. There is a 15-year backlog in

planned maintenance, and we have a real problem in how we address that. There is outdated technology infrastructure in schools, and investment of around £250 million is required to update that infrastructure, so the challenges are hugely significant. I recognise that there are huge challenges for the Executive, but we still have resources and funding. It is for Ministers to get on with the job and do the best that they can with the funding envelope that they have. I am a Minister who is rolling up my sleeves, getting on with that difficult job and trying to find solutions.

Ms Kimmins: I declare an interest: I have been on the board of governors of Rathore School in Newry for almost nine years. Given that, I am acutely aware of the huge issues that special schools and families are facing, and I thank the Minister for this very welcome statement.

Minister, one of the issues that comes up time and time again is the ability to future-proof our SEN sector.

One of the obstacles to that is the fact that funding is released only when schools are already at capacity or are beyond capacity. Will the Minister advise what work is being done on long-term planning so that schools can obtain funding based on projected numbers? I ask that because we are seeing and we know that numbers are increasing continually. It is important that there is long-term planning rather than the drip-feeding of modular units on sites that are already congested.

12.45 pm

Mr Givan: The Member is right. The programme that I have announced will take that long-term strategic view. As I outlined in my statement, the number of children presenting and requiring a statement of educational need has increased significantly over the past number of years. That is expected to rise up to 2032. What are we doing to make sure that the estate is able to meet that need? That is what the programme is all about: assessing the need and making sure that we have an estate available to meet that need. That way, we will not be dealing with the kinds of crises that have been taking place with putting in classroom units and trying to identify at the last minute where we can put in provision. We need to move away from that. This is the start of that process, where we move to a planned, fit-for-purpose education system for those with special educational needs.

Miss McAllister: I thank the Minister for his statement. It is welcome news. I am sure that many parents will be awaiting the long-term process, because we understand that the capital investments will not happen tomorrow. It is something to look forward to. I especially welcome the comments about Hill Croft School in Newtownabbey. I have a family member who attends the school, and we see all too well the magnificent impact that it has not just on our niece, as a little girl, but the entire family. The Minister will be aware that, when parents choose a special needs school for their kid to attend, they become part of a community and rely on that support. On parental choice, what provision will be available at the school that is chosen, be that a SPiMS unit or a special school? It is crucial that the support that the parents can get for all of their family is maintained at every level, no matter the school.

Mr Givan: The Member is correct that there have been occasions when a special school is what is best but there has been a lack of capacity. When I was in Knockevin Special School, the principal indicated that there were children whom they had wanted to take, because that was the right thing to do, but were unable to take because of the lack of capacity. A SPiMS unit has had to be provided there, with the additional support required for that. Creating a much enhanced school estate will help with wider parental choice, but, ultimately, this is about what is in the best interests of the child and trying to make sure that we get the right place for the right person in the right school. That is what we are trying to achieve. My announcement today puts us on a pathway to creating the school estate that will ensure that that is the case.

Mr Deputy Speaker (Mr Blair): Members, before I call the next Member to speak, I give you a subtle reminder that there is quite a list of names in front of me. We will get through them better if questions are concise.

Mr Brooks: I welcome the Minister's positive statement, including the announcement of the new school that is planned for east Belfast and the prioritisation of Longstone School, where my grandfather was once the caretaker. Some of the other special schools in east Belfast may wonder what it means for their facilities. I am thinking of Mitchell House School and Greenwood House Assessment Centre, which the Minister will shortly visit with me. Does the Minister plan any further calls for capital projects?

Mr Givan: It may be more appropriate for schools for which minor works have been planned to move into the school enhancement programme. The programme that has been set up today allows that flexibility to take place. Rather than having a capital call go out to the entire education estate and have special schools competing alongside every other type of school, we have created a stand-alone and discrete special educational capital programme. That is why I have been able to announce the new schools and why we are looking at how to prioritise the enhancement programme for special schools. It is a new programme that we have created, recognising the critical need to do that. In the Member's constituency and every other constituency, where there is a need in a special school, we want to assess that need and make sure that we put in place the right support to take forward a capital programme that will meet that need.

Mr McGrath: On behalf of the staff and parents but especially on behalf of the children of Knockevin, I thank the Minister for his statement and the announcement that is in it. We have waited many years for this day. I am afraid that I cannot confirm whether the child who pulled your ear was put up to it in advance of the visit or whether it was the tray bakes that you got on the day that swayed it. What will be the next stages in the delivery of the programme?

Mr Givan: I thank the Member for his question. It was one of those visits — being able to be in the school — that very much stand out as a highlight for me. It was a pleasure for me to be there. I know that you have advocated for the school over the years. I assure the House that Diane Forsythe has advocated for the school as well. I know that a cross-party approach has been taken in the constituency to do that. I have been heavily lobbied by my colleague for the school.

The announcement that there will be a new build will allow support to be put in place to set up the design teams to take the school through the various stages. I know that, in the conversation that we had with the principal, a number of options were discussed around potential locations and time frames, and all of that can now be taken forward. We have created a gateway for Knockevin to progress. When we met the principal, I outlined that, at that stage, there was no process for Knockevin to enter into. Had we gone through a conventional process, the school would have been competing against many other schools. In this way, through a new special educational capital programme, we have a new gateway for

special schools. That is why I have been able to announce the go-ahead for Knockevin Special School.

Ms Ferguson: I very much welcome the Minister's statement. It is really good that there is prioritisation of special educational needs and capital investment in it. There is just one area that I wanted to focus on, which is specialist provision in mainstream schools. There are 500 such classes across the North: is there a commitment to audit the support that those classes require, in addition to any new places?

I welcome the second campus at Ardnashee School in the city. That indicates to us the importance of future-proofing in relation to long-term planning, so thank you for that.

Mr Givan: The Member highlighted Ardnashee, and I can see from the enrolment figures that the school that has been built has well in excess of 100 children who cannot be accommodated in a new school. That is why we have announced a dual campus at Ardnashee, and work can now commence on the design process.

The Member mentioned support for schools that have specialist provision, and she is right to raise that issue. We need to ensure that schools have confidence in that provision. In my statement, I highlighted funding of £4 million for equipment and provisions for schools. As part of that funding envelope, £20,000 will be given to every school that agrees to take a SPiMS class to go towards capital equipment and measures such as that. I am trying to make sure not only that we ask schools to take and facilitate a SPiMS class but that we provide some resource so that they are able to use it effectively. Every school that does that will receive £20,000 for their capital equipment.

Ms Brownlee: I thank the Minister for his commitment and delivery. This is a phenomenal challenge for government, and the statement is welcome. For every family concerned, this is not just a statement: it will be life-changing for every child who will now get the education that they deserve and will be treated as a priority.

Minister, Roddensvale School is a fantastic special school in my constituency that is included among the announcements in your statement. Can you provide some further detail on what its inclusion in the special enhancement programme will mean for the school? You also mentioned that the cap on spend in relation to the school enhancement programme will be removed for special schools:

will you detail what that will mean for project delivery?

Mr Givan: I thank the Member for highlighting that excellent school in Larne. I know that she has campaigned for the provision there. For it, as one of those 10 schools, this is about driving through the design process to get to the point of being in a state of readiness for funding, and that will be important. Obviously, in the past, when we had school enhancement programmes, there were spending limits. The Education Authority removed a number of those special schools because the finance that was needed would have breached the spending limit in place for school enhancement programmes, which was just over £4 million. I am removing that limitation on special schools for school enhancement programmes, so that limit will not be there for those special schools when it comes to the funding envelope that will be needed.

Mr McNulty: Minister, I warmly welcome the announcement of new prioritisation in support of children with special educational needs. The ripple effect of that will be felt throughout households, and there will be many sighs of relief around kitchen tables from parents and families who feel that, eventually, they have been listened to and heard.

I noticed that, in your speech, you refrained from acronymising children. I implore you, everyone in the House and everyone in education to stop using acronyms to describe children. Children are children and young people first; they are not a category. Each child has individual talent and claims on a positive future.

Mr Deputy Speaker (Mr Blair): Can we have a question?

Mr McNulty: Acronyms, when they are applied to children, carry a lot of power. Avoiding their use does not prevent stereotyping children, but it does —

Mr Deputy Speaker (Mr Blair): I ask the Member to come to his question.

Mr McNulty: — provide an effective reminder that children cannot be reduced to a set of characteristics. Does the Minister agree that the act of deleting acronyms and replacing them with full text would be symbolic of going beyond the stereotypes and seeing the individual shining through?

Mr Givan: The Member makes an important point. I agree that we should make sure that we use appropriate language in our terminology. He makes an important point about that.

Mr Durkan: I thank the Minister for his statement. I am delighted that the green light has been given to Ardnashee to proceed with planning for phase 2. On Saturday, I was speaking to teachers and pupils. They cannot wait to get into phase 1.

Has the Minister given any consideration to the possible inclusion of social clauses in contracts for works on such schools in the future in order to give opportunities, potentially, to young people with special educational needs?

Mr Givan: Obviously, the Department and the EA follow procurement rules on such matters, ensuring that there will be the type of social clauses that the Member has articulated. It would be an important opportunity to involve the community where builds are taking place. That should be part of the design process.

Mr Allister: If this is the biggest step change in capital planning for a generation, when will the hugely oversubscribed Castle Tower special school in Ballymena receive what it needs in terms of additional purpose-built buildings?

Mr Givan: The Member talked about Castle Tower, which is one of the 10 schools in the school enhancement programme. I am trying to make sure that we get through that process so that, when funding becomes available, we can do new builds. The Member is obviously concerned about that response, so I undertake to write to him in detail to provide an update on Castle Tower. The statement is designed to help every special school in Northern Ireland. I want to ensure that it does that, especially in Ballymena.

Mr Carroll: Recently, I met parents of children with autism and special needs. There is serious concern about their children being forced into mainstream education when it is not suitable. It is unclear from your statement, Minister, whether there will be additional funding for specialist provision in mainstream schools. Can you clarify and expand on that?

Finally, given that there is a long overdue pay and grading review and you are asking education workers to implement your plan, when will those workers get the money that was promised to them?

Mr Givan: The statement outlines what we are trying to do to support the provision of special education in mainstream schools. That is a key part of our work. We are putting in specialist provision, and we will put further provision in. We have already secured commitments to do that, and the funding will be made available to make sure that we have the appropriate accommodation that is necessary to meet needs.

Obviously, the Executive were able to agree a process for trying to resolve the pay and grading review.

I have invited the unions to engage in that process, and I hope that they will, because I believe that we can get a positive resolution. What I do not want is disruption to special schools and children with special educational needs not being able to go to their place of education as a result of any potential strike action. We should never have a scenario where children with special needs cannot be properly supported as a result of that. I believe that we can get a successful outcome and a resolution, and I hope that, in the days and weeks ahead, we will be able to do that without the necessity for any form of strike action.

1.00 pm

Mr Deputy Speaker (Mr Blair): Members, if the Minister is content, there are three remaining questions that we can try to take quickly now to avoid having to resume after Question Time.

Mr Robinson: Thank you, Minister, for facilitating a meeting this morning with Rossmar School. I thank my constituency colleague Cara Hunter for attending that meeting and supporting me. Your statement is very timely, Minister, and I very much appreciate the fact that you referred to Sandelford School in Coleraine. Can you give assurances that Rossmar School, which requires much-needed additional investment, will be actively considered in future school enhancement programmes?

Mr Givan: The Member raised that issue at this morning's meeting with Rossmar, which he had asked for. During that meeting, as a result of the approach that we are taking to the capital programme, I was able to advise the principal and Mr Robinson that, from what was intended to be a minor works scheme, we will now move into a school enhancement programme. Our assessment will take a whole-school approach to the needs of the school in Rossmar, and, obviously, as I indicated, we will take that

forward. I was delighted to be able to convey that information to the Member, the principal and the board of governors this morning.

Mr Dickson: Thank you, Minister, for your statement. May I draw your attention to Thornfield House School in my constituency of East Antrim? It entered the school enhancement programme in 2018. I note that it is on your list of 10 schools today, but surely a school that entered that list in 2018 deserves special attention. It also provided the Department with its business case as far back as 2011. There is urgency for this school. Not a single brick has been laid on the site since 2018. When can Thornfield expect to have its programme delivered for its students and for the staff and parents?

Mr Givan: The Member articulates well the very reason why I have had to take the measures that I have taken today in announcing a discrete, stand-alone capital programme for special education. The school that he referenced, Thornfield, has been sitting alongside all the other schools in the school enhancement programme. I have now asked the Education Authority to prioritise those 10 schools so that we can accelerate the process and get to the point where we can, subject to capital, move into contract and carry out the necessary works.

Mr Kingston: Along with others, I warmly welcome the Minister's statement. It demonstrates how all Departments are seeking to respond to severe and chronic need and how all Departments require an appropriate share of the Budget to respond to that need. I speak as a long-serving governor of Belfast Boys' Model School and of Malvern Primary School, and I know only too well how schools are working hard to respond to the high level of special educational needs. The Minister will be aware that many schools in north Belfast are oversubscribed, including Belfast Boys' Model School, Belfast Model School for Girls, Hazelwood Integrated College and the new Harberton North Special School. Quite frankly, too many post-primary schools were closed in the past, so I welcome his commitment to a new special school —

Mr Deputy Speaker (Mr Blair): Question, please.

Mr Kingston: — in Belfast, providing 275 additional places. Will the Minister undertake to ensure that the needs in north and west Belfast, including greater Shankill, are fully taken into

account in that process of providing a new school?

Mr Givan: Mr Kingston articulates very well the needs in Belfast, and that area has been identified as one where there is pressure. There is particular pressure in north and west Belfast, so a new Belfast school for 275 children from ages three to 19 is at an advanced stage. Where that school could be sited still needs to be looked at, but I hear what the Member is saying about the provision in north and west Belfast. I also hope to be able to update the Member in due course on some other primary schools in the Shankill area, one of which I visited recently. I hope to be able to come back to the House to provide more information on the provision of new schools in the greater Shankill area.

Mr Deputy Speaker (Mr Blair): I thank the Minister for staying with us and answering those questions. Regrettably, there were a few that we did not reach due to time constraints and Members not being in the Chamber for the duration of the Minister's statement.

The Business Committee has arranged to meet at 1.00 pm. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm.

The sitting was suspended at 1.05 pm.

On resuming (Mr Speaker in the Chair) —

2.00 pm

Oral Answers to Questions

Education

Special Educational Needs Provision: South Down

1. **Ms Ennis** asked the Minister of Education what plans his Department has to increase special educational needs (SEN) provision in South Down to ensure children receive a place to start in September. (AQO 368/22-27)

Mr Givan (The Minister of Education): Today I announced the biggest step change in capital planning in education for a generation, with an ambitious and far-reaching programme that will require half a billion pounds of investment in facilities for children with special educational needs over the next decade. The programme will transform the education and lives of our most vulnerable children and their families. In South Down, planning for a new-build school for Knockevin Special School will begin immediately. The Education Authority (EA) has been asked to submit proposals for any required extensions to special schools, which will now be taken forward under the school enhancement programme, and it is envisaged that that will include Rathore School. Additional land, which should provide much-needed growing space, has recently been purchased beside that school.

I am conscious that, owing to rising demand for specialist education provision, the situation for September 2024 remains very challenging, with the latest Education Authority planning assumptions indicating that almost 5,800 children with a statement of SEN require a change of placement for September 2024, with an estimated 1,000 additional places being needed across Northern Ireland to meet that demand. Significant progress has been made on agreeing solutions with schools to meet that demand through the creation of additional capacity in special schools and new specialist provision in mainstream schools (SPiMS). Focused work continues on securing solutions for September 2024.

Mr Speaker, I should have asked for an extra minute before I started answering. Hopefully, with your indulgence, I can be granted that.

Mr Speaker: Given the importance of the subject, I will on this occasion.

Mr Givan: Thank you, Mr Speaker.

South Down has been identified by the EA as being an area of particular pressure, with additional places being required in special schools and for SPiMS. The EA continues to engage with all education sectors in the area on building capacity and addressing need. It is in discussions with Rathore School regarding potential options for expansion for September 2024. A number of solutions have also been agreed in the Downpatrick area for providing early years and foundation-stage specialist provision classes for children with severe learning difficulties, as Knockevin School has very limited capacity for new admissions for September 2024. Expansion of provision at Oakwood School's Saintfield site for September 2024 is also actively being considered. Furthermore, five schools in South Down have agreed to establish new SPiMS classes.

I assure the Member that the EA continues to work at pace on a significant programme of work to create additional specialist education places in special schools and for SPiMS for the 2024-25 academic year. Meeting the needs of an increasing number of children with statements of SEN continues to be extremely challenging in the budgetary context. Urgent investment is required in order to create additional capacity across the system.

Ms Ennis: I appreciate the Minister's very detailed answer and the announcement about Knockevin. As he said, South Down is an area of particular pressure. That is the case across the BT34 and BT35 postcode areas. Has the Minister considered adopting a SEN-first approach for school placements for September 2024 and beyond?

Mr Givan: As I alluded to in my ministerial statement, I have been putting SEN first in my Department. That is why we now have a discrete, stand-alone capital programme for special educational needs provision. We are assessing what provision is necessary across Northern Ireland, including in South Down, and I was obviously able to announce a new build for Knockevin in the House earlier. My priority is children with special educational needs. When you and other Members are in those schools, as I have been, you cannot help but be touched by the needs of the children and young people. We need to do everything that we can to give them the best outcomes possible.

Mr Mathison: I will raise an issue that is related to SEN placements and connected to workforce. We have a crisis in the provision of educational psychologists and speech and language therapists, without whom the SEN system cannot function. What level of resource will the Minister commit to tackling those issues in the months ahead?

Mr Givan: Workforce issues are a real challenge. Some of those rest with the Department, such as making sure that we have appropriate recruitment and retention. In other special schools, the allied health professionals who come in are direct employees of the health service and the local trusts. Increasingly, a number of principals are raising their concern with me about a withdrawal of those services. I intend to engage with the Minister of Health to find out why that has been happening and what action is being taken to make sure that we have the appropriate support in our schools, not just to meet educational needs but to address the complex health needs that exist.

Mr Butler: I hope that you will indulge this question, Minister. We have a very special visitor in the Chamber who, hopefully, is listening up above. She is a pupil from St Genevieve's school in Belfast called Aurelia. Will the Minister commit even 10 minutes after Question Time and after he finishes the subsequent debate to meet her to discuss SEN issues? She is a lovely pupil, and I think that the Minister would enjoy meeting her.

Mr Givan: Thank you, Mr Butler. Let me see what I can do. It is an unconventional way in which to try to get a meeting at such short notice. *[Laughter.]* Let us see what we can do once Question Time is over.

Mr McNulty: I warmly welcome the Minister's announcement about Rathore school in Carnagat, Newry, and the purchase of the site adjacent to it. When can we expect to see contractors on-site and see that wonderful educational provision expanded and improved?

Mr Givan: The statement this morning outlined the process for any new build, school enhancement programme or minor works schemes. There needs to be an assessment of need, followed by feasibility studies, a business case and design processes before a school project gets to the point of being ready. When the capital becomes available, construction can then be put in place. For all our special schools, I have outlined in detail the approach that the Department will take to identify the need, have the processes in place to expedite those

matters as efficiently as possible and then get on with delivering construction.

Childcare

2. **Ms Nicholl** asked the Minister of Education for an update on the work of the cross-departmental task and finish group on childcare. (AQO 369/22-27)

3. **Ms Kimmins** asked the Minister of Education whether his Department has made progress on providing financial support for childcare for people in need. (AQO 370/22-27)

Mr Givan: With your permission, Mr Speaker, I will answer questions 2 and 3 together.

I will begin with an update on the work of the cross-departmental task and finish group. The group was established to bring a cross-departmental perspective to the development of an early learning and childcare strategy. That is essential, given the range of issues that we want the strategy to address. The three overarching aims are to support child development, to enable parental employment and to improve affordability for families. The aims clearly touch on several economic and social policy interests and are reflected in the group membership, which includes the Department for the Economy, the Department of Health, the Department of Finance, the Department for Communities and the Department of Agriculture, Environment and Rural Affairs. Specialist advice is also provided by economists and statisticians.

The full group has met twice, with additional bilateral engagement on specific issues having taken place between meetings. The group's initial focus has been on the identification and design of interim measures that could be introduced this year to ease current pressures on parents and providers. It will also play an important role in supporting the development of the longer-term strategy.

With regard to progress on providing financial support for childcare for people in need, I am, of course, aware of the significant financial strain on some families and childcare providers. I have engaged directly with parents and representatives from the early learning and childcare sector to hear at first hand what their issues and priorities are.

It is clear to me that significant transformation of early learning and childcare provision in Northern Ireland is needed to address all the issues that have been raised. Good progress

has been made, and I hope to be in a position to bring proposals to the Executive in the coming weeks. Ultimately, the scale of what I can do will depend on the budget that is allocated for that by the Executive, which, for this year, is £25 million.

Ms Nicholl: I thank the Minister for his answer and for always responding to my many queries about childcare. The £25 million dedicated fund is welcome to see in the Budget. How much of that will be spent on support for parents and providers? Will any of the additional funds come from the Minister's Department, or will that £25 million come purely from Executive funds?

Mr Givan: The Executive have retained the £25 million at the centre, so it does not sit in my Department. I need to bring forward an Executive paper to access it. There are, broadly, four areas that we need to look at. One is stabilisation of the sector, and I refer to organisations such as Sure Start, in which the Department of Health is involved. We also need to look at an approach to standardisation of provision in nursery schools, so that we move towards having equity of full-time and part-time places. We need a scheme to try to ensure that, where there is a critical need, support for providers can be put in place. There are issues with affordability and costs associated with that. Those areas are being looked at in the context of the £25 million allocation. Work is ongoing to specify how that will be broken down and the mechanisms for taking this forward.

Ms Kimmins: I thank the Minister for his answer to my question. It is an all-Executive priority, as we know, but can the Minister give an update on the work on childcare specifically with the Department for the Economy and the Department of Health? Families and providers are crying out for help. We want to ensure that the work is moving at pace, but we want it to be done properly.

Mr Givan: It has been very important to have the Department for the Economy, the Department of Finance and the other Departments that I mentioned represented on the task and finish group, because childcare has a much wider societal impact. We need to make sure that we support people who want to stay in the workforce and increase their output. That is part of the thinking behind the proposals that the Executive will take forward. It cuts across quite a number of different areas: employment is one, alongside others.

Mr Kingston: Will the Minister outline the timeline for the introduction of short-term funding support for parents?

Mr Givan: There is a real need for a timeline. I understand that and have heard it from my engagements with providers, parents and carers. However, we need to be clear about the purpose of the schemes and the outcomes that we want to achieve, and the task and finish group has been supporting that work. The three broad areas — child development, parental employability and affordability — are key to making sure that we have an integrated package of measures. I hope to bring a paper to the Executive in the coming weeks, and, obviously, that will then be subject to Executive approval. The sooner I can bring that paper and the Executive engage on it — we are already engaging on the issue — the sooner we can set up the mechanisms to get the support that is needed out into the wider community.

Ms McLaughlin: Some 12 weeks after their taking up office, we have not yet seen anything from the Executive. We need interim measures as soon as possible. Parents were melted before — they are absolutely furious now. When will the Minister announce an immediate intervention to raise the rate of tax-free childcare, lift the £2,000 cap and reconvene the childcare reference group with parental representation —

Mr Speaker: Is there a question?

Ms McLaughlin: — at the very heart of it?

Mr Givan: The Member is entirely wrong in her characterisation of nothing having been done; it is quite the opposite. I immediately brought a paper to the Executive, and we set up a task and finish group. I got the buy-in of all Departments to engage in that process. I engaged with the Finance Minister and the First Minister. We were able to secure £25 million in the Budget, and I am bringing forward further proposals as to how that can be implemented. The Executive are taking action. As a Minister, I am very much driving that action forward, not just in childcare but on special education. The Member can refer to the statement that I made earlier today on special education, which her constituency will benefit from. I am a Minister who is getting on with the job of delivering and I will continue to do so, alongside Executive colleagues.

