

# Northern Ireland Assembly Disability Monitor



**MONDAY 9 NOVEMBER 2009**

**Centre on Human Rights for  
People with Disabilities**

For further information, please contact Hannah Russell,  
Research and Policy Officer

[hannahrussell@disabilityaction.org](mailto:hannahrussell@disabilityaction.org)

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- **Programme Protection Unit**
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## **A Last Week's Assembly Business**

### **Committee Business**

#### **Town Centre Regeneration**

Chairperson of the Committee for Social Development begged to move “that this Assembly approves the report of the Committee for Social Development on its inquiry into town centre regeneration; and calls on the Minister for Social Development to implement the recommendations.”

During the debate the Chairperson of the Committee for Social Development stated that like all Committees, the Committee for Social Development believes that monitoring and evaluation must accompany all important policy objectives. Therefore, the Committee recommended that the Department for Social Development bring forward its monitoring and evaluation framework, which it is understood to be developing. Committee members believe that town centre regeneration must be monitored to provide a guide for the implementation of policy and evaluated to identify good practice, waste and error. The Committee believes that town centre regeneration should be evaluated through a range of key performance indicators, including economic benefit, community cohesion, poverty, and improved access for disadvantaged and disabled groups.

Mickey Brady (Sinn Fein) recommended that the Department for Social Development should publish key performance indicators and implement actions relating to those. Town centre regeneration key performance indicators should include indicators relating to economic activity, community cohesion, poverty, disadvantage and disability access.

Naomi Long (Alliance) made the point that regeneration must balance community needs with those of town centre users, particularly for people with disabilities.

The Minister for Social Development acknowledged that that is a difficult issue that needs to be addressed better at policy level; during

consultation with stakeholders, especially for public realm schemes; and at implementation level.

It was resolved “that this Assembly approves the report of the Committee for Social Development on its inquiry into town centre regeneration; and calls on the Minister for Social Development to implement the recommendations.”

## **Oral Answers to Questions**

### **EDUCATION**

#### **Pupil Health and Emotional Well-Being Programme**

William Irwin (DUP) asked the Minister of Education what results have been achieved to date as a result of the pupil emotional health and well-being joint programme with the Department of Health, Social Services and Public Safety. (AQO 274/10)

Minster of Education: The Department of Education is developing the pupil emotional health and well-being programme, with an initial focus on the post-primary sector, in partnership with a broad range of key stakeholders, including the Department of Health, Social Services and Public Safety.

Five working groups are in place that will examine the following aspects: self-assessment by schools of their approach to emotional health and well-being; the training and support of teachers and other school staff on the issue of emotional health; identification of existing good practice in schools, and its dissemination; mapping of existing services and sources of support available to schools, and sharing of that information; and preparation of new guidance for schools on the management of critical incidents, and a review of our current arrangements to support schools when an incident occurs.

A definition of what is meant by pupils’ emotional health and well-being has been agreed. Research has been commissioned to evaluate tools that schools might use to audit all activities that contribute to promoting positive emotional health. Discussions are in

hand about building on an existing directory of services for children and young people, and moving it to a web-based facility that schools can access. The Department of Education will host an event this month to review what it has achieved so far and, perhaps more importantly, to determine how it delivers the products to schools in time for the next school year.

William Irwin in a supplementary question asked the Minister to elaborate on the implementation of the programme and give some examples of the activities that will be offered to primary and post-primary pupils.

The Minister of Education: First, William Irwin will be aware that we have a counselling service in post-primary schools, which some 220 schools make use of every week. Since September 2009, following a public tendering process, three organisations have provided the service. The new contracts have been awarded to New Life Counselling, Counselling for Youth and Familyworks.

The counselling support that is provided conforms to current best practice and professional standards for schools-based counselling. Furthermore, the programme will consider the prevention of suicide and self-harm, the Bamford review and the mental-health action plan. Clearly, equipping young people with a positive outlook on life and the skills to be emotionally resilient will also make a less direct contribution to other strategies such as the children's strategy; Hidden Harm, which helps children of drug and alcohol abusers; and the tackling violence at home strategy.

Dominic Bradley (SDLP) asked what level of co-operation took place between the Department of Education and the Department of Health, Social Service and Public Safety in formulating the autism action plan? Will the Department of Education be involved in the outworking of that plan?

The Minister of Education: As the Dominic Bradley may be aware, an all-Ireland conference on autism will take place soon. The Department of Education works with the Department of Education and Science in the South, and the Health Departments, North and South. The original question was specifically about the pupil

emotional health and well-being programme. The Minister will forward details of the autism conference to Dominic Bradley and look forward to his participation in it.

Ms Sue Ramsey (Sinn Fein) asked what outcome the programme would have once it is established and up and running.

The Minister of Education: All post-primary schools accept that they have a unique and significant role to play in the promotion of the emotional health and well-being of their pupils. The Department of Education expects those schools to sign up to a shared, agreed understanding of pupil emotional health and well-being; to audit their practices across a range of activities in the school; to identify the activities that can contribute to the promotion of pupil emotional health and well-being; to evaluate honestly their practice; and to identify how they can improve, as well as what further practice could and should be introduced.

The Department of Education expects that all post-primary schools will prepare a plan as part of the school development plan, developed in partnership with the school community — staff, pupils and parents — that will set out how pupil emotional health and well-being will be promoted, and how the effectiveness of the plan will be evaluated. They will also be able to access information about evidence-based good practice and community-based services available to support pupils, both inside and outside the school. The Department of Education also expect that they will be prepared to deal with any critical incident and will have appropriate support in order to do so.

Basil McCrea (UUP) asked for the Minister to explain why there is a reluctance to use the term “mental health”. Given that some 20% of our young people suffer from mental health problems in schools, Basil McCrea asked why is the Department of Education reluctant to take the lead on that issue.

The Minister of Education: It is accepted in society that we all have mental health: there is positive mental health, and there is poor mental health. The Department of Education is not reluctant to use the term “mental health”. The Department of Education wants to contribute to the positive mental health of all our young people. The

terminology that the Department of Education uses is “emotional health and well-being”. The Department of Education tries to ensure that our young people have the resilience to deal with the issues that they are faced with. The Department of Education also tries to put child protection measures in place and to deal with issues around bullying, suicide and self-harm, along with many other issues in our society.

## **Private Members’ Business**

### **Northern Ireland Human Rights Commission**

Danny Kennedy (UUP) begged to move “that this Assembly considers the Northern Ireland Human Rights Commission’s advice to the Secretary of State ‘A Bill of Rights for Northern Ireland’ incompatible with the provisions of the Belfast Agreement; notes with concern that the proposals would undermine the democratic role and authority of this Assembly and the Parliament of the United Kingdom; and urges the Secretary of State not to implement the report’s recommendations.”

Danny Kennedy thanked the Members who signed the petition of concern, because, by their actions, they made it explicit that there is no consensus in this House on a bill of rights for Northern Ireland. They have also confirmed their belief that a majority in the House opposes the recommendations made by the Northern Ireland Human Rights Commission.

Danny Kennedy continued that the petition of concern demonstrates in the clearest possible terms that any attempt by the Northern Ireland Office to act on the basis of the Northern Ireland Human Rights Commission report would be to reject the democratically expressed will of the majority in this Assembly.

This is not the first time that this matter has been considered by the Northern Ireland Assembly. On 8 April 2008, a majority in the House supported a motion that expressed concern at the lack of cross-community support for the report of the Bill of Rights Forum and urged the Human Rights Commission to ensure that it had cross-community support for its recommendations to the Secretary of State.

It is obvious that the situation with the Human Rights Commission report is the same as that with the report of the Bill of Rights Forum.

According to Danny Kennedy the Northern Ireland Human Rights Commission arrogantly decided to ignore the views of the House and the need for cross-community support. That has left Danny Kennedy wondering where exactly the Northern Ireland Human Rights Commission and the political parties that support its report think Northern Ireland is now and what, precisely, has changed since 8 April 2008. In Danny Kennedy's eyes Northern Ireland has another report that lacks cross-community support and cross-party support in the House. Nothing has changed.

Danny Kennedy believes no serious attempt has been made to reach consensus. He further stated that the Northern Ireland Human Rights Commission report does not have the necessary cross-community or cross-party support, without such support, that report will never be acceptable to a majority in the House, hence the Commission's reliance on a petition of concern.

Danny Kennedy submitted that the lack of support for the Northern Ireland Human Rights Commission report is not limited to this House; it is found within the commission. It is startling that the chief commissioner allowed a situation to develop in which two commissioners who obviously identified with the unionist political tradition were forced to issue statements distancing themselves from the published report. Danny Kennedy states they were unable to support that report. Clearly, the Northern Ireland Human Rights Commission's contempt for the need for cross-party and cross-community support runs very deep. Danny Kennedy further stated that it seems that ideological commitments and partisan agendas are more important to some in the commission than forging a shared future built on consensus and agreement.

What is now a decade-long debate started with an innocuous sentence in the Belfast Agreement: "The new Northern Ireland Human Rights Commission ... will be invited to consult and to advise on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights, to reflect the particular circumstances of Northern Ireland".

Danny Kennedy claimed that the agreement mandated the commission to engage in a modest task, not one of industrial proportions. The commission was merely invited to consult and advise on the scope for supplementary rights, nothing more. It was not mandated to devise a new bill of rights or to change our socio-economic context through the creation of numerous new rights; it was merely mandated to examine the scope for rights supplementary to the European Convention on Human Rights. Danny Kennedy does not understand how it went from being a very modest, realistic task to a 189-page document from the Northern Ireland Human Rights Commission that proposes to hand over significant sections of public policy to the courts — taking them from democratically elected representatives.