Education Authority: Chief Executive

4. **Mr O'Toole** asked the Minister of Education to outline the rationale for the decision not to undertake an internal recruitment trawl for the position of chief executive of the Education Authority. (AQO 371/22-27)

Mr Givan: Before I deal with the question the Member has asked, let me clarify the respective responsibilities of the Education Authority board and the Minister in the process leading to the appointment of a CEO. The relevant legislation indicates that the chief executive:

"shall be appointed by the Authority.

(5) The Authority shall not appoint a person as chief executive unless the Department approves the appointment."

In view of the scale of the challenges faced by the education system and the concerns raised with me by MLAs, school leaders and the wider education sector, I concluded that trawling internally for a temporary appointment would not be appropriate. I was also concerned about the potential time that it would take to make a permanent appointment, not least in the context that the position had to be advertised several times before an appointment could be made in 2019.

Consequently, I concluded that the Education Authority could not be left with a leadership void in the context of the challenges that the organisation faced.

In considering the options available to me, I was clear that an established and strategic senior leader with credibility in delivering transformational change in complex and multidisciplinary organisations was required, an individual with sufficient resilience and strength of character to face the delivery challenges associated with the organisation, build morale and improve relationships with key stakeholders and service users. It was clear to me that someone of the standing and experience of a permanent secretary would be required and that the most appropriate way of making a suitable appointment in the time available was by means of a secondment. I met the chair of the EA and invited the board to pause the internal temporary promotion process and consider filling the post by secondment. As you know, the board agreed to that request at its meeting on 7 March.

2.15 pm

Mr O'Toole: I am grateful to the Minister for that detailed answer. It is important to say that, in the post-RHI context, it is deeply disappointing that such an important appointment was made without proper internal or external recruitment. Did the Minister, in agreeing the secondment, speak to his ministerial colleagues? I specifically would like to understand whether he spoke to the Justice Minister either formally or informally about the appointment. Did the head of the Civil Service give him any specific advice on whether she felt that it was an appropriate secondment?

Mr Givan: The answer is no. I did not speak to any ministerial colleague on the issue. I engaged the head of the Civil Service because she has to approve the secondment, and I am grateful to her for doing so. Consequently, the Education Authority board endorsed the secondment of Richard Pengelly at a meeting on 21 March, and he assumed his responsibilities on 15 April.

I trust that that will satisfy the Member as to the process, but I point out the need to take action. The Member's colleague Mr McCrossan has spoken in the Chamber on statutory assessments on a number of occasions. On one occasion, he asked me:

"Minister, do you think that the Education Authority is fit for purpose, and, if not, when do you plan to do something about it? In this issue, it is certainly not fit for purpose." — [Official Report (Hansard), 26 February 2024, p33, col 1].

Members from across the parties articulated their concern about the Education Authority. I took action, and I trust that I can work in partnership with the EA to deliver on all the needs that exist in our education sector.

Mr Allister: However Mr Pengelly was appointed, does the Minister agree that he needs to look at the adequate provision of preschool places? There are parents in the village of Kells being told that the nearest available place is 15 miles away. Does he agree that Mr Pengelly should look at why the Kells and Connor Pre-school was restricted to 42 places when it had 65 applicants, which has left dozens of children with nowhere to go.

Mr Speaker: That was a neat sidestep, Mr Allister. It is up to the Minister whether he wishes to respond.

Mr Givan: The chief executive of the Education Authority has a huge responsibility, and I am

very much engaged with the Education Authority, not just on the issue that the Member rightly highlights as a concern but across the entire education remit. Mr Pengelly has a big responsibility in his role, and I am very much leading in all of the Department of Education's responsibilities.

Home to School Transport Policy

5. **Ms Sheerin** asked the Minister of Education for an update on the review of the home to school transport policy. (AQO 372/22-27)

6. **Mr Honeyford** asked the Minister of Education whether he plans to review the home to school transport policy. (AQO 373/22-27)

Mr Givan: Mr Speaker, with your permission, I will answer questions 5 and 6 together.

A review of the home to school transport policy commenced in 2018. However, it was paused by the then Minister due to the pandemic and further suspended pending the outcome of the independent review of education. The transport policy supports other policies in the Department, such as those on parental preference and special educational needs.

My Department is considering the report published by the independent review of education, and work is progressing on an end-to-end review of SEN. Work is also under way on an action plan arising from the EA landscape review to include detailed consideration of the operational delivery of services such as school transport. It is important that any review of the home to school transport policy complements and can build on the outcomes of those work streams. It is in that context that I will consider the utility and timing of a new separate review of the transport policy. Given the very significant budgetary pressures facing my Department, I will also need to consider the affordability of any changes to the transport policy that would result in the widening of criteria to access transport provision.

Ms Sheerin: In the interim, while we await any new review, will the Minister commit to working with the officials in the transport section of the EA to apply a bit of common sense to some of the decisions about transport for children? I am inundated every summer with requests from parents who live just within the two- or three-mile criterion, parents whose children live three miles from their school but —

Mr Speaker: OK. We get the drift, Ms Sheerin.

Ms Sheerin: — not as the crow flies and thus are refused a bus pass and other people who are just outside the route. I would like to see common sense —

Mr Speaker: Minister.

Ms Sheerin: — being applied to ensure that those children can get to school safely.

Mr Givan: I totally understand the frustration that the Member has articulated. I deal with those issues as well at constituency level. It is a heavily regulated area. There is legislation in respect of the criteria, and they are strictly applied within those parameters. I understand the frustration and have experienced it at constituency level, but it is a heavily regulated area of policy that the EA is responsible for. I refer to the earlier comment about looking at a review of the process in due course, but, given the budget problems that my Department faces, I will be heavily constrained in respect of what I will be able to do about wider issues in the Department, as well as that one.

Mr Honeyford: I thank the Minister for his response. Approximately 35 to 40 pupils who live in the Moira and Magheralin area attend New-Bridge Integrated College. People choose that school because it is integrated and offers A levels and sixth form. EA continues to refuse direct transport links, citing transport policy, but, if those parents were to choose a grammar school, they would have a choice of six or seven schools. What is the Minister's assessment of the transport access for those who live in Moira and travel to New-Bridge Integrated College? What steps will he take to improve the options for those young people?

Mr Givan: The Member referred to parental choice when it comes to the schools that people choose to go to. A range of sectors is available to people. The Department has facilitated that, including through our home to school transport policy. I will look into the specific issue that the Member has raised in more detail, and I will write to him in that regard.

Ms Brownlee: Will the Minister outline the costs in relation to SEN transport and taxi provision?

Mr Givan: It is significant. Assistance is provided to over 90,000 school pupils every day, including more than 10,000 who have additional transport needs detailed in their statement of educational need. Children with a statement of SEN follow a different process for admission to school. In the most recent

financial year, 2023-24, taxi provision for special educational needs pupils came to just short of £34 million.

Special Educational Needs: Capital Programme

7. **Mr Robinson** asked the Minister of Education for an update on the capital programme for special educational needs provision. (AQO 374/22-27)

Mr Givan: The challenges regarding SEN capital investment are significant. From around £8 million of capital invested four years ago, the figure rose to over £47 million in the last financial year. That investment includes recent major works at four special schools and the ongoing new build project at Ardnashee special school. Five special schools received investment under the first school enhancement programme call, and 10 special schools are advancing in design under the second call to that programme.

On the minor works programme, the EA, in collaboration with the Department, has worked to create additional capacity right across the school estate, with currently more than 485 specialist provision classes across just under 200 mainstream schools, providing specialist educational placements for over 3,000 pupils. My Department has also, for the first time, provided additional resource funding of £5 million specifically for special school maintenance.

To meet the increasing need, the level of SEN capital investment is set to continue on an upward trajectory. It is estimated that that will be around £250 million of capital in SEN over the next three years, with a further £350 million to £400 million in the first years after 2027-28. That is why my bid to the Executive for enhanced capital funding for this financial year was so significant. The Member will be aware of my statement today, which elaborated on those issues in much more detail.

Mr Robinson: Thank you, Minister. In your statement, you informed the House that there will be a need for up to eight new special schools across the Province over the next decade. Do you have an early indication of where those schools may be located and what the process for delivery will be?

Mr Givan: Yes. We anticipate that we will need, as the Member said, eight new schools: four in Belfast and four in other parts of Northern Ireland. We have asked the EA to carry out

work to identify in more detail that provision, which, we believe, is needed. It will carry out that work for us along with work on all the other aspects that I relayed in my statement.

Mrs Dillon: I welcome the Minister's statement, and I apologise that I was not in the Chamber for it. I particularly welcome the announcement on Sperrinview Special School. Will you confirm that you will engage directly with the local council, Mid Ulster District Council? It will want to be helpful to you in what will, I hope, be an ambitious project for Sperrinview Special School.

Mr Givan: As part of taking forward the new builds, I have now had the opportunity to speak with the principals of Sperrinview Special School, Knockevin Special School and Ardnashee School and College, the three schools about which I made an announcement this morning. The principals are absolutely delighted. One of them could hardly speak such was her relief and excitement about starting the process of getting a new school.

In taking forward the design process, an integrated design consultancy team needs to be established. Through that process, we can link with other stakeholders. I encourage local authorities, schools and my Department to link in wherever they can in order to enhance provision, because it makes sense to do so. I will certainly feed back what the Member indicated about the council's willingness to be part of that process. I would expect that, in the development of the new build, not just at Sperrinview but at the other ones that I announced, that will be part of their process in taking forward any considerations of engagement.

Classroom Assistants: Pay and Conditions

8. **Mr Gildernew** asked the Minister of Education for an update on fair pay and conditions for classroom assistants. (AQO 375/22-27)

Mr Givan: Members will have heard from the Budget announcement last week that the funding available to the Executive did not allow for an allocation to be made in respect of the pay and grading review for support staff. I know that that news will have been extremely disappointing for the dedicated individuals who were relying on the implementation of the review. School support staff undertake a range of roles that are vital to the education of our children and young people, yet they continue to

be among the lowest-paid workers in the public sector.

Executive colleagues share my view that those staff deserve to be paid at a fair level for the valuable work that they do. However, the Budget was set in very challenging financial circumstances, and the level of funding required for that just was not available. Given the importance of the issue, the Finance Minister, Dr Archibald, has committed to working collectively with me to find a resolution for our support staff. The Executive have agreed that we will seek approval from the Treasury to re-profile some of the repurposed funds provided in the financial package for the purpose of ensuring that support staff are paid at an appropriate level. I am sure that Members will echo my hope that that proposal can be agreed as quickly as possible.

Mr Gildernew: Thank you, Minister. Do you agree that classroom assistants and other non-education support staff play a vital role in supporting our most disadvantaged and vulnerable children and young people such as those with special educational needs, for example?

Mr Givan: I do. I would share in those comments. I have witnessed in my constituency and as Minister the invaluable work that they carry out. I felt that it was important to find a way through the Executive Budget paper with the Finance Minister so that we can continue to make progress on getting a resolution. We very much want to do that, working together. I advise the House that there will be engagement between the trade unions and my Department this Thursday. I want a resolution. I do not want strike action. I want us to find a way that avoids that and gets the right outcome for the workers involved.

St Eugene's Primary School, Tircur

9. **Miss Brogan** asked the Minister of Education for an update on development proposal 717, regarding the transformation of St Eugene's Primary School, Tircur to controlled integrated status. (AQO 376/22-27)

Mr Givan: Development proposal (DP) 717, which proposed that

"St Eugene's Primary School, Tircur will transform to Controlled Integrated Status with effect from 1 September 2024, or as soon as possible thereafter"

was published by the EA on behalf of the school's board of governors on 14 September last year.

The statutory two-month objection period ended on 21 November 2023, and, on 15 April this year, I made my decision on DP 717 on the basis of all the pertinent information and evidence presented by my officials in a submission for my consideration. I decided that DP 717 should not be approved.

2.30 pm

Mr Speaker: That concludes the period for listed questions. We now move to topical questions.

Pay and Grading Review: Non-teaching Staff

T1. **Ms Hunter** asked the Minister of Education to clarify the timeline to resolve the pay and grading review for non-teaching staff who are, understandably, struggling with the cost-of-living crisis, given that she shares others' frustration and finds it extremely disappointing that the money required for those staff has not been made available, albeit she is aware of the funding challenges in his Department. (AQT 241/22-27)

Mr Givan: Following the Executive meeting, I immediately communicated to the trade unions my willingness to engage in this process. I have appointed a deputy permanent secretary, Ronnie Armour, to lead on this for me. The Education Authority is the employer in this respect, and it therefore has a role. Executive colleagues and I are clear that we want to get a resolution to the pay and grading review, because it is important that we can recruit those important support staff and retain them in our education system.

Ms Hunter: I thank the Minister for his answer. I recognise that our non-teaching staff — classroom assistants — are the backbone of all our schools, but particularly in meeting the medical needs of pupils in our special schools. Does the Minister agree that the lack of implementation of this review could actually worsen the staffing crisis in our special schools? Will he and the Finance Minister commit to keeping the House updated on the issue?

Mr Givan: I am happy to keep the Member and the House updated. I agree that we need to take forward the pay and grading review so that

we have the appropriate workforce in place. This is slightly different from the pay disputes that were taking place in the Civil Service and in the teaching profession — they had not had a pay award. Support staff are part of a national joint negotiating position. Last year, on average, there was an 8% pay rise. This year, within my budget, a pay rise for those workers will be delivered, because it is contractually required. The issue is that their starting point is much lower, and, as the private sector has become much more attractive, we are not able to recruit and retain. The pay and grading review is not the same as a dispute over a pay settlement. However, I have put forward the business case because I believe that it needs to be addressed. The Finance Minister and her Department have agreed. We now need to get a resolution.

Obviously, the Treasury is involved because, if we are to repurpose the limited resources that are available to an Executive that will have limited resources in the next financial year, there needs to be a justification for that. Treasury will be part of the process, but the Executive have agreed a willingness to get a resolution. Obviously, there will be engagement with the unions and all the relevant actors.

Education (Northern Ireland) Order: Article 4(1)(c)

T2. **Mr McReynolds** asked the Minister of Education whether he intends to repeal article 4(1)(c) of the Education (Northern Ireland) Order 1998, which enables teachers to use force to stop pupils “engaging in any behaviour prejudicial to the maintenance of good order and discipline”. (AQT 242/22-27)

Mr Givan: The Member and others have been raising issues on this. I have asked officials to engage with me on it to ensure that we get it absolutely right. It is not that I necessarily have a position, without going into detail, on it. It is just that I want to ensure that due consideration is given before we reach a final decision.

Mr McReynolds: I thank the Minister for his response, but I remind him that the NSPCC, the Human Rights Commission and the Northern Ireland Commissioner for Children and Young People have all called for an end to the physical punishment of children, as did the previous Minister of Education. Will the Minister today commit to urgently act on the guidance of organisations and previous Ministers who focused their attention on the rightful protection of children and their rights?

Mr Givan: I caution the Member on presenting the information as though, somehow, capital punishment is taking place in our schools. It is not, and it does not. There are issues when it comes to restraint. I am aware of them, as a governor of a school where pupils were engaged in violent activity and teachers had to step in to restrain them. I need to make sure, for those professionals in environments and situations that could become difficult, that we do not take a decision that could become problematic for them in its outworkings. That type of capital punishment does not take place in our schools in the way in which the Member characterised it.

Mr Speaker: I think that the Minister means corporal punishment.

Mr Givan: Sorry. *[Laughter.]*

Mr Speaker: I would not want there to be any capital punishment in schools. *[Laughter.]*

Mr Givan: There is definitely no capital punishment.

Controlled Sector: Support

T3. **Mr K Buchanan** asked the Minister of Education whether he has had an opportunity to consider the independent review of education recommendation for a specific support function for the controlled sector. (AQT 243/22-27)

Mr Givan: Hopefully, nobody wants to take my head just yet.

The Member raises an important point about the controlled sector. Members are familiar with the Catholic maintained sector, the integrated sector and the Irish-medium sector and with the responsibilities of the various managing authorities that those sectors have. The controlled sector does not have that. The Education Authority is supposed to be the managing authority for the controlled sector; however, the independent review of education made it clear that that was an issue that needed to be addressed, and Members can look at the review report. One of its recommendations stated:

"There is an immediate need to have a specific support function for the Controlled sector. This will involve, in the short term, a dedicated directorate within the EA to manage Controlled schools."

That is an area that requires my attention, and I am giving focus to what we can do to address the deficit and the inequality of treatment that exists for the controlled sector.

Mr K Buchanan: Thank you for your answer, Minister. When will you be in a position to make further announcements or update us on the issue?

Mr Givan: A scoping exercise has already commenced on the issues for the controlled sector that I want to be addressed. The independent review's recommendation that a specific directorate be created in the Education Authority was a short-term measure, with a view to moving towards a proper management authority. I have asked for scoping of the measures that need to be put in to achieve that. I am actively engaged in that area in order to ensure that there is effective representation of the controlled sector in our education system.

Mr Speaker: Mr Stewart is not in his place.

Kilbride Central Primary School: School Enhancement Programme

T5. **Dr Aiken** asked the Minister of Education, after declaring an interest as the vice chair of the board of governors at Kilbride Central Primary School, to outline whether he is aware of schools that are having problems with the school enhancement programme (SEP), in light of the fact that, recently, Kilbride Central PS met the Education Authority about its SEP, which, yet again, is about to be delayed because of bureaucracy. (AQT 245/22-27)

Mr Givan: I will happily look into the individual case and write to the Member. In the Department, design work for a significant number of major capital programmes is being carried out. Over 70 school enhancement programmes are also in place, and working through the resource that is needed to take them forward is challenging. I will certainly look into the school that the Member has highlighted and come back to him on that in more detail.

Dr Aiken: I thank the Minister for his answer. It is the second time that this has happened to the school in four years. As you can imagine, the board of governors, the teachers and the parents have developed a degree of scepticism, so I welcome the Minister's response, and I look forward to an early response from the EA.

Mr Givan: Like all Members, I want a situation where, for schools that have been announced

as recipients of funding from major capital and school enhancement programmes, the feasibility, business case and design process is carried out efficiently so that we can get to the point at which more schools are ready to go into construction. That is subject to me, as the Minister, securing the appropriate finance from the wider Executive. We need to make sure that a sufficient pipeline of schools come through that process so that they are ready to receive funding. Where there are delays, I do not know the reasons for them, but I will certainly undertake to look into the issue and get back to the Member.

School-leavers with Special Educational Needs

T6. **Mr Carroll** asked the Minister of Education, in light of the fact that people with special educational needs face a cliff edge when they finish school, to outline what his Department is doing to support those young people when they leave school or other education settings. (AQT 246/22-27)

Mr Givan: That issue has been raised with me, and I have been asked what support there is for young people when they finish school. Our special schools go from ages three to 19, and other Departments have a responsibility for those young people after they leave the education system. There are organisations that provide support. In my constituency of Lagan Valley, Stepping Stones provides support for young people. We need to engage with the Department for the Economy and other Departments on that issue so that, when those young people leave education, there is wider support available. The responsibility, however, cuts across other Departments as well.

Mr Carroll: Minister, thank you. I urge you to implement the scheme to support those people, and I also urge you to commit to engaging with groups that represent them to make sure that the scheme that is in place is suitable for the people who are facing that cliff edge.

Mr Givan: I am happy to be engaged on that issue.

Schools: Capital Investment Priorities

T7. **Mr Honeyford** asked the Minister of Education, in light of his earlier, welcome statement on capital projects for special schools, to outline his other capital investment priorities. (AQT 247/22-27)

Mr Givan: Special education has been a priority in the capital programme, and, given what I announced today, it will continue to be so. We then need to look at where schemes are ready to go or where schools can enter into contract. I have asked the Department to look at what schools are available to receive capital provision for the school estate. There are issues with maintenance, and I have highlighted the fact that over £250 million is needed to address the maintenance backlog. I also want to develop a curriculum-led capital programme. For example, some schools cannot deliver PE effectively because they have no sports hall, and there are other aspects of the curriculum that cannot be provided for. We therefore need to deliver on a range of areas. Yes, there is new capital, and, yes, there are enhancement programmes that I would like to take forward, but I also want to consider what further support the school estate needs in a whole range of areas. There is also a point, which Members have rightly raised, about provision for youth services, youth centres and suchlike, so we need to consider what support is available in order to take forward such provision. A wide range of areas therefore needs to be supported.

Mr Honeyford: I thank the Minister for his answer. I want to talk about one project that is ready to go. You have previously expressed your regret that Millennium Integrated Primary School did not have its new build developed after the Fresh Start funding was re-profiled earlier in the year, and that happened despite the project being at the most advanced stage of any of the affected schools. Will you use any of the current capital allocation in this financial year to deliver that project?

Mr Givan: Millennium Integrated is one school that the Treasury should have funded, because of the very reason that has been outlined, namely its advanced stage of readiness. The Department is looking at a number of schools that are at a point at which we could enter into contract, and officials will come to me with their proposals. I would like to take forward that project, but I cannot give the Member an indication today about any particular school, other than to say that I hear what he says about its being ready to go, subject to finance. There are a number of schools in a similar position, and I hope to be able to update the House in due course.

Strule Shared Education Campus

T8. **Mr Tennyson** asked the Minister of Education, in light of the capital pressures facing his Department and the fact that last

week's Budget statement included the Strule Shared Education Campus as an earmarked project, to state whether he is comfortable proceeding with the proposals for that project in their current form, given that they have been criticised by the independent review of education and the Audit Office, albeit we all agree that those schools have waited far too long for capital investment. (AQT 248/22-27)

Mr Givan: It is unusual to have Members rise to campaign against schools. That usually does not happen. There is a process in place for the full business case assessment for Strule, and the Executive have allocated £20 million in this financial year to take forward the project. Strule offers an opportunity for the Executive and the Assembly to send a very clear message, particularly in a community that suffered more than most, with the single biggest loss of life taking place in Omagh.

What a message it would be not just in Northern Ireland but internationally that here is a community where young people are coming together on the one site and sharing in their educational experiences.

2.45 pm

Mr Speaker: That draws to a conclusion questions to the Minister. We move to the next item in the Order Paper, which is a motion on the display of flags, emblems and banners. Members may take their ease while we change the top Table.

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

Private Members' Business

Display of Flags, Emblems and Banners

Ms Bradshaw: I beg to move

That this Assembly notes chapter 11 of the report of the Commission on Flags, Identity, Culture and Tradition; endorses the proposed code of practice for the respectful display of flags at paragraph 11.48; recognises lawful authority for the display of flags, emblems and banners from public property does not exist; and calls on the First Minister and deputy First Minister to develop, urgently, a consultation on how such lawful authority may be provided within the bounds of the proposed code of practice.

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

Ms Bradshaw: Although we recognise that the amendment is well intended, we have some concerns that it rather misses the point of the motion, which is about what to do where local accommodation is not reached or where local accommodation is enforced rather than genuinely agreed. There are good examples, but there is no redress for bad examples. That is the key issue.

With regard to the motion, some will start, no doubt, by pointing out that the report of the Commission on Flags, Identity, Culture and Tradition (FICT) did not include agreement on all issues relating to the display of flags and emblems from public property. The essential point here, however, is that there is no agreement for the status quo. Indeed, the commission agreed that the status quo is not an option. It is a favoured strategy for some in the House to say, "There's no consensus, so we cannot change anything". On the contrary, the lack of consensus means that we must change things. The status quo has been decisively rejected by the FICT process, as well as by other surveys and polls.