Danny Kennedy sympathized with the Secretary of State, who is attempting to manage the very delicate process of the possible devolution of policing and justice. On top of that, he has to deal with another flawed and utterly compromised report, namely the Eames/Bradley report. He now has the unwelcome distraction of the Northern Ireland Human Rights Commission report. However, Danny Kennedy was critical of the fact that nearly a year has passed and nothing has happened in relation to consultation. The Eames/Bradley report was published on 23 January 2009 and the consultation was launched on 24 June, less than six months later. The Northern Human Rights Commission report was published on 10 December 2008, but, nearly a year on, consultation has yet to begin.

Danny Kennedy claimed that one could be forgiven for suggesting that the Northern Ireland Office regards the commission's report as damaged goods. He followed with a few questions. What should our beleaguered Secretary of State do now? Should he consult on the basis of a report that lacks cross-community and cross-party support? Should he consult on such a report during the final days of his Government? Should he consult on a report that is so provocative and divisive that it has led to a petition of concern being put down in this House? Should he consult on a report that will not lead to legislation from Westminster before the next general election?

Danny Kennedy submitted that the UUP feel that the Northern Ireland Human Rights Commission report undermines the democratic

authority of this House and of Parliament by seeking to transfer significant public policy decisions to the courts. Danny Kennedy's main focus in this debate has been to emphasise that the commission has entirely disregarded the very modest mandate that was given to it by the Belfast Agreement. In so doing, it has abandoned any pretence of seeking cross-community or cross-party support for its proposals.

Therefore, in Danny Kennedy's opinion the commission's report is unacceptable. It should not be regarded in any other way by the Secretary of State. He urged the Assembly to support the motion.

Dawn Purvis (PUP) begged to move the following amendment: Delete all after "Assembly" and insert "notes the Northern Ireland Human Rights Commission's advice to the Secretary of State, 'A Bill of Rights for Northern Ireland,' and calls on the Secretary of State to publish the consultation document as soon as possible."

Dawn Purvis' amendment would modify the motion to encourage the Secretary of State to move forward with the public consultation, which is the next stage in determining the need and scope for a bill of rights specific to Northern Ireland.

She continued that the amendment is intended to ensure that the public have a chance to participate in the bill of rights process. This has been a long process, and there are important reasons for that. Defining the terms of a possible bill of rights for Northern Ireland is a massive undertaking and is not one without disagreement or conflicting views, as the motion illustrates clearly. However, that commitment is enshrined in the Good Friday Agreement and in the St Andrews Agreement, and it is a process that the parties in the Chamber have not only endorsed and participated in: it is one that they have created.

Dawn Purvis believes a rights instrument has been a fundamental part of the peace settlement in Northern Ireland throughout. To seek now to derail that process, particularly at the stage at which the public have the chance to give their views, is unhelpful and unfair. Several arguments raised here in opposition to the Human Rights Commission's recommendations assert that they would shift

policymaking powers on a number of social and economic issues from the legislature to the courts. Indeed, that is the assumption at the heart of the motion.

Dawn Purvis stated many of the same objections were raised around the Human Rights Act 1998 and have proved unfounded. The courts can find that the provision of a law is incompatible with human rights standards, but the effect of such a finding is that Parliament is notified and encouraged to amend or repeal the law in question. Whether a Parliament acts is an entirely different matter, and responsibility for that remains wholly with the legislature.

According to Dawn Purvis there are protections in the recommendations for a Northern Ireland bill of rights to ensure that the Assembly and Westminster retain the primary role in legislating and policymaking in the Province. For example, amendments to a bill of rights would have to be approved by the Assembly, and the Human Rights Commission has recommended that cross-community approval be required to validate any amendments.

Dawn Purvis continued that the commission has also recommended the establishment of an Assembly Standing Committee on human rights and equality, which would review the compatibility of all legislation against relevant human rights and equality standards. Such a Committee would also be empowered to conduct inquiries into human rights issues, and that would go a long way to ensuring the primacy and pre-eminence of the Assembly in legislation for devolved matters.

Peter Weir (DUP) welcomed the commitment in the proposals that amendments should require cross-community support in the Assembly. However, surely one of the things lacking is that the bill itself, rather than simply the amendments to it, should require cross-community support in the Assembly.

Dawn Purvis responded by stating that is why she is arguing for a public consultation to hear what the public have to say and to establish whether there is cross-community support for a bill of rights. A public consultation is the next step in the process, and it would allow for comments on those protections.

Dawn Purvis went on to state that concerns have also been expressed that the Human Rights Commission has exceeded its mandate — its intended scope of work — and engaged in a form of human rights expansion. That puzzles me. The purpose of the forum and the commission's work was to produce recommendations for a bill of rights that addressed the specific circumstances of Northern Ireland. Clearly, more than just the right to private ownership and the right to privacy have come up in that process.

Dawn Purvis feels the commission cannot deny or ignore the fact that more issues have arisen. It is obliged to consider and to include all the issues that came before it. This was never to be just a meaningless paper exercise; all the commission's work has been about making specific recommendations for implementation.

Dawn Purvis stated that as legislators, the Assembly's job is to ensure that that process reaches its final stages. We need to support a public consultation to see whether the people of Northern Ireland think that the rights that are contained in the proposals need more recognition and protection.

It is no secret that Dawn Purvis' unionist colleagues have not been as enthusiastic as other parties in the Chamber in their approach to human rights. Conspiracy theorists may find a convenient link between the new political alliance of the Ulster Unionist Party and the Conservative Party and their recent more visceral distaste for the Human Rights Commission's recommendations.

Dawn Purvis hopes that parties' responses are sincerely based on policy issues and that it is not an exercise in alignment for the sake of political housekeeping and elections preparation. That would not only be unfortunate but misguided.

She continued that Unionists' relationship with human rights is worthy of further examination. It can be a confused and slightly duplicitous relationship. It is understood that the DUP and its leader, the First Minister, have had a recent conversion and that, when it comes to marches and parades, they are looking for recognition for the rights of unionists. Dawn Purvis feels that is an important step; the Protestant people of Northern Ireland have a right to enjoy a full and rich culture.

However, human rights do not stop there. Dawn Purvis states we have a right to much more than that.

The role that social and economic inequalities played in bringing about the Troubles and keeping them alive for more than 40 years is undeniable, and those enduring and remaining inequalities, including sectarianism, are the fault lines along which the potential for a return to violence sits. Dawn Purvis believes they are at the heart of the discontent, deprivation, anger and isolation that led to the conflict in the Province, and if they are not addressed with honesty and sincerity, they could be so again.

Dawn Purvis submitted that the lack of honesty from the other unionist parties in the Chamber is disheartening. Are they afraid that if the Protestant working class fully understand and recognise their rights that they will have expectations of a more equitable society? Are they afraid that they could not deliver such a society, or do they just not want to deliver such a society?

She further submitted that the duplicity continues. Every week, those parties come to the Chamber and wax lyrical about how hard they are working on the issues that they encounter in their constituency offices, including problems with housing, access to medication, inadequate care, mental-health services, post-primary transfer and the guarantee of a decent education. What exactly do they think those requirements are? They are rights for which people are seeking protection and assistance, so that they can exercise and enjoy them in full. They are rights that belong to nationalists, unionists and everyone else who lives in the Province.

Dawn Purvis questioned why the Assembly responds to those rights when Members think that it could help us to get re-elected, but, otherwise, refuse to recognise them? This is a critical conversation for unionism, and it is one that public consultation on the recommendation for a bill of rights could facilitate. She concluded by encouraging all Members to support the amendment. Let the public consultation process commence and proceed as outlined. Let the Assembly hear what the people have to say about the commission's recommendations.

Michelle McIlveen (DUP) stated that she had voted against the Belfast Agreement. She did so for a number of reasons, not because she did not want peace for Northern Ireland — despite the emotional blackmail of the “Yes” campaign that a vote for the agreement was a vote for peace, which in some way implied that those of us who voted against it were somehow against peace — but because of its content and the ramifications of that content. She questioned whether we should be surprised when people seek to push to their absolute maximum the boundaries of the terms of reference of something that was created under such vague terms and expressed in a hotchpotch agreement? She does not think so.

When comparing the words in the Agreement that were meant to guide the Northern Ireland Human Rights Commission with those in the document that it submitted to the Secretary of State, she has no hesitation in supporting the motion.

Michelle McIlveen claimed that matters turn on the definition of the phrase “particular circumstances of Northern Ireland”. Some have used that phrase as *carte blanche* to dismantle and rebuild as they wish and to introduce socio-economic and cultural rights to the fray.

However, she believes that interpretation is wrong in a number of ways. First, the European Convention on Human Rights (ECHR) is essentially a civil- and political-rights document. Socio-economic rights flow from the sister document of the ECHR: the European Social Charter. If the Belfast Agreement mentions the Social Charter, she is at a loss to find it in the text. The agreement specifically states that the Commission will “advise on the scope for defining ... rights supplementary to those in the European Convention on Human Rights”.

Michelle McIlveen reads this to mean that it will be added to those rights contained in the ECHR and, since the ECHR is a civil- and political-rights document, rights supplementary to it should also be civil and political. She understands that the SDLP is keen to have socio-economic rights attached to any Northern Ireland bill of rights, so perhaps the absence of a reference to the Social Charter is a piece of poor negotiation on its part.

Secondly, the Belfast Agreement offers further guidance on the types of rights that the Commission should consider. It states: "These additional rights to reflect the principles of mutual respect for the identity and ethos of both communities and parity of esteem".

Michelle McIlveen believes those are the words that should be used to interpret the phrase "particular circumstances of Northern Ireland". They do not open the door to economic, social and cultural rights. Sadly, the Commission and, to an even greater extent, the Bill of Rights Forum seem to believe that, in regard to the drafting of a bill of rights for Northern Ireland, the agreement mentions nothing after "particular circumstances of Northern Ireland".

A further thing that Michelle McIlveen noted in the advice given by the Commission is that it is largely a cut-and-paste job, made up from various international instruments. Granted, the agreement allows the Commission to draw on international instruments, but does it not attach the caveat that that should be "as appropriate"? The implication is that it should always be done in relation to the "particular circumstances of Northern Ireland".

Instead, Michelle McIlveen states we have a list of rights which are not contained in and are not supplementary to the ECHR, such as: the right to work; environmental rights; social security rights; the right to accommodation; the right to an adequate standard of living; the right to health; language rights; and the right to identity and culture. It truly says something when one of the main advocates of a bill of rights for Northern Ireland, Professor Brice Dickson, states that critics of the proposals for a bill of rights for Northern Ireland have a point.

Michelle McIlveen further stated that some of the countries with the most wonderfully worded human-rights-centred constitutions are the greatest abusers of international human rights. She invited everyone in the Chamber to read the constitution of Zimbabwe.

Michelle McIlveen concluded by stating that she is happy to support the motion.

Martina Anderson (Sinn Fein) opposed the motion and spoke in favour of the amendment. She wants to see the consultation document published as soon as possible. She feels the document

represents considerable progress. Although she does not necessarily agree with everything that the Commission says, for example, on the issue of national security limitations, the advice constitutes a genuine and rigorous approach to the mandate it was given, despite what was said by the proposer of the motion.

Martina Anderson commended the commission for the work they do. The United Nations, Amnesty International and many other domestic and international human rights organisations have called on the British Government to enact the bill of rights. Unfortunately, it seems that there are still some people who do not want to extend permanent rights and superior protection to the most vulnerable in our society.

Martina Anderson went on to state that rights can be protected through ordinary law. There is nothing to prevent any Government from introducing protections in legislation that are additional to those that are enshrined in any bill of rights. However, the purpose of a bill of rights is to set down the limits for guaranteed minimum standards, below which legislation and legislative rights protection may fall. A further purpose of a bill of rights is to shield in many ways the particular subset of rights in ordinary legislation from the political whims and rulings at any time by any Government or Executive, regardless of whether they are unionist, nationalist or other. Therefore, Martina Anderson believes the purpose of the bill of rights is to set the floor, not the ceiling, for the guaranteed rights in our society for future generations.

Martina Anderson stated that the extent of the bill of rights does not stop any Government from introducing ordinary legislation or ordinary legislative protection. Those rights can be extended to make the ceiling as high as possible. However, at the same time, if proposals do not violate or otherwise undermine any of the rights that are subjected to a bill of rights guarantee, ordinary legislation will also be necessary. In so far as ordinary legislation is supplementary to a bill of rights, it serves an entirely different purpose. It is important to remember that the rights that are set out in ordinary law are not guaranteed. They can be reversed at any time and be removed by a ruling party or coalition that is opposed to them.

Martina Anderson states that those who oppose the concept of the protection of fundamental rights consider the ability to reverse ordinary law as one of its most attractive features. Those people will prefer to use ordinary law, rather than permanent, law to set the rights.

Martina Anderson claimed that those who argue that we do not need a bill of rights are out of step with ordinary people, and she hopes that the consultation will prove that. They are out of step with the ordinary people who remain convinced that it will help cement the peace. For example, they are out of step with the young people in the lower Shankill who mounted a highly successful campaign recently on the right to play, as well as the many marginalised groups supported by the community foundation who are arguing that they are entitled to be treated with dignity and respect.

Martina Anderson concluded that the fact that growing numbers of disadvantaged people from across the community feel more comfortable with the language of rights is, arguably, one of the greatest achievements of the peace process. It is also striking that there is such a high level of support across the community for the inclusion of social and economic rights. She posed the question: do we not care that so many of our older population die every year because there is no bill of rights?

Alex Attwood (SDLP) stated that the SDLP will support the amendment and oppose the motion. He referred to Mary Robinson's statement in December 2000 that the part of the Good Friday Agreement in which the world was most interested was Northern Ireland's human rights provision. Given the conflict from which Northern Ireland were emerging and the abuses of rights by those who were opposed to the rights of individuals and those who were opposed to a democratic culture on our island, she said that the steps that Northern Ireland took to recognise those and to guarantee rights in the future could be shared with the rest of the world, especially those in areas that are in conflict or coming out of conflict.

Alex Attwood stated it is in community minority rights and parity of esteem that this could shine through, more than in any other aspect of Northern Ireland's rights experience. In response to Michelle

McIlveen's comments he stated that you cannot have it both ways: you cannot rely on the Good Friday Agreement's promotion of identity, ethos and parity of esteem and then beat up on the Human Rights Commission for doing precisely what the Good Friday Agreement signposted it and others to do.

Alex Attwood's second broader point is that the Assembly cannot bury their heads in the sand when it comes to the intentions of those who framed the Good Friday Agreement. Virtually every aspect of that agreement, which was endorsed by the people of Ireland, outlined proposals that were particular to the individual circumstances of Northern Ireland. For example, the part of the Good Friday Agreement that dealt with the commission on policing and justice highlighted that policing had had such a particular impact in the North that proposals dealing with our particular circumstances were required. Furthermore, when the Good Friday Agreement dealt with arrangements between the North and South of Ireland and between Britain and Ireland, it proposed the political architecture that would be required to fit the particular circumstances of our experience. Moreover, when the Good Friday Agreement addressed the principle of inclusion, which is now to be abandoned, it did so because of the particular circumstances that affected this part of Ireland. In every other aspect of the Good Friday Agreement, models were proposed that reflected our particular experience and circumstances to ensure that we did not do to ourselves what had been done to us over the previous 40 years. Given that we threw the rulebook out —

Peter Weir (DUP) stated that the Good Friday Agreement and, indeed, all of the other arrangements that have been set up in relation to the Assembly, are based on the notion of cross-community support for governance. He questioned where the community support for the proposals on the bill of rights for Northern Ireland was.

Alex Attwood responded by stating that at the heart of Human Rights Commission's proposals is the principle contained in the Good Friday Agreement that our particular circumstances mean that we have unique proposals and measures to guarantee the rights and identities of the people in this part of Ireland. However, the DUP and the UUP are telling us that that model does not fit when it comes to a bill of rights for Northern Ireland.

He continued that if Northern Ireland is to learn one thing from its experience it must be that denial of civil and political rights; denial of economic and social rights; and denial of cultural and community rights brought us into the situation where conflict, which had existed for decades, became a violent conflict that others imposed on our country against our will. If Northern Ireland does not learn from the fabric that gave rise to that and all the issues of rights that were at its heart, for all our people, we would not be fulfilling our duty to the people of Ireland.

Alex Attwood clarified for Peter Weir that he seeks consensus. However, he warns that Peter Weir should not reinterpret the will of the people of Ireland in the Good Friday Agreement and he should not reinterpret what particular circumstances mean, and say that one cannot make progress without consensus.

Alex Attwood concluded by stating that sometimes, one has to aim high and dream big so as not to return to the past.

Dr Stephen Farry (Alliance) stated that he had some sympathy for the Ulster Unionist Party's motion, given the content of the Human Rights Commission's draft report and the process that has led to this point. However, the he submitted that the Alliance Party would not be supporting the motion. The Alliance party would be supporting the amendment, which is a neutral amendment, in that it reflects the fact that a draft bill of rights has been published and asks the NIO to follow through on a consultation. Despite differences over content, Dr Farry believed the Assembly should be able to unite around that.

Dr Farry further stated that the Alliance Party has always supported enhanced human rights protections for Northern Ireland. The Alliance Party believes that rights are inherent and universal, but different jurisdictions have the right to reflect different aspects of rights in their domestic law or to domesticate international conventions. The debate on a bill of rights in this Chamber goes back to 1962 when one of my predecessors, the Liberal MP for Queen's University, Sheelagh Murnaghan, first proposed a bill of rights for Northern Ireland. To an extent, that was met by the Human Rights Act 1998, which brings into domestic law the European Convention on Human Rights. Of course, the Good Friday Agreement predates that Westminster Parliament

Act. However, the Alliance Party recognises that the European Convention on Human Rights is deficient in a number of respects — two notably. The first is in dealing with the realities of a divided society, and the second relates to social and economic rights.

Roy Beggs (UUP) interrupted with the question of whether Dr Farry does not accept that the fact that there is such division in the attitude of political parties and in communities to a consultation represents a flawed start and, therefore, means that any public consultation will be a complete waste of funding. Those who came up with a set of words should have put consensus at the heart of a bill of rights: we have to reach consensus in order to reach agreement. Roy Beggs submitted that the Human Rights Commission's advice is flawed, so the Assembly should not waste any more public funding on the exercise.

Dr Farry responded by stating that it is true in one sense that both unionist parties failed to engage in the process, going back to the foundation of the Human Rights Commission.

Danny Kennedy interrupted to clarify that the Ulster Unionist Party worked very hard to find consensus but were unable to do so because others were obstructive or had a particular, narrow agenda.

Dr Farry responded by stating that it is important to note that those who drafted and are now lobbying for a bill of rights have done so without considering the political reality of achieving cross-community support. In particular, I think that the Bill of Rights Forum was a complete waste of time, and people ploughed on, regardless of the need to ensure political buy-in from all quarters. That document was dead on arrival, because parties rejected it. It was not a neutral waste of time. Dr Farry believes that the Assembly have, in some senses, missed a window of opportunity, given that we may be in the last days of a Labour Government. Even if the NIO publishes a consultation document, the prospects of any legislation in the lifetime of this Parliament are nil, so we are looking to the future.

However, Dr Farry respects the right of the Human Rights Commission to produce a draft bill of rights. Doing so is consistent with the mandate given in the Good Friday Agreement. It is an enabling mandate, not one that is prescriptive in exactly how the

advice is to come forward. Nevertheless, the Alliance party has major difficulties with the mandate for the terms of reference for a bill of rights and find it to be contradictory and sectarian.

The Alliance Party voted for the Good Friday Agreement, but they did so despite that element, rather than because of it. We are apprehensive about what a future Conservative Government would mean for a bill of rights. In one sense, the Alliance Party are open-minded about a UK bill of rights — one, perhaps, with a Northern Ireland chapter.