It is, of course, also a favoured strategy to make false claims about what others are proposing. Let us be clear: FICT and, indeed, my Alliance Party colleagues and I are, today, specifically proposing a means of providing lawful authority for the display of flags, emblems and banners from public property for the purposes of commemoration and celebration. There is currently no lawful authority, and we wish to see it provided for two prime reasons. First, we recognise that "shared space" does not mean "neutral space". Flags and emblems are a legitimate means of demonstrating allegiance and participating in commemoration, and, done right, they can enhance cohesion and mutual understanding. Secondly, such lawful authority is necessary to ensure that protocols already successful in some locations may be meaningfully enforced.

We want to get to a place, therefore, where flags and emblems are displayed for identifiable reasons, with those responsible for their erection and subsequent removal clearly identified. No one who is interested in the legitimate display of flags and emblems for the purposes of cohesion, commemoration or celebration can have any objection to that.

Mr Allister: Will the Member give way?

Ms Bradshaw: No, I have a lot to get through here. Thank you.

The commission agreed that flags should not be flown in a way that could be considered threatening or antagonistic and that they should not be placed near places of worship or where public services are delivered, including schools. There was clear consensus there, and so there should be.

There was one obvious example in my constituency a couple of years ago, when a solitary flag was placed just outside the entrance of Fleming Fulton School, which is a special educational needs school. That flag was clearly designed to intimidate pupils from a particular background. Yet, when I sought its removal through the Department for Infrastructure and the PSNI, I was told that that could be done, frankly, only through negotiation with local so-called community leaders, and, of course, they said no. The public authorities charged with managing law and order and our public property had no powers to act on that occasion or any other. Members in the Chamber have a choice to make today. Whose interests do we value more: those of vulnerable children or those of local thugs?

Notably, the commission also agreed that people who live in areas where flags appear on public property have a right to know why those flags are there and who put them up. Having established where we want to go, that gives us an idea of how to get there. The commission outlined a notification process that would see the purpose for the display of flags established, as well as clear accountability for their erection and removal. That process would provide lawful authority for the display of flags in much the same way as current legislation allows, in certain circumstances, for election posters or council banners. Such a process would be regulated along the lines outlined in sections 11.41 to 11.48 of the FICT report.

There is one particular advantage to providing lawful authority for the display of flags and emblems, which is that it would establish plainly and without doubt where such lawful authority does not exist. The most obvious examples of that are flags and emblems flown in contravention of the Terrorism Act 2000. Plainly, that currently occurs, and I hope and trust that every Member in the House would wish to see it ended.

Were we to provide lawful authority for the display of flags and emblems in public spaces, enhancing the mutual respect to which we are supposed to be committed, we could enforce the very reasonable code of conduct that is published in the FICT report. I would challenge anyone to explain why they would not wish to do that, particularly when one clear prize would be the end of the display of flags promoting and glorifying proscribed organisations.

Inaction is not a strategy. Leaving things as they are and hoping for the best is not good government. Continuing to allow people to head out under cover of darkness or, sometimes, frankly, in broad daylight to deface public property with flags and emblems designed to instil fear and reinforce control of communities, while the police and public bodies turn a blind eye, is not an option.

Let us be clear that it is, first and foremost, the people who live in those communities who pay the penalty. Prosperous communities are, invariably, diverse communities. Communities that recognise that shared space is not necessarily neutral space but see the display of flags and emblems as something to be done respectfully for the purpose of commemoration and celebration are those that thrive and where opportunities are created for all.

Mr Brooks: Will the Member give way?

Ms Bradshaw: I am sorry: I still have a bit to get through. Thank you.

Communities that are open to people from different backgrounds but are positive about their own identity are those that enjoy the highest well-being scores. Fundamentally, therefore, this is about the type of society in which we wish to live. Do we value respect, openness and displays that are focused on commemoration and celebration, rather than intimidation and antagonism? That is where the challenge to the First Minister and the deputy First Minister lies. Being in office is the easy bit; getting things done is the tougher challenge.

The FICT report gives us clear guidance on the direction of travel. Our clear preference is for the First Minister and deputy First Minister to take this forward via a formal consultation process on a legal framework for a notification process. We need to move on from endless inaction. Certainly, I intend to do so. Therefore, should no progress be evident in the coming months, I will seek permission from the Speaker's Office to take forward my own consultation on a private Member's Bill in line with what was agreed in the FICT report.

Mr Beattie: I beg to move the following amendment:

After "11.48;" insert:

"welcomes, as best practice, the positive work done by community and civic groups in creating local codes of practice around the display of flags;"

Madam Principal Deputy Speaker: Thank you, Doug. You have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr Beattie: Thank you, Madam Principal Deputy Speaker.

Flags. The Commission on Flags, Identity, Culture and Tradition lasted for over three years, produced a report with 17 chapters and over 180 pages and cost over £800,000, yet this debate is about flags. There is so much more to the issue than flags, and we need to consider all of that. Let us talk about memorialisation, for example. The number of murals and memorials to murderers far outstrips the number of memorials to victims. They are up there 365 days a year. Victims have to walk past them 365 days a year, yet we are not discussing them. Why? Flags.

There is a sense — I hope that I am wrong — that the motion is trying to find fracture points in communities. I hope that it is not. It is the same as the call-in that we had on Ards and North Down Borough Council about flying the Union flag over war memorials. That is really important to our community, yet it was called in and stopped. That creates a fracture in communities. Here we are with the FICT report, with all its chapters, as I have just discussed, and we have pulled out a chapter that singles out flags. Flags: national flags, GAA flags, football flags, commemorative flags, Orange Order flags and Ancient Order of Hibernians flags. Are those flags more intimidating than murals of terrorists wearing balaclavas or holding guns or memorials to terrorists who terrorised? Flags.

Let me be direct: there should be no flags of any kind to paramilitaries — none at all. They are offensive and illegal. They attempt to legitimise those who went out to murder and create mayhem. Even today, they are an insidious and malign influence in our community. Those who found themselves in a terrorist organisation or a paramilitary group during the dark days of the Troubles must look and realise that, if they do not want our children and grandchildren to live through what we went through and make the mistakes that were made during the Troubles, they should not fly those paramilitary flags. They can remember their dead: just do not do it at the expense of victims.

I like the idea in the motion of lawful authority for the flying of flags. That would give lawful authority to those who put them up and to where they are put up, so that they can do it safely. That can be done under the Roads (Northern Ireland) Order 1993 in exactly the way that we all put our posters up on lamp posts, sometimes keeping them up there for up to two months. Why not?

I also support the notion of flags going up on a specific date and that we all know when they will come down again. They should come down at a specified point. I do not support the burning of any flags. I do not support the burning of national flags. I have spent my life in the service of my country, and I have stood beside coffins draped in the Union flag: I do not want to see it burned. In the same way, I served with people from the Irish Republic who were buried with their coffins draped in the tricolour: I do not want to see it burned either.

Let us not disrespect either. Do not let anybody misappropriate anybody's national flag.

3.00 pm

Mr Buckley: I thank the Member for giving way. Will he agree that there are some very good examples of communities that put up flags, especially at particular times of the year, and which have codes of practice in place on the raising and lowering of flags to ensure respectful engagement with the community and the tradition that they represent?

Mr Beattie: I will get into that in a moment, if that is OK.

I want to stick with the theme that I support flags not being flown around places where public services are delivered, such as hospitals, health centres, leisure centres and libraries. We had an issue at Craigavon Area Hospital, where flags were up all the time at the roundabout, but people have worked hard to get them removed. I do not know whether that will happen this year, but people worked hard.

Here is the rub to this whole debate. Are we here to listen and really make a judgement or have we all turned up with our pieces of paper and already made a judgement before anybody opened their mouth to say anything? Before I uttered a word in the debate, I was told that our amendment could not be supported. Let me try to see whether Members really want to debate and really want to see whether we are on the right side of this. The motion states that it:

"endorses the proposed code of practice"

in the FICT report. Guess what? There is no proposed code of practice in the FICT report. What it refers to is "a possible code of practice". It goes on to say:

"the Commission is not in a position to recommend a code of practice".

How do I know that? I was on the FICT for three years. I was part of the discussions for three years. I know for a fact that nobody would agree a code of practice. There is not one in the report.

Ms Bradshaw: I thank the Member for giving way. I did not say that the commission agreed to a code of practice and that that is the purpose of the motion today. I pointed out where we did see that there was agreement in the report from the commission.

Mr Beattie: The motion proposes that the Assembly:

"endorses the proposed code of practice for the respectful display of flags at paragraph 11.48".

Paragraph 11.48 does not say that. It says, quite clearly, "possible code of practice". Therefore, there is nothing in the report that says that there is a proposed code of practice. My amendment tries to bring the motion back in line so that we can support it. Let us be honest that the report states:

"In 2005 the Office of the First Minister & deputy First Minister (now the Executive Office) published a flags protocol."

It continues:

"The evidence suggests that there has been little or no improvement in the years following the development of the protocol."

Why do it again? If you put it to the centre and it does not work, why do it again? It will not work, and that is what this motion is doing. It is putting it back to the Executive Office, and it will not work. The FICT report also says:

"The Commission was made aware of locally agreed solutions and the development of protocols around the type and time flags are flown. Some people said that such an approach was helpful in making progress on this issue at a local level."

The report said that local community groups and local civic groups made progress. I work with a group in Portadown called Regenerate, which the Member will know very well. That group worked extremely hard from 2015 to come up with a flags protocol. It fundamentally changed the flying of flags in the town of Portadown and stretched out. Is it perfect? Absolutely not. There are huge issues there, and I will go back to the flying of paramilitary flags. I cannot support the flying of paramilitary flags of any shape or form, but that group worked hard. If we try to bypass civic groups and community groups such as that one, all you will see is more flags.

I get it that the Member is frustrated. I get it that all of us are frustrated. I am absolutely frustrated about this. I do not want to see flags flying all year round and going into tatters; I really do not. However, to fix the problem, it is not just to throw it towards TEO and say, "Come up with enforceable rules, and they will all stick to them". The FICT report did not say that. Not once did the FICT report say that, but there is an opportunity to make changes —

A Member: Will the Member give way?

Mr Beattie: I do not have time, unfortunately. Sorry.

There is an opportunity to make changes. I tried to table an amendment that would get us back into line on this and that would acknowledge those community and civic groups and the work that they do, and it was batted off out of hand. I cannot support this motion, because it is simply not factual. It states that it will endorse the "proposed code of practice" that was recommended in the FICT report, but none was recommended in the FICT report. I will say this to the other Members who are sitting here: how can you support this motion if it is not factual? You simply cannot.

Mr Kearney: We need to take a zero tolerance position in these political institutions and in wider society on the undignified and disrespectful flying of all national flags, and we also need unequivocal opposition to the use of flags and emblems to entrench sectarian segregation, harass or intimidate. The misuse of public property to do so and the lack of effective legal authority exacerbate the practice.

Disagreement over flags or emblems is a symptom of sectarian segregation in this society. Instead, we need united political leadership to tackle sectarianism and issues of cultural equality and respect. The FICT report sought to address those issues. It did not provide all the solutions. It identified where challenges remain. Disagreement over the erection and use of flags, particularly on public property, is a case in point. However, it offered a road map on how issues that are at the heart of division in the North, including our cultural traditions and identities, could be celebrated on the basis of equality and respect.

Throughout my term as a junior Minister, I consistently sought to achieve not only the publication of the FICT report but an associated implementation plan. The issues that are addressed in the report were and are challenging. That is why an implementation plan was and remains the correct thing to do. Others resisted and frustrated all attempts to bring an implementation plan to the Executive.

The Good Friday Agreement and FICT report provide the reference points for addressing the display of flags and emblems on public property. However, effective resolution of the issue will not be found in a vacuum. It will require categorical legal authority, cross-departmental coordination and for agencies

such as the police to meet their statutory responsibilities.

It is not good enough for legal lacunae to be used as an excuse to pass the parcel. Relying on the same approaches guarantees only the same outcomes. The Member who spoke at the beginning of the debate must have been reading my mind when she suggested that, in the absence of movement by the Executive Office, she would seek leave to carry forward a consultation for a private Member's Bill. I was going to make the same point. I will happily cooperate with you on that approach, Paula, if we are compelled to do so. That may well be the requirement that is placed upon us if there is no change.

We need to constructively manage identity, culture and tradition, which continue to cause division. However, when appropriate lawful authority and means of enforcement do not exist, they need to be put in place. For our part, we in Sinn Féin are committed to real delivery on how to deal with flags, identity, culture and tradition. I want to see an inclusive, welcoming, multicultural society in the North that has anti-sectarianism at its core. That is the message that must constantly echo from these institutions. That is the obligation that power-sharing places on all of us, and that is what positive political leadership must be about.

Mr Kingston: Let me say at the outset that we in the Democratic Unionist Party seek to promote the celebration of culture. We will always defend the dignified display of the flag of our country. However, we will never make excuses for the display of anything that could be associated with a paramilitary organisation or that otherwise glorifies terrorism and violence.

We have deep reservations about the direction that is proposed in the Alliance Party motion and will set out our reasons for those in the course of the debate. It is important to state that those who display flags, symbols and emblems should, of course, act in a manner that is responsible and respectful. There are principles that I hope we can all support when it comes to the display of flags in public spaces: they should not endanger the safety of road users; no national flag should be defiled or burned; flags should not promote proscribed organisations or glorify violence; they should not be displayed with malicious or illegal intent; they should not be flown in a damaged condition; and they should be flown, where possible, with local agreement.

Mr Brooks: Will the Member give way?

Mr Kingston: Yes, I will.

Mr Brooks: Does the Member agree that none of what he said would require the introduction of new legislation?

Madam Principal Deputy Speaker: The Member has an extra minute.

Mr Kingston: I thank the Member. Indeed, that is my point. None of that would require new legislation or regulations that criminalised the act of displaying a flag. Let us be clear that, as others have said, the FICT report does not recommend changing the law to provide for a specific right to fly a flag. Nor does it recommend a code of practice that would fetter that right with a suite of new conditions and a specific authorisation process. The commentary contained in the final report was intended to inform future discussions, with a recognition of the fact that any solution must command cross-community support. Sadly, in the absence of political agreement, the Alliance Party has chosen to short-circuit that process.

A decision to move to a blanket ban on the display of our national flag outside specific dates unless authorisation is secured would have a significantly detrimental impact on good relations in communities across Northern Ireland. It would increase —.

Ms Bradshaw: Will the Member give way?

Mr Kingston: I do not have time, sorry.

It would increase the potential for conflict whilst unjustly fettering a number of fundamental freedoms. The Police Service of Northern Ireland has consistently said that the most effective solution to this issue is negotiation, mediation and engagement within and between local communities. That engagement includes communities working with agencies, including the police, to find locally agreed solutions. Elected representatives may well be able to influence that process.

In contrast, an imposed, top-down legislative approach would undermine agreements that have been established in a number of areas across Northern Ireland, setting back relations and damaging opportunities for influence. Just because some elected representatives think that they would not have influence in those communities does not mean that they should resort to pursuing a legislative approach.

The DUP acknowledges that there is a need to clarify the roles and responsibilities of the

various public authorities on which those issues have an impact, whether that is DFI, councils or the PSNI. However, adding more confusion by imposing a new authorisation regime for flag-flying and moving from the current permissive enforcement powers to prescriptive enforcement powers that confer a proactive obligation on agencies such as the police to intervene would not be a silver bullet. The suggestion that the police should be compelled to intervene to remove or prevent the erection of flags following every reported incident of flag-flying that is deemed to be contentious or unlawful is fanciful and unworkable. It is more than that: it is entirely at odds with what the Justice Minister and Chief Constable have said about the need to alleviate resourcing pressures in policing in the current budgetary climate.

The focus should be on addressing concerns through voluntary action and agreement, not imposing a draconian set of laws that runs contrary to the principle of mutual respect. The sort of system that the Alliance Party advocates would hand public authorities significant power to adjudicate on what constitutes a lawful display of a flag or emblem.

Ms McLaughlin: Will the Member take an intervention?

Mr Kingston: No, I do not have time, sorry.

How would that test remain free of political interference in councils? How would public authorities be held accountable for the unjustified pursuit of those who express or seek to express their identity in a manner that does not incite or invite violence?

The danger in all this is that public authorities would feel compelled to adopt a precautionary approach to authorising displays outside the exempted periods, meaning that flags and bonfires would be categorised as hate expression and would be caught up in efforts to stymie those with more malicious intent. As you will have gathered, we will not support the Alliance motion.

3.15 pm

Ms McLaughlin: I support the motion. As with so many issues that have been debated in the Chamber over the past few months, it is a pity that, in 2024, we still have not made the progress that is needed on flags, emblems and banners. Shame on us. That failure is a sign not just of the dysfunction of the Executive Office or that of the Government but of how far our

society has yet to go in building a shared future. Twenty-six years after a peace agreement, it is a source of real frustration to people across our community that flags, emblems and banners are still used far too often to impose control on them and to demarcate territory and inflame tensions. This week, in Derry, we have seen Irish Republican Prisoners Welfare Association (IRPWA) flags going up all around the city centre. That was done deliberately to coincide with the murder trial for Lyra McKee. It was intimidatory and hurtful. We need somebody, or some legislation, to take those flags down. We have no time in which to do the soft negotiation; it is happening now, during a murder trial in Belfast.

As for our business community, the unlawful flying of flags, particularly those belonging to paramilitaries, from lamp posts clearly undermines our economy and our tourism sector. The inability of statutory agencies to get a grip on the issue also poses a really concerning challenge to the rule of law. We should all be united in saying that the next generation should not be forced to grow up under the shadow of flags on our lamp posts, particularly when the flags belong to organisations that should have been disbanded long ago. In order to make that case, however, this generation of politicians has to act. We cannot just kick this into the long grass any more. This mandate has to be about seeing progress, finally, once and for all, on these thorny issues.

Much has been made of the FICT commission and the resulting report. I do not underestimate, in any way, how difficult the job is, because the issues are thorny and intractable, but the report risks becoming another ornament that gathers dust on the shelves of the Executive Office — an ornament that has cost the people here £800,000 for the pleasure of having it drafted. Although I pay tribute to the commission's painstaking work, the fact is that, unless we do something with it, there is virtually no point to the report at all — absolutely no point.

Ms Bradshaw: Will the Member give way?

Ms McLaughlin: Certainly.

Ms Bradshaw: Does the Member agree that no Member should fear a consultation process, as outlined in the motion, that would give the wider public a say in whether these flags should be allowed to fly?

Madam Principal Deputy Speaker: Sinéad, you have an extra minute.

Ms McLaughlin: Thank you. I think that the people have made their voices clear. The politicians are behind the people on this one.

As part of implementing the report, we must finally put into place a code of practice and construct a legal framework around it that has some teeth. For the SDLP, the motion does not even go far enough. Our amendment, which was not accepted, would have committed the Government to putting the necessary legislation into the Programme for Government. The issues are very difficult, but we cannot keep going with the status quo or accept that a report like that can be allowed to disappear into the Executive Office.

It is absolutely healthy to have a view on the national question. To me, changing the way this place works is how we build a much more inclusive and open society. Resolving issues of identity happens not by pretending that we are all the same — we are not — or by ignoring the questions of identity but by facing and addressing them. That is why I advocate a new Ireland with reconciliation at its core, but that reconciliation will be permanently stalled if we cannot address the issue or allow it to be held to ransom and locked in limbo in perpetuity through a lack of compromise and consensus. That is the prerequisite for a shared society and for the shared island that we want to see. Solving those issues and building a truly shared future, through genuine and honest engagement, will be a difficult task, but it is a necessary one, and it should start with the work that we are discussing today. We support the motion.

Ms Egan: I support the motion. The Alliance Party's position on flags should not come as a surprise to anyone, and the issue is regularly raised with me by constituents.

Every year, we see flags erected on street furniture without any community consultation, to the frustration of many residents. Far too often, the flags promote proscribed paramilitary organisations. I live in a diverse and welcoming community, and many constituents feel frustrated that they do not have a say in the display of flags in their area. It creates an impression that our public space is for only one section of the community to live and work in. Flags that promote paramilitary organisations create a chill factor, and a fear factor for local residents.

I recently submitted a question for written answer to the Infrastructure Minister to ask how many of the flags his Department has removed in the past five years. I was shocked to learn

that the answer is none. Not a single flag that promotes a proscribed paramilitary organisation has been removed from our street furniture by the Department responsible in the past five years. When I contact —

Mr McNulty: Will the Member give way?

Ms Egan: Yes, I will give way.

Mr McNulty: Will the Member agree that it is quite incredible, in the year 2024, that we are still talking about flags? Does she agree with John Hume's assertion, "You can't eat a flag"? Will she also agree with me that the party political advertising, including illegally erected billboards and 6 feet by 4 feet Correx boards, such as those erected across my constituency that are there all year round, and not just in an election year, should be removed? If you are confident enough in your message, why does it have to be rammed down people's throats? Can that be included in the Alliance Party's request to the Executive Office?

Madam Principal Deputy Speaker: Sorry, but an intervention is supposed to be short. Connie, you have an extra minute.

Ms Egan: Thank you, Madam Principal Deputy Speaker. I absolutely agree that you cannot eat a flag. My understanding is that there are regulations, on which I hope that all parties can agree, about political posters and advertising on our street furniture.

As I was saying, not a single flag promoting a proscribed organisation has been removed by the Department responsible in the past five years. When I contact the PSNI to remove a flag, it says that it cannot and will not, as it is DFI's responsibility. That approach of passing the buck is simply not good enough. If a Department and the PSNI cannot tackle something as simple as removing from public property a flag that promotes a terrorist organisation, how on earth can the communities living with the scourge of paramilitary influence have confidence that the PSNI can effectively tackle all the other criminality carried out by those organisations?

Some Members: Hear, hear.

Ms Egan: I genuinely believe that there is an opportunity to create a framework to ensure that our public spaces are shared spaces that are open and welcome to all but that do not deny the opportunity to those who wish to celebrate their culture at an event in their community. The Alliance Party tabled today's

motion because we believe that the Commission on Flags, Identity, Culture and Tradition's report provides a practical solution and framework to approaching the issue: the code of practice, at paragraph 11.48. It encompasses three aspects: respect for the flag, respect for the community and respect for the event.

Our public space belongs to us all. As such, it is important that residents have a stake in their community. Residents of areas where flags are displayed should know who is putting up the flags and for how long they will be displayed. A framework for community consultation to ensure the principles of respect and consent for the erection of flags would be a meaningful and appropriate measure to underpin the code of practice. Although the FICT report includes the code of practice for the respectful display of flags, we also have evidence and proposals from another review, which has not been mentioned so far: the review of hate crime legislation, produced and led by Judge Desmond Marrinan.

Chapter 10 of 'Hate crime legislation in Northern Ireland: Independent Review' deals with removing hate expressions from public spaces and speaks extensively about how flags and emblems are used as a symbol of hate in Northern Ireland. The Marrinan hate crime review's recommendation 15 says:

"There should be a clear and unambiguous statutory duty on relevant public authorities including Councils, the Department for Infrastructure and the Northern Ireland Housing Executive, to take all reasonable steps to remove hate expression from their own property and, where it engages their functions, broader public space."

The review continued to expand on this, to say that this includes the context in which flags are placed, and included an example of where:

"paramilitary flags/national flags placed on a lamppost of a new housing development where the context will have the effect of deterring the 'other' community from living in the area."

The report continues to say that this:

"would involve careful and measured judgement from a public authority. The precise legal formulation of such an important statutory duty will require detailed consideration."

That is exactly why we brought the motion to call on the First Minister and deputy First Minister to consult on and develop a legal framework for the flying of flags on public property.

As my colleague said:

"'shared space' does not mean 'neutral space'".

I genuinely believe that we have an opportunity here to promote good relations and understanding in our communities by agreeing a lawful framework through which we can display flags.

Mr O'Toole: As my colleague Sinéad McLaughlin said, we will support the Alliance motion very strongly. We will not support the amendment. Respectfully, I will explain why we cannot support the Ulster Unionist amendment, but I acknowledge the good intentions and goodwill with which that amendment was submitted.

I also acknowledge that the Ulster Unionist leader, Doug Beattie, served — I am sure that it was not always easy service — on the FICT commission. As someone who has known difficult service during his career, that was probably one of the more difficult things that he had to endure. That report is very long and detailed. Doug Beattie is right to say that it does not specifically endorse a code of practice, but it proposes a possible one. The motion that the Alliance Party proposes effectively asks us to endorse that code of practice. That is highly sensible and, in 2024, it is the bare minimum that we can do.

I have only a few minutes so I will try, uncharacteristically, to be brief. What are we talking about when we speak of flags and identity? We are talking about the reason why this institution exists in the way that it does. We are talking about the fact that this is a divided society, a contested space. This corner of our island is contested and it is plural. That is difficult: it is difficult to navigate and difficult for us all to understand. In one sense or another, every political party represented in this institution engages with that division. Some of us have a constitutional view; others do not. Some endorse expressions of identity in a particular way; others find that antagonistic. So it is important to acknowledge that we remain a difficult, divided society.

Our previous leader John Hume has been quoted in the debate. Hume's famous remark, "You can't eat a flag" goes to the core of our

view of what constructive nationalism and social democratic politics is about. It is about moving this island towards an end to division, but without simply a constant focus on expressions of identity that seek to exclude and divide. However, that is not to say —

Mr Brooks: Will the Member give way?

Mr O'Toole: — that flags are not profoundly important things. I was going to go on to say that flags are deeply and profoundly important, but I will give way to Mr Brooks.

Mr Brooks: I thank Mr O'Toole for giving way. He speaks in a very conciliatory way, but does he agree that his party, Sinn Féin and Alliance combined in Belfast City Hall to ensure a policy around the Irish language. Some 15% in each street had to be reached — just 15% — before it could be imposed on a street. Does he understand that that is the same chilling effect that people in the Chamber talk about flags having on people? Some people from my community see the Irish language as essentially painting the curb stones in their street. Just 15% is not an awful lot to use to impose it.

Madam Principal Deputy Speaker: The Member has an extra minute.

Mr O'Toole: Again, we are into this thing about rubbing up against one another. People can quote back one thing against another. The Irish language is different from a paramilitary flag, to be absolutely clear. Let us be specific about that. *[Interruption.]* No. The two things are different.

Madam Principal Deputy Speaker: Mr O'Toole, take your seat. I ask Members not to shout from a sedentary position. Please respect the decorum in the Chamber. Thank you.

3.30 pm

Mr O'Toole: I acknowledge the point that you have made: expressions of culture and identity are, clearly, a source of division.

I was about to say that our former leader John Hume said that difference does not have to mean division. We, as leaders in the Assembly, need to provide guidance and leadership. I hope that the motion is about allowing us a structure to begin to develop and offer that kind of leadership. It cannot be acceptable in 2024 that UDA, UVF, INLA and IRA flags are flown, including in communities such as South Belfast, and people just have to lump it and be told, "No

one has any lawful authority to take that down", or —

Mr Kingston: Will the Member give way?

Mr O'Toole: I do not have much time, so I will not give way. I am happy to engage, but I do not have much time.

People are told that not because there is no Department that has the power to do that but because people feel that they cannot do it. Workers in that Department often feel that they do not want to do it. Why is that? It is because, often, the people whose opinions are sought when it comes to consultations on some of the codes of practice or some of the practices locally are the kinds of people who, either implicitly or explicitly, convey a sense of threat and peril to others in that community. That is part of the reason why we cannot support the Ulster Unionist amendment. Even when those practices have been well intentioned, they have sometimes led to things of that nature happening.

The motion is a positive step forward. It is not a huge amount for us to be agreeing to or accepting in 2024. In South Belfast, we are proud to be plural and proud of our diversity. The sight of the Union flag is not only not offensive to me; it is important to me, because it represents my British constituents. Their identity matters to me. It matters to me now, and it will matter to me in the new Ireland that I seek to build. What is profoundly objectionable to me is those flags going up in a completely uncontrolled way, dangling like rags for months on end, which, I imagine, should be profoundly offensive to people who care about that flag. I also care about people who are tolerant and progressive in their politics and want to respect their neighbours, looking out of their bedroom window and seeing UDA, UVF or INLA flags or whatever it is. That happens. Members across the Chamber shake their heads, but that happens. It happens in my constituency. Frankly, I am sick, sore and tired of having to make representations to public authorities on behalf of decent people —

Madam Principal Deputy Speaker: The Member's time is up.

Mr O'Toole: — and being told that there is nothing that can be done *[Interruption.]* There is something that can be done.

Madam Principal Deputy Speaker: The Member's time is up.

Mr O'Toole: Let us start doing it today.

Madam Principal Deputy Speaker: Before I call the next Member to speak, I remind Members not to shout at others from a sedentary position. It is rude.

Mr McReynolds: I welcome the motion. I thank Ms Bradshaw for her work on the issue to date. I welcome it as a member of the Infrastructure Committee — the Infrastructure Department is the one that has the most crossover with the motion — as an East Belfast MLA and as a former east Belfast councillor, so I know a thing or two about the display of flags, emblems and banners on public property. I have dealt with the messages, notifications and phone calls over the past 10 years in politics, and I have the bags to show that.

The motion is a reasonable request of our First Minister and deputy First Minister. Last night, I reacquainted myself with chapter 11 of the FICT report. It has some good ideas regarding the perceptions of the public and the hurdles to be overcome. The code of conduct that is detailed in paragraph 11.48 is a reasonable approach that provides lawful authority for the display of flags and emblems in public spaces. That is important, because what we currently have is a confused and disrespected public and public bodies that are concerned for the safety of their staff. In that vacuum, individuals and groups are able to take advantage of the lack of clarity, appearing in the early evening and erecting unwanted flags in areas that many of them do not even live in. Where is the fairness in that? Where is the respect for the views of residents who have made that area their home and who invest in their local community and economy?

No one is saying that events and celebrations and flags flying on lamp posts have to stop. On the contrary, we seek a way to enable and encourage celebration and commemoration. What we want to stop is the abuse of symbols for undetermined periods and for the purposes of intimidation and antagonism.

Mr Tennyson: I thank the Member for giving way. I note that the comparison to dual-language street signs was made. Does the Member agree that that is a strong point, in that there is a clearly defined process of consultation and application for dual-language street signage and a similar process should apply for the erection of flags?

Madam Principal Deputy Speaker: Peter, you have an extra minute.

Mr McReynolds: Absolutely. Consultation is essential when it comes to such things, rather than just assuming that we know what the public want. Surely no one could disagree with that.

Mr Elliott: I thank the Member for giving way. Would he accept that the 15% threshold would apply, as it does to the Irish language?

Mr McReynolds: I remind the Member that we are not in Belfast City Council. Currently — *[Interruption.]*

Madam Principal Deputy Speaker: Peter, please take your seat. I ask other Members to be a bit more respectful, even in jest. Thank you. Go ahead, Peter.

Mr McReynolds: Currently, we have a system that flies in the face of residents and communities. I speak from the experience of having people say to me, "Now, Peter, this isn't a threat, but, if we don't put the flags up, someone else will". That scenario is even more ridiculous, given that, a few weeks ago, I met residents of a nearby area who, due to the high number of children who play in that area, wanted to erect road safety signs on a street that holds an annual street party for local children. They were told by the DFI official who was there that day that anything that was not contained in the Roads (Northern Ireland) Order 1993 would have to be removed promptly and that such signs would lead to liability issues due to their obstruction of sight lines. All through the meeting, I was thinking in the back of my head about how ridiculous a position that was to put to residents who were proactively engaging on something as important as road safety in their area when, at other times, we simply ignore the issues for months on end.

Transparency forms a key part of the possible code of practice. I have another anecdote. I was phoned a number of years ago, before I was elected, by an army veteran. He told me that he had woken up that morning, opened his curtains and seen that a Union flag had been erected outside his house in the middle of the night. He rang me and said that he respected the flag but wanted it down because he did not know who had put it up, why it had been put up, how quickly it would be coming down or whether DFI and the PSNI even knew about it. Those reasonable and fair questions deserved reasonable and fair answers, but he did not get them. That is the situation for all residents across Northern Ireland, and the Alliance Party is today calling for it to be addressed.

Flags, banners and emblems on public property are not really for me, although I respect that they are for other people. That does not mean, however, that we should throw out the rules or leave many constituents confused at actions that are taking place in their area. The motion and the code of practice outlined in the report are fair and reasonable, and I look forward to working on the matter over the course of the mandate to increase understanding across all parts of our society and bring communities together in the spirit of respect at key times of the year.

Mr Allister: Paramilitary flags are flown for one purpose: to glorify the hideous acts of the terrorist organisations that they represent. That is as odious to me as it is to anyone else. Also, when a national flag deteriorates to the point that it is in tatters, it is a manifestation of disrespect that does great discredit to the flag and to those who put it there.

Here we are debating something after £800,000 of public money was spent on a commission that laboured much but produced nothing — not even a mouse. Indeed, maybe it typifies much of this place: deadlock and no solutions. Nothing at all.

The Alliance motion is, as Mr Beattie pointed out, flawed, because it adopts an incorrect position. There was no proposed code of conduct: there was the citing of a possible code of conduct. Given that the motion was tabled by the Alliance Party, one's attention is inevitably drawn to its established anti-unionist credentials when it comes to our national flag, the Union Jack. Even though Ms Bradshaw told us that flags were suitable for commemoration, the Alliance Party objects to the flying of the Union flag at the most obvious site of commemoration, namely a war memorial. It has spent ratepayers' money on court actions and other things to object and call in and to try to ensure that the Union flag would not fly on war memorials. When the Alliance Party comes here with pious words and platitudes, I am sorry, but I am not buying it.

Then they tell us, "Oh, we need some lawful authority to apply. Maybe we should give some powers to the councils. Maybe the councils should decide where the flag should fly". We know where that would go with the Alliance Party. It would be legions of call-ins at the first proposal that any flag should fly anywhere with it being a Union flag. We know the pedigree. We know the attitude. We know the despicable approach that has been taken to the flying of the Union flag.

Mr O'Toole: Will the Member give way?

Mr Donnelly: Will the Member give way?

Mr Allister: Have your choice. *[Laughter.]*

Mr O'Toole: I believe that I was first. Mr Allister has to give way to someone. *[Laughter.]*

Madam Principal Deputy Speaker: This is descending into farce. Mr Allister, you need to pick who you are giving way to. You obviously have plenty of people who want to intervene.

Mr Allister: Well, I am so popular. I think that Mr O'Toole was first, so, on that basis, I will give way to him.

Mr O'Toole: I am grateful to Mr Allister for giving way. He mentioned that he thought that it was bad — I agree — when national flags descend into tatters. If he thinks that that is bad but no public body feels that it has the power or its staff do not feel safe enough to take them down, does that not imply that we need better? If he agrees that they should not be left up in tatters, who, does he suggest, should take them down? That is my honest question to him.

Madam Principal Deputy Speaker: The Member has an extra minute.

Mr Allister: I would like to see those who were sufficiently exercised to put them up taking them down. They are the people declaring that they want to show respect to the flag, and then they end up showing disrespect. That is where the first responsibility lies.

I am very cautious about the idea that we should give our councils the power to decide when flags can fly and when they cannot, given the experience of Ards and North Down Borough Council, Belfast City Council and other places. The Members who tabled the motion would be first in the queue to make sure that the Union flag comes down and does not fly, even where it is the most evident and appropriate indication of commemoration. For some of the people being commemorated at war memorials who had proper burials, the Union flag bedecked their coffin, but it cannot fly at the war memorial. Why? Because the Alliance Party objects.

A Member: Will the Member give way?

Mr Allister: The Alliance Party objects, so who, then, are the Alliance Party to come to the House and pretend that they are coming even-

handedly and objectively to find a solution when they are partisans in the matter?

Madam Principal Deputy Speaker: Sorry, Mr Allister.

I think that Mr Allister has made it clear that he is not giving way, so please stop asking.

Mr Allister: Who are they, when they have demonstrated the most partisan approach to the flying of the Union flag, to say that they want an even-handed, objective, enforceable and proper system, when, given half a chance, they are the very people at the front of the queue to ensure that the Union flag does not fly? That, of course, is because the Alliance Party is the ultimate chameleon anti-unionist party.

Madam Principal Deputy Speaker: The deputy First Minister will now respond to the debate. Minister, you have 15 minutes.

Mrs Little-Pengelly (The deputy First Minister): Thank you for the opportunity to respond to the motion. I feel that I should take the opportunity to say, "Here we are in 2024, talking about flags because of a motion from the Alliance Party". It is, of course, a challenging and difficult issue, as it has been here for some time. The debate demonstrates some of those strongly held views.

As we have said in the Chamber many times, there are so many issues on which we have consensus, and we have so many things on that list that we need to tackle. We can tackle those issues together, and they include special educational needs, education, the needs of our schools, hospitals and roads and trying to make this place work while growing our economy and attracting good jobs and foreign direct investment. There are many things.

3.45 pm

It is perhaps said too much now in politics that we have much more in common than we have that divides us, but I absolutely believe that to be true. I also believe that we have limited time and that that time can be entirely exceeded by the things that we need to do that we agree on. However, we should also acknowledge that, in Northern Ireland, in the context of our history and experience and in what we bring to the Executive and this place, there are things that we do not agree on. It is right at times that we talk about those things and try to find a way through them, but it is also right to acknowledge this absolute truth: you will not find consensus

on every issue. That is the reality of life and of different political ideologies and identities. In Northern Ireland, we should not focus on the small number of issues on which we fundamentally disagree, as that wastes a huge amount of time. Having listened to people, I feel strongly that they are telling us that they want us to get on with the business of government, making this place work and focusing on what we can agree on, instead of tearing each other apart on what we do not agree on.

When I look at the report from the FICT commission, I feel that it is important to acknowledge that the FICT commissioners were given an incredibly difficult task. It was probably the trickiest and most difficult task in the decades of our recent history to address the issues that the Belfast/Good Friday Agreement, the St Andrews Agreement and many other agreements and negotiation processes could not resolve: identity; aspiration; emblems and flags; how we remember our dead; and how we respect each other in a very difficult space of tolerance and intolerance. Of course, it should come as no surprise to anyone to hear that the commission did not find consensus on every issue. Those who created the commission recognised that, in all likelihood, it would not do so. However, it was felt strongly by those in the then Office of the First Minister and deputy First Minister and agreed by the Executive that we should, at the least, try to find a way through and that there should be a mechanism and a forum — a commission — to focus on those tricky issues in order to see whether there was a way through and whether the debate could be moved forward. I am glad to say that, on many issues, it could. Recommendations were accepted, and they will move forward for implementation.

Ms Bradshaw: Will the Minister give way?

Mrs Little-Pengelly: Again, it is no surprise that there are some issues on which there is not consensus.

I will give way.

Ms Bradshaw: I would really appreciate a list of the recommendations that are being taken forward, because I have seen no evidence that anything from the FICT report has been taken forward.

Mrs Little-Pengelly: I thank the Member for her intervention. Yes, a range of proposals is moving forward, and we will continue to engage, with the Committee for the Executive Office in particular, on the best way forward.

The trickiness and challenge in all this, of course, has been the focus on the areas where there is no consensus. Regardless of the fact that there may not have been an agreed recommendation, I suggest that everybody in the Chamber read the commission report. Mr Allister indicated that the commission produced nothing — not even a mouse. The report that I have does not squeak, but it certainly contains a huge amount of discussion and analysis, and it is absolutely worth reading to get a good sense of where we are and how it captures the complexities of and difficulties in the issues. I acknowledge that any discussion of the matter has been difficult and that it relates to contested issues. I genuinely hope — I think that I can say this on behalf of the entire Executive — that we do not spend too much of the next three years focusing on what we disagree with and that, instead, we get on with the work on areas on which we agree.

We are committed to working towards a solution. Executive Office officials have met junior Ministers to discuss the issues in the FICT report. The motion refers to matters relating to the report and focuses on issues that the commissioners discussed that related to flags. In 2005, the Office of the First Minister and deputy First Minister published the joint protocol on the display of flags in public areas, also known as the flags protocol. That protocol was developed in association with the PSNI, the then Department for Social Development, the then Department for Regional Development's Roads Service and the then Department of the Environment's Planning Service, along with the Housing Executive. Many Members in the House will have worked with elements of the protocol in their constituencies. We have seen examples of where that protocol worked well, but we have seen very clear examples of where the protocol failed. Undoubtedly, the protocol worked well in places where strong community organisations worked with political representatives and other agencies to find solutions to the issues through consensus and discussion. That is key to the way forward.

The flags protocol aimed to advance a partnership approach to develop a strategic and graduated response. Yes, we need an analysis of why it fails, and, when it fails, we must do more to ensure that it works. One thing we know in Northern Ireland is that, if you move forward by imposing the will of some on others, that creates tension and community friction, and that is exactly why we need to keep the conversations going. We need to find the solutions and approach this with hope.

A Member: Will the Minister give way?

Mrs Little-Pengelly: Sorry, I want to make some progress, but, if I can, I will give way in due course.

The most recent step in the dialogue was the creation of that commission arising from the protocol. There have been some successes and some failures from that. The work of the commission included the aim of developing an open, tolerant and mutually respectful society; and the development of shared identity, relying on mutual interdependencies and areas of common value. A lot of this work, including the analysis and the many, many hours of positive work that the commission engaged in, informed the Together: Building a United Community (T:BUC) strategy and will inform the review of that strategy. Ultimately, I believe that all of us around this place want to avoid community tensions. We want everybody in Northern Ireland to be able to live free from intimidation. The T:BUC strategy focuses on fostering those relationships, addressing the root causes of intolerance, bigotry or sectarianism and trying to ensure that there is greater respect in all those things. Yes, we need to be realistic, but we are absolutely ambitious about what we can achieve.

The Executive's Together: Building a United Community programme — the first T:BUC strategy — sought to create such a society. I have talked about these figures before in this place, but it is worth reiterating the positive progress that has been made, because, on many occasions, we pull each other apart and pull each other's communities apart in respect of the very notable failures, but there have been significant successes.

More than 30,000 young people have taken part in nearly 900 T:BUC camps, and the vast majority of those who take part indicate that they have forged friendships across the community and will continue with those friendships beyond the end of those camps. Our five Urban Villages have been established, and the target of building 10 shared neighbourhoods has been met. There are absolutely some challenges with shared neighbourhoods, but not only did we meet the target of 10 shared neighbourhoods but we exceeded it significantly, with many of those rolled out successfully throughout Northern Ireland. More than 27,000 participants took part in the Uniting Communities programme, and 7,800 young people participated in the United Youth programme. There is an incredible shared education campus in Limavady, and it is

such a joy to see that respect for each other's identities.

I will turn to Members' contributions. The debate has undoubtedly reflected some of our personal political views, but there was also a lot of commonality, and I think that we can take that forward. First, Paula Bradshaw acknowledged some of the difficulties in the report and that there was not consensus on that. Doug Beattie picked up on the point about pushing some of these issues back. Very often — too often, in my view — we look at these very difficult issues and see the lack of consensus on them as political failure, but the reality is that we need to acknowledge that some issues are not stuck and that issues are not the product of political failure. There is simply not a political consensus around some issues, and that is perfectly understandable. You get that in every place. The idea that we should simply push forward with something, regardless of the content, will not work, because we need to look at what we are actually moving forward with and consider whether we can find that consensus. I will be very much upfront, in the role that I play, in putting my hand up to say, "In my view, we will not get consensus on that issue", or, "We will strive to get a way through this". However, if we are going to take risks and try to push that forward in a difficult space, we must acknowledge that, at times, you will not necessarily find a solution that everybody is content with.

Mr O'Toole: Thank you very much, deputy First Minister, for giving way. I acknowledge a lot of what she has said; she is talking some sense. I do not agree with everything that she is saying, but I acknowledge that she is right that there are certain strictures and limitations. If we are agreed that the flying of paramilitary flags is different to the flying of national flags, for example, may I suggest that that is something on which we could move forward and at which the Executive Office could look to develop a specific code of practice and better enforcement?

Mrs Little-Pengelly: I thank the Member for his contribution. It is an important point, and it is one on which, I think, there has been commonality across many of the contributions. A number of key points came out from many of the contributions, including an absolutely shared opposition to paramilitary flags and paramilitary flags that are designed to intimidate. I do not believe that any of us in this space would support, or do support, that. It is a difficulty and a challenge; it is something that has no space or place within the society of today, nor did it ever have. It is a challenge that

needs to be addressed. Some of the difficulties in this debate generally, including in the specific debate, related to the conflation of some of those issues with the flags of somebody's identity and nationality. I speak personally when I speak here. The Union flag is something that I am deeply proud of. It is something that represents my identity and my nationality. It is the flag of my country. As has been said in many of the contributions, I hate to see those flags flying in tatters. That is deeply disrespectful. I see disrespect to my flag all the time. I also find it deeply hurtful when I hear people say that the flying of my flag — the flag that represents my identity — is offensive. We need to be careful about the dialogue and differentiation around all of this.

There has clearly been a strong cross-community focus in this space around an opposition to paramilitary flags and flags being tattered, but key in relation to that is the message that has been sent out too many times — time and time again — that people need to ask permission for the flying of the official flag of this country — the flag that they are very proud of, and which should not be seen as being offensive. However, I am not naive. We live in a space that, at times, can be contentious, and we need to work through those contentious issues, but it is important that we differentiate between the flying of a flag that is the flag of the country — a legitimate flag of identity — and some of the other flags that have caused contention.

A Member: Will the Minister give way?

Mrs Little-Pengelly: I am going to run out of time, I am afraid, so I do not have time to give way.

I want to touch on a number of other references. Throughout my comments, I have referenced the paramilitary flags and the flying of tattered flags. Reference was made to handing this over to the PSNI or to the councils. Again, we need to find realistic solutions to these issues. At this stage, we are working through some of the details in relation to what the FICT report produced and where some of the work that had been led by previous junior Ministers had got to — up until this point — to find out whether we can find a way forward on some of the recommendations where there is hope of consensus. However, to be clear, at this time, there is no consensus around the particular paragraphs that have been drawn out by the motion.

I am thankful for the opportunity to respond to the debate and to outline our position. Issues

around flags are demanding and difficult, and we all must be realistic about the challenge involved. I finish by saying that we have the best chance of making progress on these issues if people feel more confident in their relationships with each other, tolerant of difference and have respect for all cultures and traditions. That is something about which the First Minister and I are determined to set a positive tone: one of respect and moving forward in celebration of our identities here in Northern Ireland.

Madam Principal Deputy Speaker: Tom Elliott is next to wind up — sorry, it is Mike Nesbitt. Your name is not down to speak, but you have five minutes, Mike.

Mr Nesbitt: Is that OK?

Madam Principal Deputy Speaker: Yes, you have five minutes to make a winding-up speech on the amendment.

Mr Nesbitt: I am a pretty poor body double for Tom.

Some years ago, when FICT was established, I was asked to nominate an Ulster Unionist Party representative. I chose a councillor, a soldier, a man of action, and, for three years, listened to his frustration at the lack of progress. He has been trying to get his own back on me ever since.

Mr Beattie: [*Inaudible.*]

Mr Nesbitt: Hmm.

4.00 pm

From listening to the debate, I believe that two questions arise. The first, as Mr Kearney said, is about how we ensure equality and respect — two of the fundamental values of the 1998 agreement — and how we build this society. Ms McLaughlin talked about the validity of having a position on the constitutional question, and, of course, that is at the core of the 1998 agreement, so it is a question of how we promote, celebrate or perhaps even just defend our culture and identity.