However, Dr Farry's concerns are twofold. First, he does not think that the Conservative Party appreciates the subtleties of Northern Ireland, and, secondly, he is extremely wary of any attempt to unpick the Human Rights Act 1998. That has to be the platform on which we build, and any attempt to undermine that would be extremely destructive. He urged caution in that regard.

In conclusion, the Alliance Party respects the right to have a debate and for a consultation to occur, but, as a liberal party, they are concerned about the focus on collective rights at the expense of individual rights, and we see the potential for further sectarian divisions to be institutionalised in this society. They also have some concerns about how far socio-economic rights will go. They support them in principle, but they support rights based on equality of access and equality of treatment, and we are wary of measures that go towards equality of outcome and actually interfere with the rights of the Assembly.

Simon Hamilton (DUP) argued it does not matter what those of us on this side of the Chamber think, or what the people who we represent think: it will be forced on us anyway. That is an unfortunate line to take.

Simon Hamilton has no doubt that, if the public were consulted, the views expressed by the DUP and the Ulster Unionist Party would be prevalent within his community. He claimed that there is clear concern about the lack of cross-community support for the proposals that have been put forward, but that does not seem to concern those

who are desperate for a bill of rights to push their own political agenda.

Simon Hamilton used the words of Professor Brice Dickson to summarise his concerns: “There is no pressing need for a Bill of Rights to supplement the European Convention in far-reaching ways in Northern Ireland. The human rights situation in Northern Ireland is not so bad, or so precarious, as to require a Bill of Rights that is more penetrative than any other such document in the world.”

Simon Hamilton is concerned about the misrepresentation of the mandate of the Human Rights Commission. In his eyes there is a distinct difference between the words “specific” and “particular”. “Specific circumstances” would allow for this wide over-extension of the mandate, but “particular circumstances” does not.

He continued that many of the Assembly engaged positively in the process because the Assembly did not rule out the idea of a bill of rights per se. There may be scope for additional rights relating to particular circumstances for Northern Ireland. When thinking of particular circumstances, some of us might think of issues like parading, yet there is absolutely nothing in the advice about parading. The Assembly might think of things like the strong feeling in Northern Ireland about the right to life, particularly in relation to abortion, but there is nothing about that whatsoever.

Caral Ni Chuilín (Sinn Fein) stated that there is specific reference to parading - people have a right to live free from sectarian harassment.

Simon Hamilton felt Caral Ni Chuilín missed his point. He clarified that the Assembly would all agree that parading is a circumstance that is particular to Northern Ireland, certainly in the fashion in which we do it, yet the advice that the Human Rights Commission submitted makes no reference to it in any regard from one side of the argument or the other. It contains many references to issues such as how elections are to be run, which are not relevant or important to people, but it completely dismisses things that are important to many people in Northern Ireland. It also argues for provisions that are well catered for by existing laws in Northern Ireland.

Page 16 of the document contains a section entitled: "Freedom from violence, exploitation and harassment". Simon Hamilton believes that section says that people should be free from all forms of violence or harassment, including domestic violence, sexual violence, gender-related violence, sectarian violence and violence or harassment motivated by hate. All those are abhorrent, and everyone opposes them, but every one of them is already outlawed by existing legislation in this country. There is no need to introduce additional rights just for the sake of it.

Simon Hamilton believes it should be in the domain of the Assembly, not the courts, to direct where our limited resources go. It should not be in the domain of unelected judges to make up laws and spend resources from the bench.

Simon Hamilton concluded that if a bill of rights were put into the whole raft of health, environment, education, social security and accommodation policy, some accommodation rights might be contrary to immigration law. As Lady Trimble said, a bill of rights would create the possibility of rights tourists travelling to Northern Ireland. There is much for the Assembly to be worried about, and a lack of cross-community support is the death knell for the commission's advice.

Barry McElduff (Sinn Fein) stated that Sinn Féin opposes the motion and supports the amendment.

A bill of rights should be the cornerstone of this society as Northern Ireland emerges from conflict. It should be a charter of all that Northern Ireland wish for the future and a crucial building block for remaking and reshaping society for future generations so that everyone can be treated equally in a society where there are strong and effective mechanisms to protect against the discrimination upon which this state was founded. It would be a society that recognises the right to housing, adequate healthcare, education, freedom from sectarian violence and fear and equality before the law.

DUP and Ulster Unionist Party spokespersons in the Chamber often speak exclusively about the rights and entitlements of the unionist

community, yet a bill of rights could be the very mechanism that guarantees the rights of the entire community and all traditions.

Barry McElduff stated that this is the time for our society to equip itself for the future, and, surely, that entails the institution of a strong and effective bill of rights. A strong and effective bill of rights will help to deliver and guarantee for everyone a decent standard of living, the highest possible standard of healthcare and social care, a decent home, jobs with fair wages and proper working conditions and a healthy and safe environment for people to live in. A bill of rights would enshrine that for everyone.

Peter Weir (DUP) argued that many issues have been brought to his attention by the public, however, not a single person questioned why there was not a bill of rights for Northern Ireland.

Therefore, he feels that the myth that there is an outcry from ordinary people should be killed. Synthetic concerns may be produced, and lobby groups may come forward. However, that does not reflect what people are saying on the doorsteps.

Peter Weir submitted that the Assembly and structures of governance in Northern Ireland are based on the concept of cross-community votes, as outlined by the Members who oppose the motion. It is their right to call for a cross-community vote on the motion. The debate is presided over by a Deputy Speaker who was elected by a cross-community vote. With respect to the Deputy Speaker, if his position in the Assembly is important enough to be decided in that way, why would a bill of rights that has the potential to be the most important piece of legislation for decades not be decided by a cross-community vote? Is it to provide for the imposition of a bill of rights on unionists, should they oppose it? That is how it comes across.

He stated that before the Northern Ireland Human Rights Commission produced its report, it should have listened to the warning signals. The previous commission's report did not find cross-community support, and it simply ran into the sand.

He claimed that genuine concerns were raised at the Bill of Rights Forum. However, the forum did not adopt any cross-community

voting procedures. Few, if any, of its recommendations had that level of support.

He pointed out that when it came to the Human Rights Commission's draft report, two of its members, representing two of the main political parties in Northern Ireland, made it clear they had difficulties with it and could not sign up to it. Those members were Daphne Trimble of the Ulster Unionist Party and Jonathan Bell of the Democratic Unionist Party. By that stage, in normal circumstances, the alarm bells that were already ringing should have been deafening. Instead, the Human Rights Commission went ahead with its report.

Other Members mentioned the scope to define, rather than simply to produce, a bill of rights. Peter Weir argued that to seek rights that are supplementary to the European Convention on Human Rights would be to send out a message that we do not believe in equality. However, that is not the case. There is no blank legislative page: we have equality legislation and a raft of equality provisions. The European convention is part of this country's domestic laws. Every aspect of the European convention is not being supplemented,; it is being incorporated directly into the bill of rights.

Peter Weir concluded that the particular circumstances in Northern Ireland have been mentioned. He acknowledged that accommodation, health, social security rights and a range of additional issues are important. However, he questioned whether they are particular to Northern Ireland? Is housing not an issue for someone in Birmingham? Is health not an important issue for someone in Dublin? Are social security rights not an important issue for someone in Glasgow? The reality is that those issues are not particular to Northern Ireland, and a coach and horses are being driven through them.

If a bill of rights were adopted, it would tie in the Assembly and Executive to a range of issues that should ultimately be decided by the Assembly, not by judges. That is why the DUP oppose a bill of rights and support the motion.

Tom Elliott (UUP) submitted that it would be worse to tie the economy up in knots and thereby ruin the prospect of creating more jobs.

Alban Maginness (SDLP) interjected and asked Tom Elliot whether or not he accepted that the rights to which he referred are special in the sense that they deal with social and economic issues but that the law-making facility for them remains with the Assembly? Those rights are progressively realised. In other words, they are in a different category from other rights. That is the international practice. Therefore, there is nothing to fear, and government will not be tied up in knots because of those rights. This is common practice throughout the civilised world.

Tom Elliott stated that the Northern Ireland Human Rights Commission failed to gain the cross-community and cross-party support that are required. He posed the question of whether any Member seriously imagined that it would be in the interests of the stability of the devolved institutions for the Secretary of State to even contemplate imposing the Northern Ireland Human Rights Commission's recommendations and their outworking on the House.

Tom Elliott is interested to hear how Mr McElduff thinks that those recommendations would guarantee people good housing. Perhaps he will explain that to me. Devolution is meant to be about taking decisions at the level of government that is closest to the people, and that is what the Assembly is meant to be about. We are accountable to the people of Northern Ireland. However, in Tom Elliott's opinion the Northern Ireland Human Rights Commission's recommendations fundamentally undermine that.

Tom Elliot argued that Instead of abiding by the mandate given to the commission in the agreement, the Northern Ireland Human Rights Commission report introduces a whole swathe of socio-economic rights that are unknown to the rest of the United Kingdom. Matters of public policy that spend taxpayers' hard-earned money are meant to be addressed by the democratically elected representatives of the House, but the Northern Ireland Human Rights Commission report wants them to be handed over to the courts.

Roy Beggs (UUP) asked whether Tom Elliot accepted that much of Northern Ireland's limited funds would end up being spent on lawyers' fees and that there would, therefore, be even less money to improve housing, health and education.

Tom Elliott agreed with Roy Beggs. He submitted it is the hard-working taxpayers of Northern Ireland and the rest of the United Kingdom who are going to suffer from the outworking of this matter. The rights to health, an adequate standard of living, accommodation, work and social security would, therefore, be subject to the courts through that provision.

According to Tom Elliot the provision on social security matters posed a very interesting question. Such matters are settled at Westminster, with the House accepting the convention of parity. Social security is inextricably linked to taxation, and it is for Westminster to decide how to achieve the balance between taxation and social security provision. In other words, it is a matter for those elected by the people and not for unelected judges in courtrooms. Judges are meant to interpret the law, not make policy. It is that fundamental principle of the United Kingdom constitution that the Northern Ireland Human Rights Commission has blatantly disregarded.