As I have said before, it is not about everybody jumping into a virtual blender and coming out the human form of beige. Republicans will be republicans, nationalists will be nationalists, unionists will be unionists and loyalists will be loyalists. Those who do not want to subscribe to any of those descriptors will continue to be what

they are. I am really trying to avoid the term "Other" here, because, although I understand why it was used in 1998, society has moved on, so perhaps it is time to rethink on that front.

The other question — it is fundamental to the debate — is this: how does one best change human behaviour? Is it through a top-down law, or should it be done from the bottom up, through working with communities and civic groups? We often use the words "co-design" and "co-production". If a community feels that it has bought into a code of conduct and has some skin in the game, surely that —.

Ms Bradshaw: Will the Member give way?

Mr Nesbitt: I hope that Members recognise that it is very rare for me not to accept an intervention. On this occasion, however, I am not going to, and I am going to tell you why. Twice, the proposer of the motion was asked to take an intervention, and twice she said that she could not, because she had so much to get through. She sat down after seven minutes and 45 seconds, wasting some 25% of her time, which she could have used to engage in a debate, which this is supposed to be. I am sorry, but I am not taking an intervention from the Alliance Party today.

Dr Aiken: Hear, hear.

Mr Nesbitt: I represent Newtownards. Unfortunately, we have the full suite of organisations born out of loyalism, many of which have morphed, and not in a good way, since then. Every summer, we could drive down from here, go on to Messines Road, which takes us around to the peninsula, and every single lamp post will have a Union flag on it, until we get to the Comber roundabout, where there is one UVF flag. Why one? It is a taunt. It is saying to the authorities, "Take it down tonight, and then come back tomorrow to see how many are up".

I know that, because there is a residential area near there, and, a couple of years ago, a young family were taking their son to primary school. On the lamp post opposite — this is off the main track, in a residential area — there was a flag that depicted a man wearing a balaclava holding an assault rifle. The young boy wanted to know what was going on. I worked with a recognised third party, and the flag disappeared, but every other lamp post continued to have a flag on it. There was no consultation with or consent from the community. I therefore of course agree that we have to do something about those things, but

does anybody think that a new law is going to improve the situation? We have to be persuaders.

Mr Beattie has explained why we will not be supporting the motion. Members should consider very carefully supporting our amendment. We want to do this, and I believe that the First Minister and the deputy First Minister want to see change here. We have come through a lot, however, and we have a long way to go, so let us not beat ourselves up. Let us do the practical and sensible thing. Once again, I commend the amendment to the House.

Madam Principal Deputy Speaker: Thank you, Mike. I call Kate Nicholl to make a winding-up speech on the motion. Kate, you have 10 minutes.

Ms Nicholl: Thank you, Madam Principal Deputy Speaker. It has been a really respectful debate, and I was expecting it not to be. *[Interruption.]* It is OK. If you want to intervene, feel free to do so. On a school trip recently, I made pupils stand up and repeat what they had been saying, but I will not do that to the Minister for Communities.

When I got involved in politics, I actually worked for Anna Lo but had not joined the Alliance Party. Then, the Alliance Party voted, in accordance with its party policy, on the flying of the Union flag at City Hall on designated days. The response to that was extreme. My colleague Stewart Dickson's office was burnt down. Councillors had their houses paint bombed. Many of my party's representatives were living in fear. The fact that, today, so far on, we are able to have the discussion — yes, everyone has strong views on the issue — in a respectful way is really positive.

My colleague Paula Bradshaw outlined that there is no agreement on the status quo; there is a lack of consensus, which means that we need to do something. Inaction, she says, is not a strategy. My party's proposal is for lawful authority for display, celebration and commemoration, and to do that in a way that is open and respectful. The motion calls for consultation. There is nothing contentious there; it is about how we find a way forward.

As an elected representative in South Belfast, I am contacted frequently by constituents about the flying of flags. I remember that a family in Finaghy contacted me to say that flags had gone up in the middle of the night. They were a mixed-marriage family, with different identities in the household, but they found the erection of

flags during the night to be intimidating and a form of demarcation. They did not know who had put up those flags or when they were coming down, and that made them fearful. They felt as though they were being marked out. It was a couple of years ago. I remember ringing the police. They said, "We cannot do anything now that they are up, but let us know the next time that flags are going up, and we can do something". The next year, the same constituent contacted me. I phoned the police and said, "You told me to call you while the flags are going up. They are going up. Can you do something about it?", and they said, "No".

Mr O'Toole: I am grateful to my constituency colleague for giving way. She mentioned Finaghy. Places like that in our constituency — Finaghy, Carryduff and Newtownbreda — are shared spaces. Does she agree that, while lots of families like the one that she is talking about empathise with the people who were mentioned before, who care about the flag, what they are asking for in return is some empathy for their position, the fact that they feel that territory is being demarcated and that it is intimidatory? It is a two-way street.

Ms Nicholl: Absolutely. Thank you for that point. That constituent actually said to me, "I have no problem with the flag being flown, and I understand how important it is, especially at certain periods, but it needs to be time-bound and we need to know when it is coming down and who is putting it up". Our choice is between respect and openness or demarcation and antagonism. It is the people in communities who are living with it.

Doug Beattie talked about how the FICT report is about more than just flags; there is also the impact of symbols on victims. We have to be consistent on this. In Armagh, Banbridge and Craigavon Borough Council, there was a proposal for a working group to look at how to work with statutory groups to remove paramilitary murals. The UUP voted that down. There is a way in which to do both those things. It is not just a case of doing it top-down or bottom-up; we can do both. There are examples of really good work that is happening in communities, but there are still problems that we need to address. That is why consultation is needed.

Mr Beattie: Will the Member give way?

Ms Nicholl: I want to get through this, then I will bring you in at the end.

The proposed code of practice is included. We think that it is a good place to start. We are not saying that it is a case of bypassing what communities are doing. We acknowledge that civic groups are doing really good work, but let us have a consultation process and let the public have their say.

Declan Kearney, who indicated an interest in sponsoring a private Member's Bill, as Paula did, if the consultation is not brought forward, said that how we handle this is so important. It is a symptom of sectarian segregation and we need a plan. The deputy First Minister is right: the public want to see us getting on with business and doing things, but they want to see us dealing with difficult conversations and issues that come up time and again. I do not want the next generation of politicians to be standing here talking about how to deal with flags. Let us work out how we deal with the issue now.

Brian Kingston said that no legislation is needed. Well, why is it not working? It is not working, so we need something. It is not about having a blanket ban. I do not agree, actually, that the motion's approach is detrimental to good relations; the current situation is detrimental to good relations, and we need to do something about it. It impacts on constituents, too.

Connie Egan made such a good point when she asked how people can have confidence that we can tackle paramilitarism if we cannot even tackle those symbols that are put up. I really appreciated her points on the Marrinan review.

Matthew O'Toole said that we live in a plural, contested and diverse space and that the motion is about allowing us to find a structure for a way forward.

David Brooks made an intervention on the Irish language. That is a very different point in that 228,000 people in Northern Ireland have knowledge of the Irish language, so likening that language to the illegal demarcation of territory is not right. However, the point of process does stand. There is a process for street signage, but there is not for flags, so let us fix that.

The deputy First Minister said that it is not about tearing shreds off each other. I do not think that that has happened today. Some people's blood pressure rose a little, but that often happens. Actually, we have had a useful discussion. I do not think that it is about pushing something on to people; it is about having a

public consultation. Please, if you take only one thing from what we have said today, let it be that no one is saying that national flags are offensive. We are saying that we need to have a means of dealing with the issue.

Alliance, Mr Allister said, are "partisans" on the matter. I will clarify the position in Ards and North Down because it has been massively misrepresented. It is not about removing flags from war memorials. We recognise those who gave the ultimate sacrifice. We are concerned that increasing the flying of the flags to 365 days is an attempt to politicise shared, inclusive places of solemn remembrance. It is in line with the —.

Mr Allister: Will the Member give way?

Ms Nicholl: I would have if the Member had given way in the debate on the RSE motion. If you give way to me, I will let you in next time. *[Laughter.]*

Ms Egan: Will the Member give way?

Ms Nicholl: Yes, go ahead. *[Laughter.]*

Ms Egan: Thank you very much. Do you agree with me that it is telling that the Members who mentioned Ards and North Down did not give way to me to explain that they did not want an equality impact assessment? Why would that be? What is there to fear from an equality impact assessment?

Ms Nicholl: There is nothing to fear from an equality impact assessment. Much like on the motion in Belfast City Council around the flying of the flag on designated days, we took our advice from the Royal British Legion, which recommended designated days. That time being much like it is now, I tend to suspect that, for those opposed to it, it has more to do with elections than the matter at hand.

A Member: Will the Member give way?

Ms Nicholl: No.

The point is that flags, banners and emblems are not important to some people and are incredibly important to others. We live in a shared place where we will always have to share. We will always have to share this place and live together, and I think that we have made great strides in how we deal with these things. These are contentious issues, but let us have a consultation on the way forward and on

a sensible approach that has a spirit of respect, mutual understanding and celebration.

We will not be supporting the amendment, albeit we recognise that it comes with good intent. Our concerns are about what we do in a situation where local accommodation is not reached. That is our main opposition to the amendment, but it is not more than that. We have made great ground, and I hope that Members are mindful to support the motion and its call for consultation on a lawful approach to the issue.

Question put, That the amendment be made.

The Assembly divided:

Ayes 11; Noes 48.

AYES

Dr Aiken, Mr Allister, Mr Beattie, Mr T Buchanan, Mr Butler, Mr Chambers, Mr Elliott, Mr Nesbitt, Mr Robinson, Ms Sugden, Mr Swann.

Tellers for the Ayes: Mr Chambers and Mr Nesbitt

NOES

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

Tellers for the Noes: Ms Egan and Mr Tennyson.

The following Members voted in both Lobbies and are therefore not counted in the result: Mr Brett, Mr Brooks, Ms Brownlee, Mr K Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Erskine, Ms Forsythe, Mr Frew, Mr Givan, Mr Irwin, Mr Kingston, Mrs Little-Pengelly, Mr Lyons, Miss McIlveen, Mr Middleton

Question accordingly negated.

Main Question put.

Some Members: Aye.

Some Members: No.

Madam Principal Deputy Speaker: I have been advised by the party Whips that, in accordance with Standing Order 27(1A)(b), there is agreement that we can dispense with the three minutes and move straight to a Division.

The Assembly divided:

Ayes 49; Noes 31.

AYES

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

Tellers for the Ayes: Ms Egan and Mr Tennyson

NOES

Dr Aiken, Mr Allister, Mr Beattie, Mr Brett, Mr Brooks, Ms Brownlee, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Butler, Mrs Cameron, Mr Chambers, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mr Elliott, Mrs Erskine, Ms Forsythe, Mr Frew, Mr Givan, Mr Irwin, Mr Kingston, Mrs Little-Pengelly, Mr Lyons, Miss McIlveen, Mr Middleton, Mr Nesbitt, Mr Robinson, Mr Swann.

Tellers for the Noes: Mr Brooks and Mr Kingston

Main Question accordingly agreed to.

Resolved:

That this Assembly notes chapter 11 of the report of the Commission on Flags, Identity, Culture and Tradition; endorses the proposed code of practice for the respectful display of flags at paragraph 11.48; recognises lawful

authority for the display of flags, emblems and banners from public property does not exist; and calls on the First Minister and deputy First Minister to develop, urgently, a consultation on how such lawful authority may be provided within the bounds of the proposed code of practice.

Madam Principal Deputy Speaker: Members should take their ease as we change the top table for the next item of business.

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

Autism (Amendment) Act (Northern Ireland) 2022

Mrs Erskine: I beg to move

That this Assembly reaffirms its commitment to the full implementation of the Autism (Amendment) Act (Northern Ireland) 2022; stresses in particular the duty on the Minister of Health to prepare, implement and review a cross-departmental autism strategy for Northern Ireland; condemns the failure of the Department of Health to introduce measurable targets to assess the effectiveness of the autism strategy 2023-28 as mandated in the 2022 Act; believes this will undermine the provision of improved, regionally consistent autism services for children and adults across Northern Ireland; further believes that the present strategy should be reviewed to ensure that the primacy of the 2022 Act is not only recognised but enshrined in all respects; expresses concern at protracted delays in appointing an autism reviewer; believes this position must be filled and properly resourced as soon as possible; and calls on the Minister of Health to present to the Assembly a road map for ensuring his Department's compliance with the Autism Act (Northern Ireland) 2011 as amended by the 2022 Act, within six weeks.

Mr Deputy Speaker (Dr Aiken): The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to wind. All other Members who are called to speak will have five minutes.

Mrs Erskine: As the proposer of the motion, as well as vice chair of the all-party group (APG) on autism, I express my disappointment at the lack of progress being made on the implementation of the Autism (Amendment) Act 2022. So much work and energy went into ensuring that the legislation had the right

content, work done by my party colleague Pam Cameron, who sponsored the Bill, the Health Committee at the time, the all-party group on autism and, of course, Autism NI, which led the lobby for the Bill.

The Autism (Amendment) Act is legislation of which Northern Ireland should be really proud. Nowhere else in the United Kingdom, let alone the world, is there single disability legislation that is as comprehensive as this. It should therefore be acknowledged that the legislation must take precedence over any strategies or initiatives that Departments are developing. For example, autistic people should never be shoehorned into strategies that will not be able to offer them the tailored supports that they need. For example, the i-THRIVE programme seems to be a general emotional well-being programme, rather than one that develops proper mental health supports for autistic children.

The Autism (Amendment) Act was to provide the basis for a robust autism strategy that would provide lifelong services for autistic people.

It focused on specific areas of support, such as early intervention, training, employment, education and social opportunities, but it seems that, in the past couple of years since the legislation was passed, very little has been done to progress that vital legislation.

4.45 pm

An autism strategy has been developed in consultation with the autism community, which is a prerequisite in the legislation, and a number of commitments are outlined in it. However, when I read through the new autism strategy, which was released in December 2023, I was frustrated, because it is clear that it does not truly reflect the Autism (Amendment) Act 2022. In fact, some areas seem to have been completely disregarded. For example, there are no plans in the strategy to address the mental and emotional well-being of autistic adults or to reduce waiting times for autism assessment and treatment services for children. I am sure that we all agree that those are vital services for autistic people and their families.

For me, however, the biggest failure and most obvious omission is that there are few to no measurable targets throughout the entire strategy. To put it simply, if we do not have measurable targets, how will we know whether we are turning the curve on any commitments that are listed in the strategy? Various commitments in the strategy have targets set

against them with a baseline against which to measure. This is more than just common sense. The need for measurable targets is very clearly stated in the Autism (Amendment) Act. Section 3 states:

"The autism strategy must set out measurable targets against which its effectiveness may be assessed."

In addition, we still do not have an autism reviewer in post. It has been more than two years since the legislation was passed, and the autism reviewer role was a key requirement. Why are we dragging our heels when it comes to that vital role? Minimal funding is needed for the post, and given that the post requires only 10 days per month, I am at a loss as to why an autism reviewer is not in place at this time, particularly as the role should be seen as a key component for the strategy's overall success. The legislation lists the many important functions that the autism reviewer will perform, some of which are:

*"(a) to monitor the implementation and effectiveness of the autism strategy,
(b) to assess the efficacy of the funding arrangements in respect of autism,
(c) to keep under review the adequacy and effectiveness of the law and practice relating to autism,
(d) to keep under review the adequacy and effectiveness of services provided for persons with autism, their families and carers,
(e) to commission independent research on best international practice on autism".*

It is clear that we need someone to oversee this, so that we are not looking at the same situation in another two years.

The reviewer's main role, as I understand it, is to oversee the autism strategy, but, throughout the autism strategy, as it was published, there are repeated references to its being an advocacy role. I want to make it clear that that is not what the role was intended to be. We already have lots of fantastic autism advocates throughout Northern Ireland, who are very clear on what is needed to support autistic people. This role is very different. It concentrates on monitoring, evaluating and ensuring that the autism strategy is delivered properly this time. I ask the Minister to confirm when the autism reviewer role will begin. Given that the autism strategy is a live document, can we be assured that the measurable targets that are required by legislation will be developed and included in the strategy as a matter of urgency?

Today, I want the Assembly to reaffirm its commitment, which was agreed across the Benches in 2022 when we debated the Bill, to full implementation of the Autism (Amendment) Act (Northern Ireland) 2022. Again, it is about action and delivery.

Mr Boylan: Ba mhaith liom labhairt ar son an rúin. [*Translation: I would like to speak in favour of the motion.*] My colleague Liz Kimmins and I were delighted to join autism families on their annual awareness and acceptance walk last Saturday in the beautiful setting of Gosford Forest Park on the Armagh to Newry Road. I welcome today's debate because I want to give a voice to those on the autism spectrum, our autism families and our autism community. Those on the spectrum are some of the most vulnerable people in our society. They deserve to be respected and cared for and are entitled to all the supports necessary for them to have a better quality of life.

As chair of the all-party group on autism, it is with great frustration that I, yet again, stand here to debate the very serious issue of autism service provision and the urgent need for full implementation of the Autism (Amendment) Act. I have been a member of the all-party group on autism for almost 17 years. I have, therefore, overseen and scrutinised the legislation that was passed in that time. Now, with the restoration of the Executive and the Assembly, we must put a renewed focus on autism provision and the need to match capacity with demand. The Autism (Amendment) Act 2022 must be enacted fully and integrated into all Departments. The new autism strategy 2023-28 identifies five key commitment areas that will require a number of Departments and partners to work together. That strategy, which was issued in December 2023, is cross-departmental. Therefore, all Departments and partners should work together to ensure that it is monitored, resourced and implemented in order to enable delivery for our autism community.

As MLAs, we hear, day and daily, of the many pressures faced by autistic people and their families throughout the North. It is our responsibility to try to improve service provision, whether that be assessments, statementing or living supports. I believe that the new strategy presents a great opportunity to do that. There must be an energy and willingness to look at the areas outlined in the legislation and to set targets and time frames to address them.

There are obvious challenges, particularly the refusal of the British Government to fund the Executive according to need, but we must

ensure that we keep our ASD services and provisions among our priorities. I think that we all agree that, despite the strained financial situation, there are areas in which we can progress.

In concluding, I put this question to the Minister: does he agree that there needs to be a drive to ensure the full implementation of this legislation and accompanying strategy? Sin a bhfuil le rá agam. *[Translation: That is all I have to say.]*

Mr Donnelly: This is a very important debate and I am proud to support the motion. It is important to pay tribute to the Members who have ensured that autism has remained a priority for the Assembly since its foundation. First, the late John Fee from the SDLP secured the first Assembly debate on autism in 2002. His SDLP colleague Dominic Bradley sponsored the private Member's Bill that became the Autism Act in 2011. Previous Speaker Eileen Bell, an Alliance MLA, set up the all-party group on autism, and Pam Cameron from the DUP worked on —.

Mr McNulty: I thank the Member for giving way. It is important to thank you for acknowledging and recognising my constituency predecessor Dominic Bradley for his role in pioneering the passage of the Autism Bill through this place in 2011 and his predecessor, John Fee, another great man, who was the first MLA to raise the issue of autism in the Assembly. Does the Member agree that the vital work undertaken by GAA For All, which allows children with different abilities the opportunity to hone their skills and develop their physical strength and prowess and communication skills and lets them experience being part of a team, should be supported in a more direct way by the Executive, through the provision of additional resource to help it grow its footprint and impact? That is not necessarily a matter for the Minister of Health *[Laughter]* but for the Minister for Communities —.

Mr Deputy Speaker (Dr Aiken): Order. Members, interventions should be short and not be speeches. Mr McNulty, you have the opportunity to put your name on the list if you wish to speak; that is not an issue.

Mr Donnelly, you have an extra minute.

Mr Donnelly: Thank you, Mr Deputy Speaker. I thank the Member for his intervention. I am not aware of that programme, but any programme that seeks to include children with autism deserves support.

Mr Swann (The Minister of Health): Will the Member give way?

Mr Donnelly: *[Laughter.]*

Mr Swann: I acknowledge the names that the Member read out, but — I am sure that Mr Boylan will be supportive of this — it would be remiss of the House not to recognise Reverend Coulter, my predecessor in North Antrim, for his work in this area.

Mr Donnelly: Thank you, Minister.

I also pay tribute to Pam Cameron of the DUP for her work in the previous mandate on sponsoring the Bill that became the Act that we are discussing.

The 2011 and 2022 Acts represented landmarks in cross-departmental planning and delivery across adult and children's services. The next step is the full implementation of the 2022 Act, and I welcome the motion's call for a road map for the Minister of Health to ensure his Department's compliance with both Acts.

An important change provided for in the 2022 Act relates to the autism strategy. That provision included requiring the Department to take account of a wider range of perspectives and a more prevalent use of data. The autism strategy must now set out how training is:

"provided to the staff of Northern Ireland departments and other public bodies on how to best address the needs of—

*(a) persons with autism, and
(b) the families and carers of persons with autism."*

The autism strategy 2023-28 includes important commitments in that respect, including on how to support children in schools, training for teaching and academic staff and support for those who are in the workplace or seeking to enter it. One specific example relates to interview processes, which can be very stressful for many people. Those are encouraging points, but they are not accompanied by sufficient detail or statistics. That could be improved upon, given the provisions of the 2011 Act in sections 2(2) and 2(3A), made by the 2022 Act, which respectively require consultation with additional persons and appropriate additional data.

Section 3 of the 2022 Act requires the autism strategy to:

"take into account best international practice on autism".

That is largely absent from the 2023-28 strategy. Other countries across the world have made significant progress, as have international organisations such as the World Health Organization. It is essential that the Department considers best practice elsewhere in order to improve our position in Northern Ireland.

The appointment of an autism reviewer under section 5 of the 2022 Act has been mentioned. That remains an outstanding commitment; it has not been delivered. Having an autism reviewer for Northern Ireland would provide us with an important scrutiny mechanism. The reviewer could monitor the effectiveness of law and practice relating to autism. They would also be able to commission independent research, which would complement the requirement to take into account international practice. We have seen, through similar roles such as the Commissioner for Older People and the Commissioner for Children and Young People, how effective such positions can be. However, the delay in appointing an autism reviewer is concerning, given that the Act received Royal Assent in April 2022 and came into effect three months later. We need to see a time frame for appointing an autism reviewer who will be independent of the Department.

This is another occasion on which political instability and the absence of the Assembly and Executive have impacted on the delivery of key legislative commitments. There is a risk that the progress that we have made through the 2011 and 2022 Acts will be diminished by a failure to deliver, and the Minister must now do what he can to see the 2022 Act delivered in full.

5.00 pm

There are huge waiting lists of up to five years for autism diagnosis. As the Member who moved the motion mentioned, there are few measurable targets in the autism strategy. There are poor outcomes for autistic people in Northern Ireland in education, employment and mental health. The employment rate for autistic adults is only 22%, which is the lowest for all disabilities. Autistic adults are nine times more likely to attempt suicide, and one in 20 children has an autism diagnosis. Those are obviously very serious issues that urgently need to be addressed.

Mr Deputy Speaker (Dr Aiken): Will the Member draw his remarks to a close? Thank you.

Mr Donnelly: I welcome the opportunity to speak on the motion, and I recognise the importance of the 2011 and 2022 Acts as well as the urgent need for their full delivery. I encourage the Minister to outline a road map towards implementation.

Mr Chambers: I welcome the focus that today's motion will bring to a really important issue. Autism is a lifelong condition that affects people in different ways. Thankfully, however, over recent years, huge progress has been made across our society in improving what support is available, as well as in gaining a far greater awareness of the condition. I suspect that there is no one in the House who, when they look back, does not believe that there is now a much better understanding of the needs of autistic people, their families and their carers. Unfortunately, despite all that progress and better understanding, we need to be mindful that, as a society, we have some way to go. As we learn more about the condition and as more and more people are given a diagnosis, it should strengthen our need to tackle the stigma that sometimes still exists around the condition.

As with so many other parts of the health service, however, there are delays and challenges with the current level of support available for people with autism. As awareness of the condition has increased, so has the number of referrals. In part, that rising demand for autism services has, unfortunately, resulted in some of the excessive delays that local families have been experiencing. Of course, as in many aspects of the health service, it is recognised that intervention is far more cost-effective and, even more importantly, has proven to be far more beneficial for young people. Receiving a timely diagnosis can, for instance, enable parents to better understand their child and ensure that they have access to crucial help and support. That is especially important in an educational context. Whilst it is a slightly mixed bag across the trusts, the one thing that, I am sure, we can all agree on is the fact that far too many people have been waiting too long. Too many people are waiting far too long for that important initial diagnosis, and, in turn, that robs them of the critical opportunity for early intervention.

I am sure that, as MLAs, we have all been contacted at one stage or another by a parent who is desperately waiting for their young person to be given the support that they need. The nature of autism means that it is much more than just a health issue. From an educational perspective, as well as from the perspective of employment and other critical life

stages, it is important that there is a cross-departmental approach that supports people with the condition.

The passage and publication of the 2022 Autism Act helpfully focused minds further on the issue. Through my colleague Mrs Cameron's actions in particular, there is now greater emphasis on better training for public bodies, and more expansive information is being shared. Importantly, it put in motion other tangible actions that are now in place.

The Department of Health will already have been well aware of the challenges facing autism services, and neither it nor the Minister has ever tried to shy away from that. There was much to welcome in the interim autism strategy and, more recently, the subsequent five-year strategy, but I think that we can all agree that there is more to be done. Unfortunately, however, we must recognise that, if autism services and other health services more generally are to be prioritised, it will take a degree of political prioritising. The Budget outcome last week does not provide that; in fact, I am saddened to say that, in reality, unless the House intervenes, the broader pressures on our health service are likely to get worse rather than better. That is a hugely disappointing position to be in. Whilst I look forward to hearing what progress has been made and what progress is yet to be made to autism services, we as MLAs must be mindful of our upcoming decision on the position that we want to place our broader health service in.

Mr Durkan: As many of you were aware and as Mr Donnelly kindly reminded us, my party colleague, former MLA Dominic Bradley, successfully brought through the Assembly's first piece of single disability legislation: the Autism Act 2011. That was landmark legislation and the first of its kind. It was aimed at addressing the huge gaps that existed in provision in autism services across the North. However, as we all know, there have been many failings since that legislation was passed way back in 2011, and many challenges have been presented to us, including a massive increase in diagnosis levels; funding difficulties, which Mr Boylan referred to; and the fact that we were without an Assembly, thanks to two parties, for five of the years that have lapsed since then.

Here we are today with a huge mountain to climb on a number of pertinent health issues. The new Autism (Amendment) Act 2022 and autism strategy give us a chance to get it right this time. One of the areas that I am concerned about in the new strategy and that I will focus

on this evening is the lack of outcomes and importance set against the emotional and mental well-being of our autism community. Only last September, the all-party group on autism sponsored an event in the Long Gallery on the need for an autism mental health service for Northern Ireland. As we know from the devastating statistics, autistic adults are nine times more likely to die by suicide and autistic children are 20 times more likely to self-harm, yet we still have mental health professionals who are not trained in autism working with autistic people. In my opinion, that is less than optimal, and, in the opinion of experts, it is downright dangerous.

Our current mental health service and mental health screening tools have also been developed for neurotypicals, which is a barrier to autistic people and their families in accessing the appropriate level of support and therapy in the first place. Many of the therapies that are used, such as CBT, are also not appropriate for autistic people. Therefore, with that in mind, it is shocking when you read through the autism strategy to see that there is little to no mention of how we will tackle issues in this area. Autistic people and their families deserve a consistent level of service or, I should say, a consistently good level of service. We need to stop autistic adults and children being pushed from service to service, as that causes avoidable stress, mistrust and anxiety not just for them but their entire family circle.

Autistic people need to feel seen, not to feel as though they are too complex to receive individualised appropriate care. The autism strategy mentions an i-THRIVE programme for children, but that is a general programme that is not designed for autistic children, and no research has been completed on how effective it is in supporting autistic children's emotional and mental health. There is no mention either in the strategy of the plans to support autistic adults with their mental health. The Autism (Amendment) Act 2022 inserted section 3(4D) into the 2011 Act. It states:

"The autism strategy must set out how the needs of adults with autism will be addressed, including in particular their needs in respect of ... emotional and mental well-being".

I would like the Minister in his response to outline why there is no focus in the autism strategy on autism-specific supports for children and adults. Be kind to different minds.

Mr Baker: As an MLA for West Belfast, I know only too well the many issues that the autism

community faces daily. I have worked with Shine, the Colin autism support group and Autism NI. The reason why I joined the all-party group on autism was to ensure that autistic children and adults are given the right help and support throughout their lives. I am also a member of the Education Committee, and, like everyone here today, I want to see every child and young person having the opportunity to achieve the best educational outcomes.

One issue that is regularly raised by constituents and support groups is the lack of practical support for autistic pupils in the classroom. Many parents and carers feel that there is not enough support for autistic children and young people to thrive, resulting in poor attendance and reduced timetables or having to leave educational settings altogether. That lack of support has a detrimental impact on children and young people's education, health and economic outcomes.

Annually, there is a serious problem in allocating places for children with special educational needs (SEN), including autism. School placements for children and young people with special educational needs should be carefully planned throughout the year so that families are not facing last-minute uncertainty. The most vulnerable pupils, including those with autism, should have every opportunity to be placed in the school setting that can best meet their needs. Maybe it is time for a new approach to place children with special educational needs first.

It is also vital to recognise the hard work, dedication and commitment of parents, teachers and support staff, who are all doing their best to ensure that children and young people can access their education. Importantly, many schools are already engaged in good practice that is aimed at meeting the needs of children and young people with autism. For example, some schools take part in autism training provided by the Middletown Centre for Autism, the Autism Advisory and Intervention Service (AAIS) and Autism NI. However, it is time for autism training to be mandatory. One in 20 schoolchildren is diagnosed as autistic, which means that we need more staff to meet the needs of children and young people with autism and those staff should have appropriate training. The new autism strategy commits to:

"work in partnership to enable autistic people to feel understood and supported throughout their education, to experience educational environments which are inclusive to their needs and to have a workforce who are equipped with

understanding to recognise and respond to the specific needs of autistic pupils and students."

However, no definite targets or resources have been allocated to ensuring the full implementation of that commitment on the ground. Furthermore, there have been no attempts to collect baseline data. For example, how much of our education workforce has had autism training so far, and what is the target for the next five years? We need to see quantitative as well as qualitative outcomes.

That said, it should be recognised that the autism strategy states:

"the Department of Health has provided funding to each Health and Social Care Trust to progress the appointment of a Special Educational Project Lead Officer who will scope the healthcare needs of Children and Young People and work with colleagues across both the health and education sector to develop integrated models of support."

That is a welcome step in the right direction towards working collaboratively and in the interests of the autistic community, which is often left to bridge the gaps between professions in the sectors.

If we want a truly inclusive society, we need to develop an education system that meets the diverse needs of all children and young people. The best educational outcomes for autistic children will be accomplished when they are given the right support in the school environment and when teaching staff are given the right training and resources to achieve that.

Finally, I ask the Minister and the Department of Health, as the lead Department for the autism strategy, to ensure that the educational outcomes contained in it are implemented and measured with urgency. An independent autism reviewer should be appointed as soon as possible to oversee and review the implementation of the autism strategy. The Autism Act must be fully implemented without delay.

Mrs Cameron: I will speak as a DUP Member for South Antrim. I thank my party colleagues Deborah Erskine and Cheryl Brownlee for tabling the motion.

5.15 pm

As the sponsor of the private Member's Bill that is now the Autism (Amendment) Act (Northern Ireland) 2022, and as a previous chairperson of the all-party group on autism — a position I had the privilege of holding from 2016 until very recently — I will briefly remind the House of the key elements of the legislation, which were to see the development of a regional early intervention service; regional support and information services; an autism training strategy; data collection, to include the prevalence of autism in adults and children; the production of an annual budget report; and, vitally, an independent scrutiny mechanism in the form of an autism reviewer, who would ensure an autism strategy — with measurable targets and outcomes, I add — developed in consultation with the autism community. I am extremely disappointed, to put it mildly, that, two years on, the Department of Health has failed to fill the position of autism reviewer.

This evening, much has been made of the countless hours that have been put into this work. I know that there is great passion from all Members across the Chamber on this particular subject. Certainly, the support that I had when moving the Bill through the process was phenomenal, including from the Health Committee. I did give praise where it was due, and mentioned Dominic Bradley in my initial remarks when moving the Bill, such has been the passion that this place has had for the autistic community. I want to put that on record. An incredible amount of work has gone in from everybody across the Chamber, in the Building and abroad. That passion is clear to be seen.

The Autism (Amendment) Act is, as has been mentioned, the most comprehensive piece of autism legislation globally. I am very proud of the work that has been done in the all-party group, in particular, which has led on the introduction of not just one but two pieces of comprehensive legislation in support of our autistic friends, families and constituents. It is incredibly disheartening to see that the Autism (Amendment) Act has not been implemented. The autism reviewer is a vital part of that legislation. It is a crucial role in ensuring full implementation of the autism strategy, which was released in December 2023. To be clear: the reviewer role is not to be an advocate for autistic individuals. The role of the reviewer was included deliberately in the Autism (Amendment) Act to ensure accountability, implementation and ongoing evaluation of an autism strategy for Northern Ireland. Of course, that reviewer would also be able to commission independent research, which is vital, given the prevalence of autism in Northern Ireland.

In my constituency of South Antrim and across Northern Ireland, families reach out to each and every one of us, as elected representatives, who are fearful, worried and anxious about the lack of available autism services. We need an autism strategy that is fit for purpose. We need that independent body to oversee the implementation of the 2022 autism legislation, and we need the autism reviewer in place. I understand that the recruitment process for the reviewer role has taken place in the past, before being paused. I also understand fully that financial pressures mean that we cannot do everything that we want to do as legislators in this place. However, I argue that implementing this autism legislation is not a choice to be made. There is a reason why we collectively chose the reviewer role as opposed to a commissioner-style role to oversee this piece of work; because we did not wish to see huge financial barriers in the way of the Minister or his Department when following through with and implementing that legislation.

Mrs Erskine: Will the Member give way?

Mrs Cameron: I will, yes.

Mrs Erskine: I thank the Member for making that point. With regard to the budget position that we always hear about, we specifically made sure that there would not be any barriers in place in order to try to ensure that it was brought through, because it is a fundamental part of the legislation that needs to be implemented in order to ensure that the targets are met.

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

Mrs Cameron: Thank you, Mr Deputy Speaker. I thank my colleague, the proposer of the motion, for her intervention. She is absolutely right. The reviewer role is part time. It has a salary in the region of £36,000 per year. It is not a huge amount of money. I am sure that it is not even a calculable percentage of the Health budget. We understand the pressures that Health Minister is under with his budget — that is for sure — but this is simply too important. These are preventative measures that we can take. Seeing the implementation of this legislation, its outworkings and the good work that could come from it, and the support mechanisms that should be in place, should, in turn, save us money down the line. I welcome the fact that a recruitment process is under way for a lead for adult autism services. Perhaps the Minister can advise whether that is at a regional

or trust level. I specifically ask the Minister to update the House and, most importantly, the —

Mr Deputy Speaker (Dr Aiken): Can the Member bring her remarks to a close, please?

Mrs Cameron: — autism community on the status of the recruitment of the autism reviewer. When will we see an individual take up that role?

In closing, I thank in particular Autism NI, which continues to act as the secretariat. I know that the all-party group will continue to work under its guidance to press the Department of Health and scrutinise its action or inaction on the matter.

Mr McHugh: Like many other Members, I am keen to see the new autism legislation and strategy be implemented properly so that it can make a real difference to the lives of our autistic community across the North of Ireland, particularly those in my community in West Tyrone. I facilitate a group of parents with autistic children, who, in many cases, are now young adults. I am only too aware of the difficulties that they are confronted with daily. A common comment that I hear from them is that, after they have moved through the education system, it is a bit like falling off a cliff, because of the lack of support and services that they then desperately need in all aspects of their life.

After reading through the new strategy and the accompanying delivery plan, I am concerned that some of the targets are not quantifiable, with no real baseline as guidance to monitor whether improvements have been made, particularly for our adult autism community. As has already been mentioned, section 3(4D) of the Autism Act 2011, as amended by the 2022 Act, states:

"The autism strategy must set out how the needs of adults with autism will be addressed, including in particular their needs in respect of ... emotional and mental well-being".

A Member who spoke previously mentioned emotional and mental well-being, but the 2011 Act also sets out that the needs of adults with autism be addressed in respect of:

"(a) lifelong learning,

(b) employment support,

(c) recreation,

(d) physical health,

...

(f) supported living, and

(g) housing."

I understand that an adult autism review is taking place, and I look forward to seeing its recommendations. I am concerned, however, that, again, no real targets are set for the issues that are outlined in the Autism (Amendment) Act. For example, can we find out how many autistic adults are currently in employment in the North of Ireland? There is a significant gap between employment rates for people who live with a disability and those for non-disabled people. Data from the Twenty-six Counties suggests that 85% of autistic people are currently unemployed, and the percentage is roughly 78% in England and Wales. People with autism have the lowest employment rate by far among the disabled community, but we need to know the data for the North. Could the recent census give us the employment figures for people with autism? Perhaps or perhaps not.

Similarly, how many autistic people are engaged in lifelong learning? One would think that that is an area that could be monitored a whole lot easier. How can we support those who are in lifelong learning, and what are the targets that we need to be achieving in order to bring the autism community into line with the rest of society? The stark figures show us that people with autism need to be empowered and supported to access employment and learning opportunities. I feel overall that we need a clearer overview of where our autism support services stand at present and of where we need to take them in the next five years, if not sooner, with proper quantitative as well as qualitative targets set. Tá ceist agam ar an Aire. [Translation: I have a question for the Minister.] Can the Minister therefore confirm for us that, when the results of the adult autism review are released, measurable targets will be attached to the actions in the autism strategy?

Mr McGrath: I welcome the opportunity to take part in this important debate. It can be born out of frustration with the lack of movement on this issue that we are focusing maybe a little bit on what has not happened, and that may be perceived as being a little bit on the negative side. If we put that into context, we had the instability of the Executive and Assembly, which created an inability over the past number of years to deliver on the work that we wanted to do.

As we look back on the historical context, as others have mentioned, people from all sides of the House wanted to see movement and progress. I know, not least from the work that Pam Cameron did on the Committee the last time we were here, that there was good support from everybody to see movement.

I want to focus on a couple of the positives during that journey as I reflect back on the things that we wanted to see. The Autism (Amendment) Act had three key elements: the training that was required, which would have been cross-departmental; the funding for the commissioning of services; and the appointment, as has been mentioned, of an independent autism reviewer. Those elements were debated in the Chamber, through the Committee, and got the necessary buy-in from Members around the House.

It is unfortunate and regrettable that we have been in a position whereby the Act has not been properly implemented. It is a disgrace that people are not getting the diagnoses that they require, because it is often those diagnoses that unlock for them the services and interventions that help them to realise their potential. It is unacceptable that families are left to struggle and navigate their way through the assessment process for their children. We really should have a process that is much quicker to provide help and support for families when they are navigating the system. It is simply not good enough that we do not have the independent autism reviewer in post to oversee that road map, as is pointed out in the motion.

When I think of the autism reviewer, I think of the amount of time that we spent at Committee examining what the work and role of a reviewer would be, how we could tailor those to the interventions that a reviewer could provide, and even finding the title "reviewer" as opposed to "commissioner" or other title. There was a significant amount of work, but we felt that once we did that, it would be in motion.

Mrs Erskine: I thank the Member for giving way. That is a point that I made in my opening remarks about advocacy. We have advocates, and the independence of the reviewer was important. We spent a significant amount of time debating that in the Health Committee. The Member was a part of that, so I thank him for making that point.

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

Mr McGrath: Thankfully, because I have strayed from my notes and have a few more pages yet. Yes, the independence of a reviewer would be crucial.

I want to highlight the issue of people who are unfairly impacted on when applying for the personal independence payment (PIP). They need to be able to get support to assist them through that process. It would have been great to have had an independent reviewer to assess what support and help was available, and how those could be strengthened and improved. That would have been the benefit of a reviewer — somebody constantly scanning to see how services and service delivery could be improved.

Whilst we know that autism is not a learning disability, around half of the people with autism may have a learning disability. We also know that many people with autism can experience meltdowns and sensory overload, and often face heightened levels of anxiety, transition planning and, regrettably, bullying. The support that they need is often bespoke. If we want to support those people, we need to see the publication of the new learning disability framework and its associated funding package and action plan. I ask the Minister to provide an update on that in his comments.

5.30 pm

I appreciate the position that the Minister is in. His stand against the Budget process last week was an indication of the financial position that we are all in, and I know that he did not make those comments lightly. It would be easy for us to stand here and say, "Isn't it terrible?" and, "Aren't the Tories horrible? They aren't giving us enough money," but cheap shots do not change the world. If we want the House to be effective and to start delivering positive outcomes for the public, we need a collective effort from our Executive to see whether, instead of working in silos, Ministers can work together, so that we can see services that are tailored to those with autism and that can be delivered in a way that makes the maximum impact in their lives.

Mr Deputy Speaker (Dr Aiken): I call the Health Minister. You have 15 minutes.

Mr Swann (The Minister of Health): Thank you, Mr Deputy Speaker. I thank the Members for bringing forward this important motion. My officials and I are fully committed to full implementation of the Autism (Amendment) Act 2022. Many of the issues that have been raised

today are already of high priority for my Department. I take this opportunity to assure Members that work is ongoing to try to address the challenges, despite the difficult financial position that Health and Social Care finds itself in. I cannot emphasise enough how important it is that all Departments work together to address the issues faced by people with autism.

As has been said here today and was said during the debates on the Bill that became the Act, autism is not an illness that can be treated; it is a lifelong condition, and better education of and understanding from all of us can help people to live fuller and healthier lives, in which they enjoy the same benefits and freedoms that we all do. Mr McGrath referenced the fact that, while autism is not a mental health issue, it is important that we are aware that it is common for autistic people to experience mental health issues such as anxiety. We must be cognisant of the fact that three in 10 people with learning difficulties have a co-occurring diagnosis of autism, which can mean that they present with an exceptional level of health and social care need.

For many years, many people have been allowed to go undiagnosed. That is simply not good enough. Diagnosis is not the solution to all the problems that are faced, nor is it necessary in order to open every door, but it is the start of a journey for each person who is diagnosed. Work is under way to produce a regionally standardised pathway for assessment that will allow for better management and reduction of waiting lists. It is unfortunate that autistic people in our society continue to face stigma and misconceptions about their skills and abilities. Mr McHugh raised that issue in relation to employment challenges.

In response, and aligned with its legislative responsibility, my Department has taken a leading role to prepare a cross-departmental strategy to address long-standing inequalities across our public services. Members will be aware that, despite the significant challenges presented by the pandemic, my Department published an interim autism strategy in 2021. That was to maintain the momentum of the successes up to that date and to provide space to develop a longer-term strategy in 2023.

Despite what, as has been referenced, was a very challenging financial and political context, my Department continued with the development of a new cross-departmental autism strategy, which, as Members have noted, was published in late 2023 and is aligned to the legislative requirements of the Autism Act 2022. That strategy recognises that the issues faced by

children and adults with autism are cross-cutting and that they, therefore, require collaboration across government and sectors and with autistic people. The strategy is supported through increased collaborative working across the sector, and the two-year delivery plan outlines a range of actions to be taken across the Department of Health, the Department of Education, the Department for Communities and the Department for the Economy, as well as across a range of statutory and independent sector bodies. The strategy sets out, clearly, the outcomes that we seek to achieve and the time frame for their delivery.

Mrs Erskine: Will the Minister give way?

Mr Swann: Yes.

Mrs Erskine: I have noted that some of the deadline dates in the autism strategy were in March 2024. What has happened with the March 2024 deadlines? I have not seen any outcomes from the strategy, and we are past that deadline.

Mr Swann: The Member is aware that the motion calls for an update to be provided within six weeks, and I commit to the House to provide that update. As she said, the strategy also sets out the outcomes that we seek to achieve and the time frame for their delivery. It is important to note, however, that the absence of a Programme for Government has impacted on the process to identify and map outcomes and some of the measurable targets.

The strategy underpins the delivery plan. It is informed not only through extensive consultation and engagement but through evidence and best practice conveyed through international, national and local research and policy. It was subject to full public consultation, and my officials used a range of methods to engage those with lived experience and stakeholders who advocate on their behalf. That was not a one-off engagement; my officials continue to engage with autistic people and the sector via the Department's autism forum, which was established in 2021. As Members know, that is co-chaired by autistic advocates in order to consider issues and challenges on a thematic basis. The next meeting of that group will be in June this year.

As many Members will be aware, the strategy was developed and is being taken forward during a period of exceptionally constrained financial circumstances for all Departments, public bodies and health and social care services. Whilst there is a continued

commitment to the implementation of actions, that has necessitated a creative and innovative approach. A consistent message from the people whom we support and their families is that they want actions, not words. That common theme was highlighted during the Department's consultation that led to the publication of the 2023-28 strategy. Today, I will report on several strategy actions that have been progressed.

Guidance has been developed for employers to increase the understanding of and support for autistic people in employment. That was done in collaboration with the Equality Commission. Autistic capacity-building sessions for the Northern Ireland Housing Executive have been delivered. That has led to the training of approximately 400 staff. My Department has funded the development of GP training videos across all trusts to increase understanding of the challenges that autistic people experience and how reasonable adjustments can support autistic people when they attend medical appointments. A review is under way to better understand the needs of people with learning disabilities and a coexisting diagnosis of autism. That work aims to ensure that health and social care services are sufficiently adjusted and enhanced to support people with autism. Our Health and Social Care Leadership Centre has been commissioned to take forward work to provide proposals for the development of a regional autism information service, which will provide signposting to services and support. That has involved extensive stakeholder engagement across Northern Ireland, and proposals are due with my Department in the coming weeks.

A cross-departmental monitoring template has also been developed to assess progress against the first year of the delivery plan. That has been issued to all relevant Departments for completion, and responses are due back with my Department within the next three weeks. I am happy to publish those and share them with Members to update you all on the responses that we receive. It is especially relevant to note the asks from Mr Baker about education and from Mr McHugh about the Department for the Economy and employment. The outputs of that exercise will be used to produce a cross-departmental monitoring and funding report that will set out the progress made, the outcomes that have been achieved and how they have been measured. The report will also capture the funding, where possible, that has been allocated to support and deliver the strategy's commitments. Again, that is aligned with the requirements of the 2022 Act and will be put before the Assembly.

I am fully aware of the responsibility that numerous Members have mentioned to appoint an independent autism reviewer for Northern Ireland. I acknowledge the significant role that that post will play for autistic people and their families. In my previous term, I wrote to Executive colleagues to seek agreement for that post and asked for it to be co-funded, which would have recognised that we all have a role in the delivery of the strategy. Despite the clear cross-departmental scrutiny role that the reviewer will have, no funding commitments were forthcoming from Executive colleagues at the time, unlike for the mental health champion, which has cross-departmental funding. Getting that commitment from my Executive colleagues would be a clear demonstration of all the parties and Departments' commitment to the role. Notwithstanding the lack of financial commitment, the competition to appoint an autism reviewer was progressed by my departmental officials during the period when the Assembly was not fully functioning. However, given the significant pressures faced by the Department, my permanent secretary decided to pause the appointment process, and I support the decision taken under the powers conferred to the senior officials in the absence of this place.

Following my return to office, my officials have provided me with advice on the reviewer, and I remain fully supportive of the appointment. However, the Budget set last week will result in serious potential damage to health and social care. As has been said, I voted against the Budget on that basis and now must consider cuts to our front-line services. Therefore, I must defer a decision on the reviewer until I consider health funding pressures in the round.