Tom Elliot highlighted that in July 2007, the Government produced 'The Governance of Britain' Green Paper, which stated: "some have argued for the incorporation of economic and social rights into British law. But this would involve a significant shift from Parliament to the judiciary in making decisions about public spending and, at least implicitly, levels of taxation."

The same principle works in the constitution of the Republic of Ireland. Article 45 of that state's constitution explicitly declares that the socio-economic rights set out in the constitution are merely to guide the Republic's Parliament and are not a matter for the courts.

Tom Elliot concluded that if the Northern Ireland Human Rights Commission report was implemented here, not only would it be the case that one part of the United Kingdom — Northern Ireland — would labour under a regime of economic rights that applied nowhere else in the United Kingdom, but what would the Republic of Ireland do?

Therefore, he supported the motion.

Alban Maginness argued that Danny Kennedy completely misrepresented the bill of rights and the terms of the Good Friday

Agreement. In relation to a bill of rights, the agreement is clear that the Northern Ireland Human Rights Commission will: “be invited to consult and to advise on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human rights, to reflect the particular circumstances of Northern Ireland, drawing as appropriate on international instruments and experience. These additional rights to reflect the principles of mutual respect for the identity and ethos of both communities and parity of esteem, and — taken together with the ECHR — to constitute a Bill of Rights for Northern Ireland.”

That is not, as Danny Kennedy said, an “innocuous” sentence. It was deliberately designed to bring about a bill of rights in Northern Ireland, because those who signed the agreement were committed to creating a culture of rights here. For so long, rights in this jurisdiction were trampled upon, ignored or abused; we have to remedy that with a culture of rights. That is what a bill of rights is all about.

Members on the opposite side of the House said that those rights were extant. They may be extant in various pieces of legislation; however, the point of a bill of rights is to entrench those rights so that they cannot be taken away from the people of Northern Ireland. That is the important aspect of a bill of rights.

Peter Weir asked Alban Maginness to explain how those rights will be entrenched, given the fact that, presumably, a bill of rights would be included in a piece of Westminster legislation and, therefore, Westminster would be perfectly entitled to overturn it?

Alban Maginness stated that Parliament is sovereign and that a Parliament is committed to the process. Means of entrenchment, which have been identified in the advice to the Government, would be contained in the bill of rights. If the bill of rights were to be changed, the process for doing so would be very difficult. Therefore, it would be very difficult to remove those rights.

Given Northern Ireland’s past, the entrenchment of rights is important. For example, some Members said that housing should not be included in a bill of rights. Housing is one of the most important rights to be included, as the Troubles stemmed from the fact that

people could not get houses. People who were destitute or homeless were deprived because of political patronage and prejudice. Therefore, it is important that we entrench people's right to accommodation.

In that same way, the Parliament that pre-existed this institution took away people's right to proportional representation. Had that right remained, the future of this jurisdiction could have been quite different. However, its removal destroyed proper representation in the House that preceded this one and meant that political change was frustrated.

Alban Maginness stated that taking away the right to proportional representation meant that unionist hegemony was preserved in this jurisdiction. He believes that that was wrong. Had the right to proportional representation been entrenched, the history of this place might have been different. Some Members may say that rights are unimportant, but they are very important in our historical context.

Alban Maginness argued that those who signed the agreement were committed to a bill of rights. Therefore, it is not right for those who signed it to try and change it. There is a mandate for a bill of rights. The Assembly can argue about its content, but the Assembly should not argue about the concept. That concept has been agreed, and the Government should therefore implement a bill of rights. The Government received advice on the matter some time ago, and it is unreasonable and quite wrong for them to have delayed acting on that advice for so long.

Alban Maginness concluded that there is popular support for a bill of rights. Surveys have been conducted among the public, and he believes that unionist politicians are out of step with public opinion. Millward Brown Ulster, which is an independent market research company, conducted a poll of people across Northern Ireland and found that 83% of people regarded a bill of rights as quite important or very important. That was an increase from the 70% who answered the same question previously. Therefore, there has been a substantial increase in popular support for a bill of rights.

Jennifer McCann (Sinn Fein) claimed support for the amendment and opposition for the motion. Contrary to what the motion suggests, a bill of rights will not stop any Government from introducing legislation that is necessary to protect people's rights. The distinct difference between ordinary legislation and a bill of rights is that the former can be removed or overturned, depending on the party that is in power at any given time.

As other Members said, one only has to look at recent history in the North of Ireland to see how one ruling party denied civil rights to a substantial section of the community for years and how that resulted in conflict. That shows that the protection of everyone's rights is essential if we are to go forward. People listening to the debate must be concerned, because it has shown that there are still some people who do not want to extend rights and protections to everyone in society, including the most vulnerable. The debate has also shown that there are people who want to remove existing protections.

Jennifer McCann believes the motion is an attempt to cloud the issue by claiming that a bill of rights will negate the role and authority of the Assembly. She claims that is not the case, because primary responsibility for the enforcement of a bill of rights will lie with elected representatives. If Northern Ireland had a bill of rights, laws that are introduced to Parliament would be assessed to see whether they were compatible with the bill.

Jennifer McCann emphasized that what counts today is what we do next. Northern Ireland has built a peace process, it has built power-sharing institutions, and it is forging ahead with the new policing dispensation. Northern Ireland still has to undo some of the damage of the past. A bill of rights, as outlined in the Good Friday Agreement, to protect everybody's political, civil, economic and social rights is the way forward. It is not only possible but necessary.

Jennifer McCann submits it is essential to build economic growth on a new foundation of justice and equality. In a transitional society that is emerging from conflict, such as we have in Ireland today, economic growth that does not systematically promote equality is not sustainable in the long term. To make progress, all Governments

must write the need to meet the social and economic needs of people into their economic and social objectives.

The bill of rights contains a number of protections: the right to live free from sectarianism and racism; the right to a decent standard of living; the right to the highest possible standard of health and social care; the right to a decent home that is safe and affordable; and the right to work for a decent wage in proper working conditions. It contains other safeguards, including the right to a sustainable, healthy and safe environment and the right to adequate social security and pensions. It is worth remembering that those basic human rights are not directed at one or other section of the community; they are the rights of everyone in the community. Moreover, it is a fundamental commitment of the Good Friday Agreement and the St Andrews Agreement, and it offers an opportunity to make real change and a positive difference to the quality of life of everyone here.

Jennifer McCann submitted that it is important to consider the feelings of people in the local community whom we represent. The Assembly represents people in the community. It is important to protect those who are most vulnerable in society. A bill of rights should not frighten anyone, because it is set out for all people in society, and we require public consultation on the matter now.

Dawn Purvis stated that the heart of today's debate can be summed up in a few words: to reflect the circumstances in Northern Ireland. That is the cause of most of the disagreement among parties in the Chamber, and it is the cause of conflict in Northern Ireland.

She has some sympathy with the Ulster Unionists and Conservatives, because they pose an ideological argument on the justiciability of social and economic rights. However, she claims there are absolutely no grounds for that argument, because responsibility for those rights and for law-making lies with the Assembly. As Alban Maginness said, social and economic rights are progressively realised over a period of time and according to available resources. What will change if they are restricted in any way? The autonomy of this parliament, not the courts, is responsible for those rights.

She set out that the DUP supports some human rights. During a debate at Westminster on 27 October 2009, the First Minister, Peter Robinson, spoke about parading in Northern Ireland. He said: “The strategic review stressed, and we agree, that if progress is to be made on parading, it is imperative to address the existing lack of cultural understanding through an effective education programme that includes reconciliation, tolerance, mutual trust, and the protection and vindication of human rights for all.”

However, Dawn Purvis claimed that the DUP’s arguments, and the basis of its opposition to human rights, rely on its blinkered view of the causes of the conflict in Northern Ireland. It denies that discrimination existed and that all working-class people, particularly Catholics, endured slums, squalor, poverty and unemployment to preserve the power of the political elite.

She further claimed that by holding on to academic selection, the DUP continues to deny working-class children, Protestants in particular, the right to a decent education. The DUP must stop living in denial; it must examine what happened here and what caused the conflict, because it is doing a great disservice to working-class people — Protestant working-class people in particular — and to the most vulnerable people in society. My party supports the Good Friday Agreement and a bill of rights for Northern Ireland.

Dawn Purvis believes the purpose of a bill of rights is to entrench a culture of human rights in Northern Ireland. That was reflected in referenda that were held, North and South, and in successive public surveys, which have already been quoted.

She stated that it is up to the Assembly to support public consultation, not to deny people their right to be heard or to say that public consultation is not the way forward on this issue. It is the way forward; it works for every other policy or piece of legislation that comes out of this place. Let the public have its say; let the Secretary of State publish the consultation so that we can see what the public think about a bill of rights for Northern Ireland. She urged all Members to support the amendment.

Basil McCrea (UUP) stated that those who argue for public consultation do not understand the complexities involved. It is the Assembly's role, as elected representatives, to know about and understand the issues.

Basil McCrea summed up that the issue is about having a public consultation on the Northern Ireland Human Rights Commission's advice when it is clear that at least two of the major parties in the Assembly do not support the commission's recommendations. It would, therefore, be a complete and utter waste of public money to go any further with that.

He claimed that the Assembly is the basis of democracy. This is where decisions are made, and the Assembly will not resile from that position. He believed in the Belfast Agreement.

On the issue of rewriting things, Basil McCrea believed that the mandate that was given to the Human Rights Commission should not be rewritten. It should not be said that that mandate means something different now when it is quite clear that the particular circumstances for Northern Ireland and the responsibility in relation to supplementary rights are exactly as was originally outlined.