Mrs Erskine: I thank the Minister for giving way. I am wholly disappointed with that. It is a small pot of funding to have somebody who will oversee the autism strategies and policies that come out of the Department, and it should save money in the long run by looking at the services in the round. I am wholly disappointed by that decision. There was cross-party agreement on putting in place an autism reviewer. It is essential, Minister. I urge you to look again, because we agreed it as part of the legislation.

Mr McGrath: Will the Minister give way?

Mr Swann: I will give way to the Member.

Mr McGrath: On the back of the cross-party motion, will the Minister undertake to write again to the Ministers to get cross-party buy-in rather than have nothing? A small amount from

each Department might allow this important role to be put in place, which is the crucial thing that we need to do.

Mr Swann: I agree with the Member's suggestion, and I will take that forward. I said that I had deferred the decision not that I had refused to make the decision.

It is important to recognise that the current funding gap for Health will inevitably lead to a failure to meet other legislative responsibilities across a range of areas, and that includes the delivery of services.

My Department is working towards the publication of an equality impact assessment (EQIA) on the Budget allocation. Whilst it will be necessary to make some decisions on allocations prior to the conclusion of that consultation, responses will be taken into account when prioritising the allocation of any additional funding received this year.

In conclusion, I recognise the importance of ensuring that all people with autism or those waiting on an assessment for autism, their families and their carers can receive the right access to services and support at the right time and in the right place. I assure all Members that my Department will continue to work in partnership across Departments, the health and social care sector, public bodies and the community and voluntary sector to make that happen. It is my view that the current strategy and work in my Department is largely compliant with the legislation. Given the amount of very positive work in regards to the current financial context and the current two-year delivery plan, I have no plans to review the strategy and its workings at this stage, but I concede that the appointment of the reviewer is necessary to be fully compliant with the legislation, and it is my intention to bring an update on the appointment within the six weeks that was mentioned in the debate.

Mr Deputy Speaker (Dr Aiken): Thank you, Minister. I call Cheryl Brownlee to make a winding-up speech. Cheryl, you have 10 minutes.

Ms Brownlee: Before I begin my winding-up speech, I will touch on a huge issue, which is the waiting period for the parents and children who need an autism diagnosis.

As an MLA for East Antrim, I know only too well the importance of the new autism strategy and how it can improve the lives of autistic people in Northern Ireland and their families. Like many

Members, I am inundated with requests for support. Many families do not know what to do or where to go after a diagnosis, and it is often left to the voluntary sector to help support those families. Even before diagnosis, there is an arguably more stressful time, which is the waiting period. The waiting list for diagnosis for children and adults can top up to five years in some health trusts. We all know that early intervention is key, and it is often discussed on the Floor. The delay in diagnosis is undoubtedly affecting children's development or adults' mental health.

In the new strategy, there is very little mention of how the waiting lists will be addressed. We cannot have families and autistic adults waiting for years and years. It is not fair, and, quite frankly, it is dangerous, given the disproportionately poor mental health of those in the autistic community.

Some people and families are being forced into paying for a private diagnosis. That, in turn, causes a huge health inequality. There are those who can afford to shell out £1,400 and those who cannot and will have to wait years for the service.

5.45 pm

The strategy delivery plan says:

"Recognising that referral for an autism assessment process may create anxiety and be lengthy, we will provide and publish improved communication and relevant information which will set out step-by-step guidance on each step of the autism assessment process."

Whilst that is well intentioned, it does not address how we will reduce waiting times for families. The NI autism strategy says that there will be an investment in adult assessments, and I hope that that is progressed as soon as possible. Equally, I cannot see where the strategy addresses the long waiting list for children. The last financial investment in assessment was over eight years ago, in 2016, and we all know now that there are more children and adults coming forward than ever. It makes sense for us to invest urgently in this area. Section 3(4E) of the 2011 Act, as amended by the Autism (Amendment) Act 2022, states clearly that:

"The autism strategy must set out how the Department will reduce waiting times for autism assessment and treatment services provided by HSC trusts."

However, for children, that seems to be ignored in the current autism strategy delivery plan. I ask the Minister this: what are his plans to address that requirement under the legislation?

I thank all Members for their comments on the motion. From a personal perspective, I deeply care about the subject. We touched in the debate on the stigma. A few months ago, I went into a cafe with my son, and he had a meltdown. He was on the floor, crying and going crazy. I looked across the room and could see people looking at me and eyes rolling. Sweat was pouring off me. I did not know what to do. A girl whom I know through work came up to me and just said, "Go away and sit down. I will bring over the coffee and your milk". I sat there in tears. The associated stigma is a huge thing, Minister, not just for the children but for parents and siblings. It affects absolutely everybody. I know that this is difficult today and that you may feel that we are all targeting you, Minister, but this is a huge issue. I ask you to treat the matter as a priority. Autism spans across and hits every family in Northern Ireland in some shape or form. It will differ from family to family, but it has a huge effect on every family.

My colleague Deborah touched on the disappointment that is felt, and we are all extremely disappointed. We are all aware that there are budgetary pressures, but, if we prioritise everything, we deliver nothing. In my view and, I think, that of most Members, it would be so easy for us to achieve something with the autism reviewer. Some £36,000 or £37,000 is a drop in the ocean. It is very little, but it will have a huge impact, Minister, and I ask you to look at it again. Deborah also commented on measurable targets. We know from the Public Accounts Committee (PAC) and the Northern Ireland Audit Office (NIAO) that the Department of Health lacks data. We see it in waiting lists and here today. There is a significant lack of data, which is critical for us to make important decisions and back them up. We could show that what we do and invest in makes a difference to people on the ground. Strategies are all very well and good -- I have heard the word "strategy" more in the past 12 weeks than ever in my whole life -- but we want to see delivery. We want to see the lives of people on the ground change for the better day and daily.

My friend Cathal is Chair of the APG on autism. He has been around for 17 years. He has seen this before and is frustrated. He wants to see delivery again on the matter. He touched on the need for a review of capacity and demand,

collaboration, monitoring, resources, delivering the strategy and the Act.

My colleague in East Antrim Danny Donnelly said that we know that we need to treat the matter as a priority. He detailed the cross-party support that we have had and mentioned all the Members who continue to fight to bring autism to the Floor as an issue.

He also talked about training for staff, bodies and workplaces, which will be absolutely key. He referred to looking at best practice elsewhere, not just in Northern Ireland, at where is doing this well and how we can replicate that in Northern Ireland. He mentioned the 22% employment rate for autistic adults, which is absolutely horrendous. If the motion is passed today, the reviewer will have a huge impact on that.

Alan Chambers mentioned timely diagnosis, help, support and, in particular, the education system. Mark recognised the huge gaps in provision and detailed the failings that we are all very aware of. He talked about how critical mental health is and told us that an autistic adult is nine times more likely to commit suicide and an autistic child is 20 times more likely to self-harm. Those are horrendous statistics. We all know them and talk about them constantly, but what are we doing to address them? He also mentioned the i-THRIVE programme. It is a good programme, but it is very general and is not specific to the autistic community.

Danny Baker rightly touched on education. He talked about the impact of education provision on children with autism and about the right training for teachers, parents and support staff. Pam, who worked hard to deliver the Act, particularly in conjunction with Autism NI, talked about the training that is needed, the data, the budget, the reporting and, of course, the independent reviewer. There is disappointment that, despite the work that not only Pam but everybody has put in over a number of years, we are not seeing results on the ground. She also mentioned the fearful, worried and anxious families whom we often see in our constituency offices.

Maolíosa McHugh from West Tyrone talked about support groups. He also touched on the voluntary and community sector, which is essential in doing the work when families cannot get access or are waiting for a diagnosis. The voluntary and community sector is a pillar, but, unfortunately, it often experiences significant cuts, which has a huge impact on the ground for all. He also mentioned lifelong learning, housing and employment, which, again, is critical. Colin talked about

cross-departmental working, the autism reviewer and commissioning services. We have touched on the importance of the reviewer a few times.

PIP is also a huge issue. The forms are complex and wordy. It is hard for anybody to comprehend them and go through them. The emotional struggle of doing a PIP form can have a significant impact on an autistic person, so we need to look at how we can make that process more supportive and accessible for people. I do PIP forms quite regularly, so I know about the stress caused to people when they have to go through that process, which may be followed by a mandatory reconsideration, an appeal and then a tribunal. The process for accessing basic support is far too drawn out.

Mr Deputy Speaker (Dr Aiken): Will the Member draw her remarks to a close, please?

Ms Brownlee: Yes. To everyone who is here today, thank you very much for your support. This is a fundamental issue. It is about investing to save. It is critical that we act right now. Autistic children and adults are a vibrant part of our community today, as they will be in the future, and we are failing them. They are our friends, neighbours and colleagues. They deserve the same rights, support and opportunities as every other person in Northern Ireland.

Mr Deputy Speaker (Dr Aiken): I thank the Member for eventually drawing her remarks to a close.

Ms Brownlee: Sorry.

Mr Deputy Speaker (Dr Aiken): That is fine.

Question put and agreed to.

Resolved:

That this Assembly reaffirms its commitment to the full implementation of the Autism (Amendment) Act (Northern Ireland) 2022; stresses in particular the duty on the Minister of Health to prepare, implement and review a cross-departmental autism strategy for Northern Ireland; condemns the failure of the Department of Health to introduce measurable targets to assess the effectiveness of the autism strategy 2023-28 as mandated in the 2022 Act; believes this will undermine the provision of improved, regionally consistent autism services for children and adults across Northern Ireland; further believes that the present strategy should be reviewed to ensure that the primacy of the

2022 Act is not only recognised but enshrined in all respects; expresses concern at protracted delays in appointing an autism reviewer; believes this position must be filled and properly resourced as soon as possible; and calls on the Minister of Health to present to the Assembly a road map for ensuring his Department's compliance with the Autism Act (Northern Ireland) 2011 as amended by the 2022 Act, within six weeks.

Mr Deputy Speaker (Dr Aiken): Members, please take your ease while we get ready for the Adjournment debate.

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

Motion made:

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

Adjournment

Bangor and Newtownards Minor Injury Units: Closure

Mr Deputy Speaker (Mr Blair): In conjunction with the Business Committee, the Speaker has given leave to Alex Easton to raise the closure of the Bangor and Newtownards minor injury units (MIUs). I call Alex Easton, who has up to 15 minutes.

Mr Easton: At the outset, I say to the Health Minister that I in no way blame him for the closure of the Bangor and Newtownards minor injury units. My comments are not directed or aimed at him in any way but are comments of frustration and annoyance about the closure of the two minor injury units. I hope that he understands that. I suspect that, had the Minister been in place, there might have been a different outcome.

On 6 March 2023, the South Eastern Health and Social Care Trust launched a consultation to close the Ards and Bangor minor injury units. The Bangor minor injury unit had already been closed for some time due to COVID. I always said that it would never open again, despite reassurances at the time from the Health Minister that it would be reopened. How accurate my prediction was: the Bangor minor injury unit never reopened its doors. It was stripped of its equipment even before the consultation was finished.

The South Eastern Trust launched its consultation with one public meeting in Newtownards, attendance at which was booked through a complicated system, which immediately put people off going. A further two Zoom meetings with restricted numbers were held. No meeting was held in Bangor, despite it having the larger population, nor was there one for residents living in the Ards peninsula, the furthest point away. On the evening of that one public meeting, the South Eastern Trust arranged a format that meant you had to hand in questions beforehand so that it could control what was asked and by whom. So much for a fair consultation.

The South Eastern Trust proceeded to say what its plans were. Closure, with the announcement of a new minor injury unit at the Ulster Hospital site, was the only option. The consultation farce continued with the South Eastern Trust's failure to mention that the Ulster Hospital was not creating a new minor injury unit, because there already was a minor injury unit at that site. Ironically, few people knew about it. It was the world's best-kept secret. The next farce came when the new unit, which was not new, was moved into the old Ulster Hospital A&E unit, which was declared not fit for purpose by the South Eastern Trust itself.

At the public meeting, the South Eastern Trust claimed that it was closing the units as a result of the Bengoa report. That is where I have a problem. Minister, your colleague and mine, Alan Chambers, pointed out in 'The County Down Spectator' on several occasions that the Bengoa report should not be used as a reason to close MIUs; in fact, the Bengoa report does not even mention MIUs.

The consultation documents were the poorest example of their kind. It is difficult to see how any external consultee could have provided an informed response that might have affected the South Eastern Trust's decision-making process on the basis of the document. There are two main issues with the consultation documents. First, important information on the policy, background and evidence base that informed the South Eastern Trust's decision-making process was missing from the consultation document.

Secondly, insufficient assessment was done of the impact of the proposed changes on service users, including section 75 groups.

6.00 pm

That is problematic, as the scale of the change is likely to generate different impacts across areas and population cohorts on their having access to minor injury services. The consultation did not provide evidence of the South Eastern Trust's preferred option: the replacement of the two minor injury units with an urgent and emergency care centre. That has not even got off first base and was a red herring. It could be years before it happens, if ever.

The Department of Health's 2022 review of urgent and emergency care services unambiguously states:

"Urgent Care Centres do not replace existing Minor Injury Units."

It is clear that the review was conducted on that assumption. The accompanying equality impact assessment (EQIA) was also flawed. First, it was prepared using outdated statistical information from the 2011 census. That data was superseded by results from the 2021 census, which were published between September and December 2022. The trust did not use that updated information. In addition, the disability measures used in the equality impact assessment did not accurately reflect the number of individuals with a disability in the relevant geographical areas. That was because it used a measure based on households rather than on individuals. The equality impact assessment also did not measure the different impacts of the proposals on section 75 groups. It merely listed the number of individuals falling into each category in two broad geographical areas. In fact, by the South Eastern Trust's own admission, it openly discriminated against those who are disabled in the consultation on the closure of the minor injury units.

The consultation approach to the Bangor minor injury unit was problematic. The location was shut temporarily owing to the COVID-19 pandemic, without there having been a public consultation, yet the subsequent consultation document was produced on the basis that that closure was permanent. That meant that the consultation focused primarily on the proposals to close Ards minor injury unit, with minimal reference made to the facility in Bangor. That seemed inappropriate, especially as the South Eastern Trust's preferred option would have had a greater impact on residents of Bangor, owing to the greater distances to travel, poorer-quality roads and weaker public transport links to the Ulster Hospital site. From a freedom of information request, we know that the South Eastern Trust did not even bother to contact Translink about improving public transport to the Ulster Hospital site.

The consultation also contains a number of concerning elements, suggesting a lack of understanding of the area and the issues involved. First, the South Eastern Trust consistently used a map in the consultation that does not accurately represent the area. The map shown in the consultation included the entire Newry, Mourne and Down District Council area, which has nothing to do with the South Eastern Trust area.

We therefore know that the consultation and the equality impact assessment were a farce and a foregone conclusion. Let us look at the impact

on the Ulster Hospital site. We know, from a freedom of information request, that the new A&E building is smaller than the old one, has fewer beds and is too small overall. Well done to the person who thought that one up and designed it. We know that there was no new minor injury unit on the Ulster Hospital site, as there was one already there. We know that some new, additional car parking spaces were provided. Anyone going up to the Ulster Hospital, however, has to wait for a space and is often met with queues. That means frustrated patients and visitors waiting for long periods. I took my wife up there this morning because she had previously fallen and broken her hip and had an outpatient appointment. We had to wait 45 minutes to get a car parking space, so that is more evidence.

We know that, as a result of the closure, only seven members of nursing staff from the Ards and Bangor sites transferred. The rest left, so we have lost valuable staff. What do we know about the patients who were attending the Ards and Bangor minor injury units annually? We know that up to 13,000 patients a year were attending the Bangor minor injury unit. Some 10,200 patients a year were attending the Ards minor injury unit. Those stats were provided in answers to Assembly questions. Either they have not gone to the Ulster Hospital minor injury unit because they cannot stand the thought of going there and spending hours waiting or they have tried to go to their GP. GPs are not seeing patients as they did pre-COVID, however, and people do not want to queue on the phone for hours just to wait on a call from their GP.

Then, of course, some people have gone to the Ulster, adding to the waiting times, backlogs and car parking issues and putting more pressure on the Ulster Hospital site, which is not equipped to cope. It is no coincidence that the Ulster has frequently declared an emergency as a result of A&E being too busy due to the number of people attending. According to the response to a question for written answer, there were zero savings to the South Eastern Trust budget from the closure, so the question is this: why close the MIUs when, between them, they kept 22,000 people away from the Ulster Hospital site? If there were no savings, why did they do it?

We then come to the Alliance Party, which gave the South Eastern Trust political cover to close the Bangor and Ards minor injury units. Its political reps said:

"Minor injury units are not good enough and should go".

I quote two Alliance councillors, who said that the units had not been "of any use". If they were of no use, why did 22,000 people use the two minor injury units at their height?

Over 20,000 people signed a public petition opposed to the closure of the units. That was ignored, even though, in the public consultation, 80% opposed the closure. That was also ignored. What is the point of a public consultation if the public's responses will just be ignored?

The closures have achieved nothing but the creation of a bigger crisis at the Ulster Hospital site, with longer parking waiting times, overworked staff and frustration for the public. Minister, I thank you for hearing my frustrations and those of the public who, until now, have not had their voices heard. I hope that you will rethink the closure of the MIUs, because the staff did a wonderful job and took a lot of pressure off the Ulster Hospital site.

Mr Deputy Speaker (Mr Blair): Thank you for opening the debate. Other Members will have approximately five minutes in which to speak.

Mr Dunne: I welcome the opportunity to speak on this matter, and I thank the Member for securing the debate. I thank the Minister for his attendance. I know, Minister, that you have had a busy day, so thank you for staying with us this evening.

I firmly believe that the decision to close the Bangor minor injury unit in 2020 and, subsequently, the Newtownards minor injury unit at the end of August 2023 was the wrong choice by the South Eastern Health and Social Care Trust and the Department. The strength of feeling about the decision has been evident over the past number of years, including throughout the trust's consultation period, when over 80% of respondents spelled out their concerns loud and clear in writing, at the various public consultation events and through petitions.

When the decision was taken in August 2023, there was already significant pressure on the Ulster's emergency department (ED), with official figures stating that the Ulster's emergency department was seeing 9,000 more patients than it had done five years previously. That was prior to the decision to close the Newtownards unit and not reopen the Bangor unit. It has been eight months since the closure of the Ards MIU, and, today, the Ulster's emergency department is under extreme pressure.

I commend and pay tribute to the hard-working staff across our local health service in what are very challenging circumstances indeed. Those staff go well above and beyond the call of duty, in high-pressure environments, to provide excellent care 24/7, 365 days a year. I put on record our thanks to those dedicated staff who continue, no matter where they are, to give that commitment and dedication. That must be saluted.

The commitment, promised for 2025, to open, as a second phase, a new urgent care centre, co-located with the new ED, was a key part of the transition process and, I suppose, a way to justify closing the two well-used and valued services. We have been writing regularly to the Minister on that matter, and I trust that plans for the urgent care centre will remain on target, as it is greatly needed. I welcome the fact that work is ongoing to ensure that it opens ASAP, and I hope that that will mean very early in 2025.

There are genuine concerns across our areas about the size and capacity of the new emergency department at the Ulster. I know, from speaking to staff and even from personal experience, of the genuine concerns about the size and scale of the emergency department and about the external pressures on the site, such as the car parking capacity and the road infrastructure around the hospital estate. That road is very busy, as are the various networks in and out of the hospital. I am sure that everybody here will be familiar with the hospital. There are real issues with closing sites in the surrounding areas that we represent.

The population of Ards and North Down was over 163,000 at the time of the 2021 census, which made it the fourth-largest local government district. That was an increase of 4.5% since the 2011 census, and, with people living longer, there is even greater pressure across all our health services.

I appreciate that valuable services continue at the Bangor and Ards sites. Perhaps the Minister could spell out some of the services that are available at those sites. I visited Bangor Community Hospital around a year ago — I think that some colleagues were there as well — and it was very valuable to hear directly from the services that are still there. The message must go out that there are still services available there, including dentistry and some optician work, which are very valuable for local people of all ages.

The South Eastern Trust confirmed recently that no savings were made as a result of the

decision to close the Bangor and Ards MIUs. However, there is no doubt that people in my constituency feel short-changed by the Health Department and the trust. As detailed in the public consultation, the decision was not taken to make financial savings but rather to reshape and sustain urgent and emergency care services in the Ards and North Down area. However, I emphasise that there is a genuine feeling that there has been a reduction in the service since those valuable MIUs closed their doors.

As we all know, there is significant pressure on our GPs as well.

Mr Deputy Speaker (Mr Blair): Will the Member bring his remarks to a close?

Mr Dunne: Those GPs continue to face challenges.

I thank the Minister for coming to the House, and I ask him to do all that he can to improve service provision for the people across Ards and North Down.

Ms Egan: Thank you, Health Minister, for coming to the Chamber today.

The decision to relocate the Bangor and Newtownards minor injury units to the Ulster Hospital came from the No More Silos action plan. That was clearly stated in the consultation from the South Eastern Health and Social Care Trust around the future provision of those services. The No More Silos action plan set out 10 key actions for rapid implementation to ensure that urgent and emergency care services across primary and secondary care could be improved. The No More Silos action plan was, importantly, in line with the Bengoa report recommendations. I asked the Health Minister about that in a question for written answer upon the restoration of devolution, and I was glad that he was able to clarify that.

All parties signed up to Bengoa, which stated:

"The stark options facing the HSC system are either to resist change and see services deteriorate to the point of collapse over time, or to embrace transformation and work to create a modern, sustainable service that is properly equipped to help people stay as healthy as possible and to provide them with the right type of care when they need it."

Our health service is at crisis point, and I think that we all recognise that. Our hard-working health and social care workers are going above

and beyond to keep patients safe. When the Bengoa report was published in 2016, it gave us this warning:

"The Northern Ireland Executive invests annually almost £4.6 billion, or 46% of its entire budget, in providing health and social care services for the people of Northern Ireland. If costs rise as predicted, with a 6% budget increase required annually simply to stand still, then we can expect the budgetary requirement to double to more than £9 billion by 2026/27 to maintain the current system. This is clearly not sustainable".

That is a quote directly from the executive summary of the Bengoa report. We are well on our way to that warning becoming a reality.

Last week, the Northern Ireland Executive produced a Budget in which Health was allocated nearly £8 billion, which is just over 51% of the Executive's overall funds. Even with that being the case, the Health Minister has stated that it is not enough. That is in the context that Northern Ireland currently spends more per head of population on health than our counterparts in England but has the worst outcomes.

I understand that change can be difficult, but it is clear that the options in front of us for our health service are change or collapse. We simply cannot go on as we are.

6.15 pm

My party and I will always follow the evidence when it comes to making decisions on our health service. We will not play politics with people's health and their lives. The Health Minister and the Bengoa report have called for leadership from elected representatives regarding decisions on our health service, and Alliance MLAs and councillors have not been found wanting. We have engaged with the trusts throughout the process and with consultants and doctors who work in the Ulster Hospital's accident and emergency department. Why did those who say that this should have been a decision for the Health Minister continually vote against the restoration of devolution? What was more important than health?

This week, I met a consultant in emergency medicine at the Ulster Hospital who reported on the positive impact of the enhanced minor injury unit at the hospital. The service is now open 12 hours a day instead of eight and 365 days a year instead of being closed at the weekends,

as it was in Bangor and Newtownards. That, again, has been backed up by statistics provided by the Department of Health. Since opening in September 2023, the enhanced minor injury unit in the Ulster Hospital has seen over 10,000 patients and received only five complaints. Patient surveys on the service have received excellent feedback, with over 97% of patients who have used the minor injury unit recommending it.

The issues in accident and emergency care are, of course, of concern to us all, but I will take my leads from the experts who are telling us clearly that the long waiting times and backlogs of ambulances in A&E departments are due to a lack of care packages for those who cannot be discharged from hospitals, not the relocation of the minor injury units. The debate on the transformation of our health service requires leadership and following the evidence and the experts. I look forward to hearing clarification from the Minister later in the debate on some of the points that have been raised today. Alliance will support the Department of Health in transforming our health service by implementing the Bengoa commitments that all parties signed up to.

Mr Chambers: The minor injury unit in Bangor Community Hospital was closed during the COVID pandemic as it was considered that the nursing staff would be better deployed at pressurised inpatient hospitals. The closure was sold as being temporary, and, given the logical reasons offered by the trust, no one raised any serious objections at that point. However, when the trust announced that it would not be reopening the Bangor minor injury unit and would also be closing the unit in Newtownards, it was a different story. There was considerable public concern about that announcement, and the trust commenced a public consultation on its proposals. Many members of the public had little confidence in that process.

Those of us who, as public representatives, argued against the trust's proposals were accused of hypocrisy in that we openly supported the transformation of our health and social care systems as laid out in a series of road maps in the Bengoa report but became parish-pump politicians when local closures were proposed. There are two elements of the project that blow out of the water the distractions used by the political closure cheerleaders, who seriously misread the local public mood on the closures.

First, on more than one occasion, representatives of the trust pointed out that they

had serious staffing issues coming down the line. There was a shortage of the highly qualified nursing practitioners who ran the minor injury unit. We were told that at least three of those nurses were about to retire and that replacements were almost impossible to find. They also stated that they needed more of those nurses in the Ulster Hospital. It was clear from those remarks that the closures were playing no part in transformation, as I understand it, and instead were being used as an opportunity to solve staffing issues at the Ulster Hospital.

The second point that the cheerleaders for the closures ignored was a comment by the Health Minister in a previous policy document in which he stated clearly that the creation of an urgent care centre should not mean the closure of a minor injury unit. One of the selling points of transferring the minor injury unit to the Ulster Hospital site was the promise of a consultant-led urgent care centre that would work alongside the A&E department. Where is that urgent care centre? The forecast date for its opening continues to be pushed further down the road. Would it not have made more sense to have postponed the closure of the minor injury units until the urgent care centre was ready to operate? In my view, that did not fit with the trust's immediate need to relocate the staff to the Ulster Hospital site.

I and my party have never been opposed to the reconfiguration of the health system, but it needs to be evidence-driven and clearly in the interests of patients. I was not convinced that the closures were made for the right reasons or in the best interests of the North Down public. For my party, service transformation should not be viewed as some sort of catch-all phrase or used as a cloak of convenience. For us, it is about ensuring that patients receive the best care in the best environment and within the best time frame possible. Yet, in this instance, the permanent transfer of the minor injury service to the Ulster Hospital appeared to be driven as much by challenges in recruitment as any other broader strategic decision to co-locate the service. In particular, I was concerned that moving such an important service to the Ulster Hospital site, with all its known issues of congestion, was perhaps going to make the situation even more difficult for local patients and staff, and so it has proved. The fact that it was undertaken during the absence of an Executive and functioning Assembly also meant that there was zero political oversight. It was signed off by a senior civil servant and not by a Minister.

Given the passage of time and the well-documented budgetary constraints, I suspect that the Minister has little or no scope to turn back the clock. What he can, perhaps, do is to encourage the trust to expedite the operation of the promised urgent care centre. He could also ask the trust to deliver on the promises of improved public transport connectivity.

The situation is a perfect illustration of why it is so important to have an Executive and Assembly in place to provide the political and democratic oversight that, sadly, does not exist when the political institutions are down. In conclusion, I place on record my admiration and appreciation of everyone involved in providing us with healthcare in the current difficult circumstances.

Miss McIlveen: I thank Mr Easton for securing the Adjournment debate. He pursued this issue doggedly and relentlessly during the consultation and has continued to do so since the imposition of the decision. That decision was made contrary to the vast swathe of public opinion, which simply could not comprehend why the trust was pursuing this course of action. I thank Mr Easton for his efforts in fighting this, including organising a petition that was signed by thousands of local residents. I also put on record my support for the health professionals, who are working in incredibly challenging circumstances.

I was present at a strictly controlled public consultation event in Newtownards that was run by the South Eastern Trust. Questions had to be submitted in advance, and, perhaps coincidentally, the majority of the questions that were drawn out came from Alliance Party reps, the Alliance Party being the only party that supported the trust's proposals to close the MIUs. That party's position was not remotely reflective of the feeling in the area.

A number of local people who attended were deeply frustrated at what seemed to be a fait accompli, which is what it evidently became. They could not understand why local services were being taken away and moved to east Belfast. We heard from the trust that it was to improve services and outcomes. That seemed strange, because, in the Chamber on 22 November 2021, Minister Swann said:

"The trust is confident that patients receive an effective service and has received some positive feedback on the service at Ards minor injuries unit. It is nurse-led. Emergency nurse practitioners provide expert advice to ensure that clinical practice and patient care is delivered to the highest

standards." — [Official Report (Hansard), 22 November 2021, p25, col 2].

If it was not for higher standards, since the highest standards were already being delivered, it must have been about making savings. However, in answer to questions for written answer tabled by Mr Easton, the Minister has said that there are no savings.

The Alliance Party claimed that the decision to close the MIUs in Newtownards and Bangor was as a result of Bengoa. Despite being repeatedly told by others that that was not the case, the Alliance Party has insisted on that fallacy, taking the opportunity to criticise other parties for saying one thing in relation to supporting Bengoa and doing another when it came to local services. I ask the Minister to take the opportunity to reiterate what he said in his answers to those questions for written answer and to make it clear that the decision around the MIUs had nothing to do with Bengoa.

The trust also indicated that, in order to establish an urgent care centre at the Ulster Hospital site, it needed to close the two MIUs. Yet, in 2022, the Ulster Unionist Party health spokesperson, Alan Chambers — I am glad to see him in the Chamber — wrote a letter to the 'News Letter', criticising Paula Bradshaw MLA. In that letter, he stated:

"if Paula wishes to read the final urgent care policy that was signed off by Robin Swann in March last year she will see on page 42 that it categorically states 'it is important to note that Urgent Care Centres do not replace existing Minor Injury Units.' That is a mere statement of fact, and one which is a [sic] accurate today as it was 12 months ago. Given that fact there is no contradiction in supporting the retention of a local minor injuries facility."

Does the Minister stand by the comments of his party colleague, who, of course, was quoting the Minister?

If care in MIUs was of the highest standard, the decision to close was not a result of Bengoa, there were no savings to be made and there was no need to close the MIUs to deliver the urgent care centre, will the Minister take steps to reverse that decision? It has placed care further out of the reach of my constituents in Strangford. Those constituents have to stand outside in the cold and rain at 8.00 am just to get on a list for a call from a GP. Some travel from Portavogie and Portaferry to go through Newtownards and then battle with congestion at the Dundonald bottleneck to run the gauntlet of

trying to find a parking space at the hospital site, and some are constituents with disabilities who, when the final move is made to co-locate the urgent care centre with the emergency department, will be further disadvantaged by the chronically bad parking arrangements at that site.

The decision did not enhance the care of the constituents of Strangford or North Down; it enhanced the care only of those in east Belfast. No justifiable reason has ever been given for the decision to remove that important and well-used local service. Trust reports will never factor in —

Mr Deputy Speaker (Mr Blair): Will the Member bring her remarks to a close?

Miss McIlveen: — those patients who decide that it is too much trouble to travel to the Ulster Hospital site and the impact that that might have on them in later life. Complaints and compliments are no real measure of the unnecessary inconvenience and upheaval that the decision will cause.

Mr Muir: I speak in the Adjournment debate as an Alliance Party MLA for North Down. It is important that we are able to discuss the issue. We were not able to for two years, because the institutions were not sitting. It is not lost on me that the person who secured the Adjournment topic is one of the people who voted consistently against the restoration of the institutions, which would have allowed us to consider these matters. However, we are where we are now, and we are able to consider the matter in front of us.

I will be relatively brief because I do not want to delay Alex from his campaign launch in Bangor tonight. It is an important issue for the Assembly, and I recognise that the DUP has handed over its slot for the Adjournment debate to Alex.

The easiest thing that the Alliance Party could have done would be to join the protest lines and vote on the motions on the matter in the council, but we did not. People have to ask themselves why we did not. The easiest thing would have been to go with the flow and not have ourselves criticised in this Adjournment debate or in council. The reason is that we believe in transformation. If we cannot do transformation of that nature in an area that covers, essentially, the distance between Newtownards and Dundonald, which is approximately 5 miles, what hope do we have

of achieving the true transformation that is required in health and social care? Some people will say —.

A Member: Will the Member give way?

Mr Muir: Sorry; I will just continue.

Some people will say, "But this was not Bengoa. It is not in line with No More Silos", but, in a meeting on 15 March 2023, the previous permanent secretary in Health confirmed to health spokespeople from all parties that the proposed change was in line with Bengoa and No More Silos. Whilst other people have contributed towards it, the people whom I will be guided by on the issues are doctors and medical experts. I have immense respect for the staff who work in Health and Social Care (HSC). It is an immensely challenging job. I have the utmost respect for them. I know them personally. They are family and friends. My mother worked in the NHS for decades. I will declare that, and I am proud of the service that she gave.

6.30 pm

We owe it to them to take the difficult decisions, but we have not travelled the journey that we need to travel on transformation in Northern Ireland. When we go to the UK Government and argue for additional funding, our inability to do transformation in Northern Ireland is cast back at us, and rightly so, because the waiting lists in Northern Ireland are the longest in the whole of the United Kingdom, yet we are spending, arguably, the highest amount on health and social care. Therefore, we need to do transformation. We need to be able to take the difficult decisions. Members say that people were not happy about the position that we took, but I got involved in politics to take difficult decisions. It is easy to stand at the protest lines on these issues.

I recognise the concerns about the emergency department at the Ulster Hospital, and I hope that Alex's wife has a speedy recovery. I know the pressures around this, but the solution is not to oppose change. It is to be able to face up to that and support people in their positions. I recognise that there are concerns around the consultation, but nothing is perfect in this. We could have been debating this for two years. We could have had a Health Minister in position to take a decision, but that was denied. It was denied by the DUP, Alex Easton and Jim Allister, so there is the responsibility when it comes to accountability issues with this.

I conclude by saying that we owe it to Health and Social Care to take the difficult decisions, show leadership and be able to walk the walk, not just talk the talk.

Mr Deputy Speaker (Mr Blair): Before I call the next Member, I caution Members that if they take an intervention, time constraints mean that additional time may not be allocated to them.

Mr Mathison: Before I begin my remarks, I want to find the one point of agreement that we have had, which is that we should all pay tribute to our Health and Social Care staff, particularly those working in emergency medicine and unscheduled care. They are doing a fantastic job in very difficult circumstances across Northern Ireland, but I think that that may be the only point of agreement that we have reached in the debate.

Before I look at my prepared remarks, I will pick up on a few things that were mentioned in the debate. Mr Easton suggested that the minor injury unit at the Ulster was in some way contributing to the delays and the backlogs and the difficulty of moving patients through the emergency department. It is my understanding that, if anything, the minor injury unit is actually reducing the number of patients attending the ED and getting clogged up in that system.

I also want to pick up on a comment by Michelle McIlveen that seemed to conflate services at the old minor injury unit and what a GP provides. I suggest that the conditions for which you attend your GP do not require services that you expect to receive at a minor injury unit, which is for broken fingers, dislocated shoulders and those sorts of conditions. I do not imagine that those would require queuing at your GP's surgery, so I am not sure where that comparison was being drawn. I also want to pick up on a comment from Stephen Dunne, who suggested that this was not about saving money but about improving the patient experience. I agree with that, and I know that no change in service is ever perfect from day 1, but, in my view, this minor injury unit is about providing an enhanced service for the least sick patients who do not need to be in an emergency department.

Last year, the trust took the decision to change how minor injuries were treated in the Ards and North Down area. We got confirmation that the old Bangor MIU would remain closed and that the Newtownards site would close, moving all minor injuries treatment to the Ulster Hospital. As already referenced, the new service that is available at the Ulster brings an enhanced offering for patients. There are longer opening

hours — 70 hours-a-week access rather than the previous 40 — and a service that is seven days a week, 365 days a year. That is a significant improvement on the five-days-a-week service that previously operated on the other sites. As far as I am concerned, this represents a planned change to locate a service in a setting with access to the expertise that can treat minor injuries and to clinicians who can provide care in more serious cases, should it be required. There is also access to scanning and imaging equipment and a consultant-led team, should the condition be serious enough to require it.

As I referenced, the new service was designed to reduce attendance at hugely stretched ED services and improve the flow through the system for the least sick patients. I agree that all services need time to be fully evaluated and to bed in, but it appears to me that the new MIU is performing well. We have customer satisfaction rates at around 98%. We have patients accessing more streamlined care. I have heard from clinicians working in the service that many can be discharged home from the MIU to return the next day for a scheduled attendance, with scan or X-ray results provided. Those are patients who would have been waiting in the ED for hours and hours, possibly through the night, to receive those results. I know which service I would prefer. In March, 3,500 patients were seen in the MIU, just over 2,000 of them by nurse practitioners and 1,500 by other medical staff on site. Typically, those were more complex cases that could not have been dealt with in Bangor or Newtownards and would almost certainly have had to be redirected to the Ulster Hospital anyway.

I acknowledge that all of this is said in the context of an ED service at the Ulster Hospital and across Northern Ireland that is under huge pressure. None of us doubt that. The patient experience is unacceptable in many emergency departments, but the trust is clear, and I take the same view, that that patient experience in ED is not to do with the closure of MIUs. It is about a hospital system that is not functioning. It is about patients who cannot get discharged because there are no domiciliary care packages, and it is about an Ambulance Service that is struggling to offload patients because of clogging in the system. We need to be brave enough to take the decisions to tackle those problems with our creaking systems. What is not required is the undoing of planned change and the reform of how we deliver what is a fairly small element of treatment in the area. Not small to the people who need it but,

as my colleague Andrew Muir said, small in the scale of the health service.

These are the kind of planned changes and reform that we need to be encouraging and supporting as elected representatives, not blocking. I urge my colleagues across the House from North Down and Strangford to get behind the transformation agenda. As we do hope to see the urgent care system developing —

Mr Deputy Speaker (Mr Blair): Will the Member bring his remarks to a close?

Mr Mathison: — at the Ulster Hospital again, I welcome that and hope that Members will support it.

Mr McGrath: The beauty of an Adjournment debate is that you can never work out where it is going to go in the politics and messages that were previously relayed.

Obviously, I am not from the North Down and Ards area. I am part of the South Eastern Trust area, and I am just surprised that I am not here talking about closures to Downe Hospital, which has been the norm over the past 20 years when it comes to discussions about the South Eastern Trust. On this occasion, it is with relief for my area that we are talking about somewhere else. Maybe being just one step back from what is happening on the ground, and from maybe the more upcoming political agendas that there may be, I can understand and appreciate the difficulties of people not liking change. People do not like it when a service is closed and taken away. As I say, we have had plenty of experience of that.

I have some sympathy, I suppose, for the residents of Bangor, which is quite a distance away. Maybe slightly less sympathy for those in Newtownards because, when it comes to the removal of services from Downe Hospital, I would love if there were just four or five miles on a dual carriageway point-to-point to connect me from one service to the other. Where I can understand that there are difficulties in understanding this for people from Ards and Bangor is that the nature of this is minor injury units. The thing is, they can quite often be provided locally and quite close to where people are. It is that lack of understanding as to why you have to travel 10 miles or a number of miles to be able to get what are some of the most basic health interventions.

I understand and agree with the whole process of transformation. I am certainly supportive of

transformation on a wider, greater, bigger basis, but we desperately need to see that road map. We need to know where we are going, because if we know where we are going, there is a better chance that people will get behind it and support it. When we look at an issue such as the closure of minor injury units, or the changes that there have been at other places such as Lagan Valley Hospital and Downe Hospital, we do not know what the overall road map is. We know just that we have services that are being taken away but do not know what it is going to be part of in the greater scheme of things. That is a challenge for the Department and the trust, but it is one that I would love to see them being able to stand up and do. If we can get that sense of transformation, you know that you are losing service x but that it is going to be replaced nearby and is going to be a better service and you, in return, will also get something different in your area. In that way, we can keep patients and staff happy and keep the public on board.

Unfortunately, the process has been a little bit like others. We feel that the service is being closed down but that no accommodation has been made for additional traffic and car parking. We know that staff are being moved and are not necessarily that happy about it. We know that consultations can often be loaded — that is the nature of them — but people who go into such a process feel aggrieved if it does not go the way in which they want it to go.

I would like to see a greater road map for a transformation that we can be part of. The medical experts are out there, and it is critical that we listen to them. I sometimes worry, however, because, from what I remember them saying 20-odd years ago, if we were to talk about taking on board proper medical evidence about hospital services in Northern Ireland from those qualified to give it — I have said this before — we would end up with a super-duper hospital on stilts in Lough Neagh with six roads, one leading into each of the counties. Everybody would be able to access it, all the services would be under one roof and nobody would be at a deficit as a result. That, however, is not the reality. We are trying to retrofit the system that is there. I appreciate that the trust has its difficulties. I would love to see it be able to deliver locally that which it can deliver locally but also provide a much better system if it has to centralise it.

Mr Deputy Speaker (Mr Blair): Thank you to all the Members who contributed to the Adjournment debate. I call the Minister of Health to respond.

Mr Swann (The Minister of Health): Thank you very much, Mr Deputy Speaker. Before I get into my substantive response, I will pick up on some of the comments made by Members, because it is important to provide clarification before I respond to the debate.

Miss McIlveen and Mr Chambers used quotations attributed to me from press releases or other documents, I can assure them and the House that I stand by what I have said in the past. I do not change my mind or perform U-turns just because something may be popular or seen to be the right thing to do.

I will address a wider comment, which I am attributing not just to Ms Egan or Mr Muir in today's debate, in order to dispel the easy line that is often used that, in Northern Ireland, we spend more per head on health than any other country. Compared with England, Scotland and Wales, that statistic proves to be right, but, in 2022, the Northern Ireland Fiscal Council stated that we spend:

"broadly the same as in the North West and North East of England."

When spend is broken down regionally, there is therefore not the disparity that some try to portray when they say that our system is overfunded. On where we stand on that matter, the Northern Ireland Fiscal Council also stated in 2022:

"health spending in NI has previously been broadly in line with relative need."

I thank the Member for securing the Adjournment debate and providing an opportunity to address an issue that concerns a key change and improvement to unscheduled care in the South Eastern Health and Social Care Trust. The consolidation of minor injury services on the Ulster Hospital site represents what I have been told is an improved service for the residents of the Ards and North Down Borough Council area. At the Ulster Hospital, patients have immediate access to a service that is open longer hours, with a wider range of diagnostics. More importantly, the minor injury service has been secured for the long term, with the appropriate skills in place and training for staff. In addition, the unit is now consultant-led, whereas the smaller units were led by specialist emergency care nurses. I will expand on that later. Although the decision was taken by the permanent secretary, under the Northern Ireland (Executive Formation etc) Act 2022 — Members have highlighted the fact that the decision was made in the absence of Ministers, when this place was not functioning — I have

been assured that the correct processes were followed in making that decision.

I have been informed by the South Eastern Trust that the main drivers for implementing the new model included increased demand for unscheduled care, staffing challenges, substandard facilities and the need to optimise staff skills and expertise. Above all, the trust was facing a strong risk that it would have to react suddenly to the inability to provide minor injury services on the two sites in the very near future. To mitigate that risk, the trust's decision to transfer those services to one site was aimed at ensuring that unscheduled care services for the population of Ards and North Down remained safe and sustainable for the long term.

6.45 pm

I have been informed that, in the consultation document, the trust cited difficulties in the recruitment and retention of staff at the minor injury units. Officials in my Department and the Public Health Agency sought additional information from the trust about its position and were advised that there had been ongoing recruitment drives for emergency nurse practitioners (ENPs). Prior to the consultation exercise, the most recent recruitment drive had been in autumn 2022. While that was successful in appointing a number of candidates to the trust, none of the successful applicants was interested in taking up a permanent position at the Ards minor injury unit. That is most likely because working as part of a multidisciplinary team, as would be the case in emergency departments, is an attractive proposition for emergency nurse practitioners because of the extended scope of practice and greater opportunities for nursing management experience that it offers. At the close of the consultation period, 40% of the posts were outstanding in the emergency nurse practitioner workforce. Two of the posts were filled by other trusts' ENPs on a supplementary basis.

The trust has advised that, on average, since 2018, 20% of the ENP workforce has been unfilled at the Bangor and Ards MIUs. As I mentioned, the trust reported that ENPs had a reduced scope of practice at a stand-alone unit and that that was a contributory factor in its recruitment difficulties. In recent years, bank ENPs have supported the operational rota at Ards MIU. However, the six retired bank ENPs who had been available in previous years to secure the service have been reduced to two, meaning that the historical reliance on bank staff was no longer possible.

A further major issue for the trust that, I was informed, was affecting services at Ards minor injury unit was the condition of the estate in which the service operated. The building needed major investment or replacement to continue providing the service. In the absence of any immediate capital funding, the trust was faced with the prospect of temporarily closing or relocating in the short term, while awaiting capital investment, in order to effectively manage the risks that were present. Even if the facilities at Ards Hospital were renovated, the volume of demand versus the available space would also be likely to present challenges on the current site. Likewise, the facility in Bangor is limited in space and would struggle to meet further demand if that were the operational alternative.

The public consultation on the future of urgent and emergency care in Northern Ireland, which was mentioned, was launched in March 2022, and the consultation findings report was published in October 2022. The report concluded that there was broad support for the proposals outlined in the public consultation, which included three strategic priorities: creating an integrated urgent and emergency care service; capacity, coordination and performance; and a regionalised approach to immediate care.

The move to consolidated minor injuries services on the Ulster Hospital site met priority 1, which was to create that integrated urgent care service. My Department, along with the South Eastern Trust, is still committed to providing better urgent and emergency care services and recognises the need for reform to address the many challenges in the healthcare system, which that move seeks to do. I have confirmed that all the relevant procedures were followed in making the decision. Having identified significant challenges and the need to make a service change, the chief executive of the South Eastern Trust notified my Department in December 2022 of the trust's intent to change the model of care that it provides to residents of Ards and North Down. That, like all significant service change, is a requirement under the Department of Health's policy guidance on roles and responsibilities.

In January 2023, the trust received approval from the Department to commence a public consultation on the matter. The consultation outlined nine options, with a preference to move the minor injuries service units to the Ulster Hospital site. The consultation commenced in February 2023 with trust board approval for the statutory 12 weeks, and it ended in May 2023. I have noted Members' concerns about the

consultation period, but I was advised that, during the consultation period, the trust held three public events: two online and one in person. The events had 121 attendees, 388 responses were received, and 642 local groups and 460 organisations were informed. As has been mentioned, a petition of over 19,000 signatures against the move was also received. The trust's findings and associated mitigations were publicly presented in a feedback report released in June. During the summer period, the trust's board approved the preferred option, and the trust's chief executive wrote to the Department requesting approval to transfer the services. A number of clarifications and queries were addressed by my officials in the Department and the Public Health Agency before the findings were submitted to the permanent secretary. Having carefully considered the proposal and the consultation outcome, the permanent secretary, in the absence of an Executive, wrote to the trust's chief executive at the end of August to approve the changes under the Northern Ireland (Executive Formation etc) Act 2022. As a result, the minor injuries services transferred to the Ulster Hospital site on 6 September 2023.

Mr Deputy Speaker, that is the update that I have.

Mr Deputy Speaker (Mr Blair): I thank the Minister for that response.

Adjourned at 6.50 pm.