Basil McCrea asked whether the Assembly accepted Article 11 of the European Convention on Human Rights, which relates to freedom of assembly and association. Some members said yes. He went on to say that if Article 11 needs to be refined, so be it, but he warned to not be duplicitous in how that is done.

Jim Shannon (DUP) stated that the Church of Ireland has published a document stating that a bill of rights would be divisive and would detract from the union. Legal specialists have also said that a separate bill of rights is not necessary as the rest of the UK is looking into that. He claims that is why the unionist people are against it, and that some Members have failed to accept that.

Basil McCrea reassured the Assembly that he questions any equality agenda that does not deliver for the very people for whom it should deliver. He questioned whether it is the right way forward to enact human rights legislation that will be a paradise for lawyers,

bureaucrats and all sorts of jobsworths, enabling them to delay the implementation of measures that are badly needed?

Basil McCrea emphasized that the UUP argued for the social justice that all the people of Northern Ireland demand. We will not be browbeaten by Members, from whatever side of the House, who wish to rewrite history. He claimed that those who argue that the source of the Troubles was a socio-economic or housing problem miss the point that the terrorist activity that Northern Ireland experienced over the past 40 years was not about social deprivation but about a political aim for a united Ireland, and the terrorist activity was perpetrated by the people who believed that violence was the way forward. However, he stressed that is not the way forward.

Basil McCrea that if the Assembly has learnt anything, it is that without agreement there cannot be progress. There is no way forward unless the Assembly all agrees. As a democrat, Basil McCrea believes that this House, and this House alone, should have primacy in ensuring that the Assembly do what is right for all the people of Northern Ireland.

Basil McCrea concluded that no one in the Assembly talks about democracy, and, on that basis, those who support the creation of a bill of rights have failed as elected representatives and as democrats. If those people cannot convince us of their views and win the argument, they cannot win the peace.

The vote on the amendment was taken on a simple majority basis.

The Assembly was divided: Ayes 46; Noes 39.

#### AYES

Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Doherty, Dr Farry, Mr Ford, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Ms Lo, Mrs Long, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McElduff, Mrs McGill, Mr McGlone, Mr McKay, Mr McLaughlin, Mr Molloy, Mr Murphy, Mr Neeson, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Ms

Purvis, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr B Wilson.

Tellers for the Ayes: Mr A Maginness and Mr McCarthy.

#### NOES

Mr Armstrong, Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr T Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McFarland, Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr Moutray, Mr Newton, Mr Paisley Jnr, Mr Poots, Mr G Robinson, Mr K Robinson, Mr Ross, Mr Shannon, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Kennedy and Mr B McCrea.

The question was accordingly agreed to.

The Members were then asked to withdraw the petition of concern

Main Question, as amended, put.

The Assembly divided: *Ayes 45; Noes 39.*

#### AYES

#### NATIONALIST:

Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Doherty, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mrs McGill, Mr McGlone, Mr McKay, Mr McLaughlin, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane.

#### UNIONIST:

Ms Purvis.

OTHER:

Dr Farry, Mr Ford, Ms Lo, Mrs Long, Mr McCarthy, Mr Neeson, Mr B Wilson.

Tellers for the Ayes: Mr A Maginness and Mr McCarthy.

NOES

UNIONIST:

Mr Armstrong, Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr T Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McFarland, Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr Moutray, Mr Newton, Mr Paisley Jnr, Mr Poots, Mr G Robinson, Mr K Robinson, Mr Ross, Mr Shannon, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Kennedy and Mr B McCrea.

Total votes 84      Total Ayes 45 [53.6%]

Nationalist Votes 37 Nationalist Ayes 37 [100.0%]

Unionist Votes 40 Unionist Ayes 1 [2.5%]

Other Votes 7      Other Ayes 7 [100.0%]

Main Question, as amended, accordingly negatived (cross-community vote).

## **B This Week's Assembly Business**

**Wednesday 11 November 2009**

**Committee for Office of First Minister and Deputy First Minister**

1. Pensioner Poverty

**Thursday 12 November 2009**

**Committee for Social Development**

2. Supporting People – Ministerial Briefing

Witnesses:

Margaret Ritchie – Minister for Social Development

3. Revised Government Compact with the Voluntary and Community Sector – Departmental Briefing

Witnesses:

Jack O'Connor – Voluntary and Community Unit, DSD

Gordon Bell – Voluntary and Community Unit, DSD

Keith Gordon – Voluntary and Community Unit, DSD

**Health, Social Services and Public Safety Committee**

1. Departmental Briefing on Mental Health Services

Witnesses (TBC)

## **C Written Answers to Questions, Week Ending 6 November 2009**

### **OFFICE OF FIRST MINISTER AND DEPUTY FIRST MINISTER**

#### **Blind and Partially-Sighted People**

Peter Weir (DUP) asked the First Minister and deputy First Minister what provision is made by the Office of First Minister and Deputy First Minister to make documents accessible to partially sighted and blind people. (AQW 1921/10)

First Minister and Deputy First Minister: The Disability Discrimination Act 1995 prohibits public authorities from discriminating against disabled people when carrying out public functions. The Act also imposes a duty on public authorities to make reasonable adjustments for disabled people in relation to the carrying out of public functions. The duty requires public authorities to anticipate the requirements of disabled people and the adjustments that may be needed.

The Office of First Minister and Deputy First Minister's Disability Action Plan 2008-2011 states amongst its actions that it will pursue "measures to promote positive attitude towards disabled people and encourage the participation of disabled people in public life". This includes "In line with NICS practice, OFMDFM's website will be 'single A' compliant (shows compliance with all priority 1 checkpoints of the W3C Web Content Accessibility Guidelines) and strive to meet 'AA' standards (shows compliance with all priority 1 and priority 2 checkpoints of the W3C Web Content Accessibility Guidelines). Alternative formats can be made available where necessary." Our action plan also undertook to review and reissue guidance on accessible venues for departmental events. This was done in January 2009.

Para 5.8 of the Equality Scheme states that "Consideration will be given to accessibility of language and format of information in order to establish if there are any barriers to the consultation process, and if so, to ensure that these are removed. Accordingly, translations and alternative formats will be provided in a timely fashion. Issues concerning access to information highlighted in Section 9 "Public

Access to Information and Services" will be given particular consideration. Taking into account the views of consultees, information will be made available on request in accessible formats, including Braille, large print, audiocassette, signed video cassette and in minority ethnic languages."

The Office of First Minister and Deputy First Minister's publications include information on how to obtain copies in alternative formats. On request, documents are produced in Braille, Digital Daisy and large print formats to meet the needs of partially sighted and blind people. For example we used the Royal National Institute of Blind People's services this year to produce a number of documents in Braille and digital daisy format.

The Office of First Minister and Deputy First Minister regularly reviews the level of service we provide to blind and partially sighted people through our Disability Action Plan.

### **Blind and Partially-Sighted People**

PJ Bradley (SDLP) asked the First Minister and deputy First Minister what steps have been, or will be, taken by their Department to ensure that the same level of service is provided to blind and partially-sighted people as that provided to fully-sighted people. (AQW 1984/10)

First Minister and deputy First Minister: The Disability Discrimination Act 1995 prohibits public authorities from discriminating against disabled people when carrying out public functions. The Act also imposes a duty on public authorities to make reasonable adjustments for disabled people in relation to the carrying out of public functions. The duty requires public authorities to anticipate the requirements of disabled people and the adjustments that may be needed.

The Office of First Minister and Deputy First Minister's Disability Action Plan 2008-2011 states amongst its actions that it will pursue "measures to promote positive attitude towards disabled people and encourage the participation of disabled people in public life".

Access to services requires good information, documentation and access to that information. This department strives to ensure that all its information is fully accessible. Correspondingly our Disability Action Plan states that "In line with NICS practice, OFMDFM's website will be 'single A' compliant (shows compliance with all priority 1 checkpoints of the W3C Web Content Accessibility Guidelines) and strive to meet 'AA' standards (shows compliance with all priority 1 and priority 2 checkpoints of the W3C Web Content Accessibility Guidelines). Alternative formats can be made available where necessary." The Office of First Minister and Deputy First Minister's action plan also undertook to review and reissue guidance on accessible venues for departmental events. This was done in January 2009.

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The Office of First Minister and Deputy First Minister regularly review the level of service we provide to blind and partially sighted people through our Disability Action Plan.

## **Promoting Social Inclusion Report**

Michelle O'Neill (Sinn Fein) asked the First Minister and deputy First Minister for an update on the Promoting Social Inclusion report. (AQW 2064/10)

First Minister and Deputy First Minister: Five subgroups comprising representatives from various disability organisations and officials from Government departments, were established to take forward the work on the themes outlined below:

- Access to Employment;
- Children, Young People and their Families;
- Housing, Transport, Information and Access;
- Legislation, Citizenship, Language and Attitudes; and
- Lifelong Learning, Arts, Sports and Culture.

The reports from the five sub-groups have been completed and a composite report, complete with recommendations, will be presented to Ministers shortly.

## **AGRICULTURE AND RURAL DEVELOPMENT**

### **Blind and Partially-Sighted People**

PJ Bradley (SDLP) asked the Minister of Agriculture and Rural Development what steps have been, or will be, taken by the Department of Agriculture and Rural Development to ensure that the same level of service is provided to blind and partially-sighted people as that provided to fully-sighted people. (AQW 1985/10)

Minister of Agriculture and Rural Development: The Department of Agriculture and Rural Development has been working hard to raise awareness of the issues impacting on blind and partially sighted people and have taken a number of positive actions to help deal with the barriers many face when accessing our services.

The Department of Agriculture and Rural Development's Equality team have been engaging with key organisations on how we can make our services even more accessible. RNIB representatives recently addressed a meeting of our Equality Steering Group. At this meeting they outlined the work of RNIB and specific measures that we can put in place to ensure that people who are blind or have limited vision are able to access and utilise public information, services and publications.

All Departmental publications include an accessibility statement outlining how alternative formats can be requested and who to contact.

The Minister was pleased to advise that this year the Department of Agriculture and Rural Development's Business Plan and Disability Action Plan have been pro-actively published in a wide range of accessible formats to help underline the Department of Agriculture and Rural Development's commitment to making its services as accessible as possible. These publications have been prepared using Plain English and other formats available upfront for customers have included Easyread, Braille and audio CD / mp3 formats.

A cd with all word, pdf and audio files has also been prepared and availability of this and other formats have been circulated widely to stakeholders and key equality organisations. The Department of Agriculture and Rural Development have sought comments and feedback on these pro-active developments and how our service could be improved further. The Department of Agriculture and Rural Development's business areas are being encouraged to proactively produce more of their publications in these alternative formats.

This year the Department of Agriculture and Rural Development have also contributed to RNID's talking newspaper in which a brief outlined the Department's role and the work of the Equality Unit. The Department of Agriculture and Rural Development aims to provide more audio articles in the future to highlight topics of interest to our customers, for example, information about open days at our Forest Parks or about events such as the Balmoral Show.

Complimentary tickets were provided to several equality focused organisations including RNIB for them to use to encourage their membership to consider attending the 2009 Balmoral Show.

The Department of Agriculture and Rural Development has just recently initiated a formal review of its Internet web-presence. As part of that review and other work in relation to the Department's Intranet it has already accessed the RNIB's guidance which provides information and advice on making websites accessible to everyone. The RNIB guidance, which recognises that web accessibility is a pan-disability subject and encompasses people with sight problems, hearing, mobility and cognitive impairments, will be fully factored into the review.

The College of Agriculture and Rural Enterprise (CAFRE) website offers a Browse Aloud program to allow it to become speech enabled. Any visitors with reading/vision difficulties will be able to position the mouse over an area of the web page, which in turn will be spoken out. The site is designed according to the recommendations of the Learning Skills Development Agency (LSDA) to ensure accessibility to students with specific learning difficulties. It uses Arial font size 14 in black against a white background to improve readability in the main bodies of text. The page font can also be altered.

Students are given opportunities to make a disclosure of their disability at every stage of the application process. Students can also make arrangements for assistance when they come to College open days for recruitment. Once a student has made a disclosure of disability they are directed to the Student Support Officer who guides them through the process of applying for Disabled Student Allowance.

Where a student discloses that they are blind or partially sighted and have been accepted onto a course they are invited into the College in advance of starting their course to agree Reasonable Adjustments and to get an Assessment of their Needs carried out to enable support mechanisms to be in place from enrolment.

Reasonable adjustments by lecturers can include: provision of OHP materials and handouts prior to the start of the lesson; written

material printed on coloured paper; written materials presented in 12-point type or above; a Risk assessment (s) to be completed; access to computer for assessments and being allowed to tape lectures.

Items which may be required if confirmed by needs assessment are: provision of a laptop computer; provision of Dictaphone; extended library borrowings; access to voice activated software; access to other specialist software; extra time for internal/external assessments; a reader for internal / external assessments; a scribe for internal / external assessments; a helper in class and study support.

Within formal Forest Service recreation areas, all paths are colour coded by difficulty. Colours used provide sufficient contrast for partially-sighted people. Paths described as easily accessible, are maintained to: be free of physical barriers; have level surfaces; have clearly defined edges; have a "clear corridor" (no overhanging branches), have tactile way-markers.

In October 2009, Forest Service and RNIB arranged a visit to one of these paths by a group of partially-sighted / blind people. Feedback received was positive, and suggestions for minor improvements have been recorded.

The Department of Agriculture and Rural Development's Disability Forum which was established in 2002 aims to encourage staff with disabilities to debate general issues which affect them in the workplace. The Forum has worked steadily to help raise awareness of disability issues in DARD, and members have taken forward a range of projects and group work over the years, such as writing articles, developing a disability intranet site, speaking at events, considering accessibility issues and providing comments on consultation documents.

Equality Branch launched an electronic newssheet in November 2008 and this has issued on a regular basis to DARD business areas. This e-zine is proving to be a useful and practical way to keep policy makers up-to-date about the latest equality news including advice and publications on all accessibility related matters. The Department of Agriculture and Rural Development also provide advice to business

areas on developing accessible formats for customers through our Intranet and Internet sites.

### **Blind and Partially-Sighted People**

Peter Weir (DUP) asked the Minister of Agriculture and Rural Development what provision is made by her Department to make documents accessible to blind and partially-sighted people. (AQW 2037/10)

Minister of Agriculture and Rural Development: The Department of Agriculture and Rural Development has been working hard to raise awareness of the issues impacting on blind and partially sighted people and have taken a number of positive actions to help deal with the barriers many face when accessing our services.

The Department of Agriculture and Rural Development's Equality team have been engaging with key organisations on how we can make our services even more accessible. RNIB representatives recently addressed a meeting of our Equality Steering Group. At this meeting they outlined the work of RNIB and specific measures that we can put in place to ensure that people who are blind or have limited vision are able to access and utilise public information, services and publications.

All Departmental publications include an accessibility statement outlining how alternative formats can be requested and who to contact.

The Minister was pleased to advise that this year the Department of Agriculture and Rural Development's Business Plan and Disability Action Plan have been pro-actively published in a wide range of accessible formats to help underline the Department's commitment to making its services as accessible as possible. These publications have been prepared using Plain English and other formats available upfront for customers have included Easyread, Braille and audio CD / mp3 formats.

A cd with all word, pdf and audio files has also been prepared and availability of this and other formats have been circulated widely to stakeholders and key equality organisations. We have sought

comments and feedback on these pro-active developments and how our service could be improved further. The Department of Agriculture and Rural Development's business areas are being encouraged to proactively produce more of their publications in these alternative formats.

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## **CULTURE, ARTS AND LEISURE**

### **Sport Governing Bodies**

Barry McElduff (Sinn Fein) asked the Minister of Culture, Arts and Leisure to list all sport governing bodies currently operating in Northern Ireland. (AQW 2155/10)

Minister of Culture, Arts and Leisure: Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland. The list provided indicated those governing bodies of sport operating in Northern Ireland that are recognised by SNI. The list included Disability Sport NI.

## **EDUCATION**

### **Middletown Autism Centre**

Tom Elliott (UUP) asked the Minister of Education (i) to outline the status of the business plan she submitted to the Office of the Comptroller and Auditor General relating to the Middletown Autism Centre; (ii) if that plan has now changed; (iii) if she now intends to submit a new proposal; and if so (iv) when she intends to present the revised business plan to the Assembly. (AQW 1416/10)

Minister of Education: The Minister of Education explained that a business plan has not been submitted to the Audit Office in relation to the Middletown Centre for Autism (MCA).

As a result of a material change in building costs for the MCA, a revised economic appraisal was submitted to the Department of Finance and Personnel (DFP) in December 2008 and has not been revised since that date.

The Minister remains committed to the Middletown project, which is a pioneering north/south initiative that already delivers a range of innovative new services in order to improve the education of children and young people with autistic spectrum disorders in partnership with families and existing statutory and voluntary service providers.

### **Blind and Partially-Sighted People**

Peter Weir (DUP) asked the Minister of Education what provision is made by the Department of Education to make documents accessible to blind and partially sighted people. (AQW 1931/10)

Minister of Education: The Department of Education offers Consultation Documents in other formats as requested, such as,

large print, Braille, on audio cassette, easy read or on computer disk for blind and partially sighted people. In addition DE's Publication Scheme states that the Department of Education's documents can be made available in a range of alternative formats upon request.

## **Mental Well-Being**

Mervyn Storey (DUP) asked the Minister of Education what consideration her Department has given to the adoption of a 'whole-school' approach to mental well-being across primary and post-primary education. (AQW 1933/10)

Minister of Education: The Department of Education's Pupils' Emotional Health and Well-Being Programme, which will focus on the post-primary sector initially, is being developed in partnership with a very broad range of key stakeholders from schools, the voluntary and community sector including officials from the Department of Health, Social Services and Public Safety. The Programme, once it is established, will make a significant contribution to the wider strategies around improving mental health in our community.

Five Working Groups are in place to examine the themes of:

- Self Assessment by schools of their approach to emotional health and wellbeing;
- The training and support of teachers and other schools' staff around the issue of emotional health;
- Identification of existing good practice in schools and its dissemination;
- Mapping of existing services and sources of support available to schools and sharing that information; and
- Preparation of new guidance for schools on the management of critical incidents and a review of our current arrangements to support schools when an incident occurs.

Underpinning much of this development is the need to have a shared or agreed understanding of what is meant by 'pupils' emotional health and wellbeing. A definition has now been developed and agreed.

Research has been commissioned to evaluate assessment tools which schools can use to audit the range of their activities which contribute to promoting positive emotional health and their appropriateness for schools here. The Department of Education expects the report in February next year.

Discussions are in hand around building on an existing directory of services for children and young people and moving it to a web-based facility which schools can access. Interface with a Department of Health, Social Services and Public Safety database is also under active consideration.

New guidance for schools on the preparation for and management of critical incidents will be available early in 2010. A protocol for a regional approach to the management of critical incidents by services which support schools is in preparation.

No consideration has been given to scoring of schools based on the well-being of their pupils as yet.

### **Scoring Schools**

Mervyn Storey (DUP) asked the Minister of Education what consideration her Department has given to scoring schools based on the well-being of their pupils. (AQW 1935/10)

Minister of Education: The Department of Education's Pupils' Emotional Health and Well-Being Programme, which will focus on the post-primary sector initially, is being developed in partnership with a very broad range of key stakeholders from schools, the voluntary and community sector including officials from the Department of Health, Social Services and Public Safety. The Programme, once it is established, will make a significant contribution to the wider strategies around improving mental health in our community.

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No consideration has been given to scoring of schools based on the well-being of their pupils as yet.

### **Emotional Health and Mental Wellbeing**

Mervyn Storey (DUP) asked the Minister of Education what action her Department is taking to support schools in protecting and promoting the emotional health and mental well-being of children and young people. (AQW 1939/10)

Minister of Education: The Department of Education's Pupils' Emotional Health and Well-Being Programme, which will focus on the post-primary sector initially, is being developed in partnership with a very broad range of key stakeholders from schools, the voluntary and community sector including officials from the Department of Health, Social Services and Public Safety. The Programme, once it is established, will make a significant contribution to the wider strategies around improving mental health in our community.

Five Working Groups are in place to examine the themes of:

- Self Assessment by schools of their approach to emotional health and wellbeing;
- The training and support of teachers and other schools' staff around the issue of emotional health;
- Identification of existing good practice in schools and its dissemination;
- Mapping of existing services and sources of support available to schools and sharing that information; and
- Preparation of new guidance for schools on the management of critical incidents and a review of our current arrangements to support schools when an incident occurs.

Underpinning much of this development is the need to have a shared or agreed understanding of what is meant by 'pupils' emotional health and wellbeing. A definition has now been developed and agreed.

Research has been commissioned to evaluate assessment tools which schools can use to audit the range of their activities which contribute to promoting positive emotional health and their appropriateness for schools here. We expect the report in February next year.

Discussions are in hand around building on an existing directory of services for children and young people and moving it to a web-based facility which schools can access. Interface with a Department of Health, Social Services and Public Safety database is also under active consideration.

New guidance for schools on the preparation for and management of critical incidents will be available early in 2010. A protocol for a regional approach to the management of critical incidents by services which support schools is in preparation.

No consideration has been given to scoring of schools based on the well-being of their pupils as yet.

### **Children Who are Blind**

Alex Easton (DUP) asked the Minister of Education what is her Department's strategy for helping children who are blind with reading skills. (AQW 1971/10)

Minister of Education: The Department's strategy for helping children who are blind with reading skills is the same strategy as for helping all children with special educational needs (SEN) and is detailed in the Education (NI) Order 1996 as amended by the Special Education Needs and Disability (NI) Order 2005 (SENDO) and associated regulations. The 1996 Order provided for the formal introduction of a Code of Practice on the Identification and Assessment of Special Educational Needs (COP) to which schools and Education and Library Boards (ELBs) are required to have regard in dealing with children with SEN. A Supplement to the COP was issued on foot of SENDO.

The statutory responsibility for securing provision for pupils who are blind with reading skills rests therefore with the ELBs and the Boards of Governors of schools.

Special Education provision is matched to the assessed individual needs of each child, and this assessment will take account of professional advice, both from the education and medical professions, and will consider such matters as the child's age and academic ability. For some pupils who are blind or visually impaired the medium through which to make the special education provision may be enlarged print, for others Braille, while for others an IT solution may best meet their needs.

## **Service to Blind and Partially-Sighted People**

PJ Bradley (SDLP) asked the Minister of Education what action her Department has taken, or intends to take, to provide a level of service to blind and partially- sighted people equal to that of fully-sighted people. (AQW 1988/10)

Minister of Education: The Department of Education is fully compliant with the Disability Discrimination Act and provides an appropriate level of service to blind and partially – sighted people including, offering the Department’s publications in alternative formats and the provision of a BrowseAloud facility on it’s website to assist with navigation, together with appropriate signage and access facilities to DE buildings.

## **Partially-Sighted Children**

Thomas Buchanan (DUP) asked the Minister of Education what help is available for partially-sighted children in primary schools and post-primary schools in each Education and Library Board area. (AQW 2011/10)

Minister of Education: The Chief Executives of the Education and Library Boards (ELBs) have informed me that the Regional Strategy Group for Special Educational Needs (RSG) has established a Visual Impairment Working Group the aim of which is to promote a consistent approach across the five ELBs in relation to service delivery in schools. The Working Group has consulted with the voluntary and statutory sectors as well as parents and children. The Royal National Institute for Blind People (RNIB) has had an active role in this consultation process and has met with the Working Group to discuss outcomes. The Group has reported its findings to RSG and the key recommendation is that a regional resource base is needed, in the context of an overall strategy of achieving full educational inclusion and of improving levels of educational attainment amongst children and young people with a visual impairment. The Minister for Education can confirm that the Department of Education, as part of a strategic stocktake, has prioritised the future development of a centralised resource, within the above context.

As ELBs have the statutory duty to make provision to meet the assessed needs of individual special educational needs children, it is, therefore, the responsibility of the Boards to ensure that, as far as possible, pupils with a visual impairment are given access to information in an accessible format. A number of strategies are currently employed across the 5 Education & Library Boards to help partially sighted children. These are co-ordinated by Vision Support Services working within each of the Board areas and range from the use of high tech equipment such as Digital Accessible Information System (DAISY) readers to the more basic, yet effective and acceptable method of enlarging materials using a photocopier.

The following is an indication of the arrangements currently in place:-

- Provision of specialist equipment to enable students to access information produced in DAISY format;
- Provision of magnification aids eg CCTV;
- Provision of screen magnification/reading software eg Zoomtext, JAWS, etc. (Laptops/scanners are also generally provided to facilitate the use of such software);
- Accessing large print/braille copies of text from a range of sources including publishers/other visual impairment services/ RNIB/ National Blind Children's Society/RNIB National Library Service, etc;
- Use of Belfast Education and Library Board Reprographics Department which will assist in the production of school texts in an enlarged print or e-book format as required;
- Enlargement of materials using photocopier.

In addition to the provision of specialist equipment, Vision Support teachers also provide advice, support and training to the pupils and staff regarding the use of this equipment and other visual impairment related issues.

### **Pupils' Emotional Health and Wellbeing Programme**

Mervyn Storey (DUP) asked the Minister of Education for an update on the progress made by the inter-departmental Pupils' Emotional Health and Wellbeing programme. (AQW 2018/10)

Minister of Education: The Department of Education's Pupils' Emotional Health and Well-Being Programme, which will focus on the post-primary sector initially, is being developed in partnership with a very broad range of key stakeholders from schools, the voluntary and community sector including officials from the Department of Health, Social Services and Public Safety. The Programme, once it is established, will make a significant contribution to the wider strategies around improving mental health in our community.

Five Working Groups are in place to examine the themes of:

- Self Assessment by schools of their approach to emotional health and wellbeing;
- The training and support of teachers and other schools' staff around the issue of emotional health;
- Identification of existing good practice in schools and its dissemination;
- Mapping of existing services and sources of support available to schools and sharing that information; and
- Preparation of new guidance for schools on the management of critical incidents and a review of our current arrangements to support schools when an incident occurs.

Underpinning much of this development is the need to have a shared or agreed understanding of what is meant by 'pupils' emotional health and wellbeing. A definition has now been developed and agreed.

Research has been commissioned to evaluate assessment tools which schools can use to audit the range of their activities which contribute to promoting positive emotional health and their appropriateness for schools here. We expect the report in February next year.

Discussions are in hand around building on an existing directory of services for children and young people and moving it to a web-based facility which schools can access. Interface with a Department of Health, Social Services and Public Safety database is also under active consideration.

New guidance for schools on the preparation for and management of critical incidents will be available early in 2010. A protocol for a regional approach to the management of critical incidents by services which support schools is in preparation.

No consideration has been given to scoring of schools based on the well-being of their pupils as yet.

### **Mental Wellbeing**

Mervyn Storey (DUP) asked the Minister of Education what steps have been taken by her Department to ensure the successful implementation of a mainstreamed approach to mental wellbeing in primary and post-primary education. (AQW 2019/10)

Minister of Education: The Department of Education's Pupils' Emotional Health and Well-Being Programme, which will focus on the post-primary sector initially, is being developed in partnership with a very broad range of key stakeholders from schools, the voluntary and community sector including officials from the Department of Health, Social Services and Public Safety. The Programme, once it is established, will make a significant contribution to the wider strategies around improving mental health in our community.

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No consideration has been given to scoring of schools based on the well-being of their pupils as yet.

### **Pupils Emotional Health and Wellbeing**

Mervyn Storey (DUP) asked the Minister of Education what steps her Department has taken to ensure that 'Pupils Emotional Health and Wellbeing' is addressed, mainstreamed and funded appropriately in the long term. (AQW 2114/10)

Minister of Education: The Pupils' Emotional Health and Well-Being Programme, which will focus on the post-primary sector initially, is still in development. It is expected that the Programme, once established, will make a significant contribution to the wider strategies around improving mental health in our community.

The Working Groups established to take this work forward will address the issues such as:

- The training and support required by teachers and other schools' staff in promoting pupils' emotional health and wellbeing to supplement that provided for implementing the personal development elements of the Revised Curriculum; and
- Current services and sources of support available to schools' pupils and how these might be accessed.

Members of the Working groups comprise a very wide range of experience and expertise drawn from the education sector, the Department of Health, Social Services and Public Safety and a number of voluntary organisations with a focus on mental health and wellbeing.

A review session with all partners is planned for November at which achievements to date will be shared. The current timetable envisages that the Programme should be in place to roll out in the 2010/11 school year and once established its effectiveness will be monitored over time.

### **Mental Health and Emotional Problems**

Mervyn Storey (DUP) asked the Minister of Education what action her Department is taking to assist teachers and schools in recognising and responding to pupils with mental health and emotional problems. (AQW 2117/10)

Minister of Education: The Pupils' Emotional Health and Well-Being Programme, which will focus on the post-primary sector initially, is still in development. It is expected that the Programme, once established, will make a significant contribution to the wider strategies around improving mental health in our community.

The Working Groups established to take this work forward will address the issues such as:

- The training and support required by teachers and other schools' staff in promoting pupils' emotional health and wellbeing to supplement that provided for implementing the personal development elements of the Revised Curriculum; and

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A review session with all partners is planned for November at which achievements to date will be shared. The current timetable envisages that the Programme should be in place to roll out in the 2010/11 school year and once established, its effectiveness will be monitored over time.

### **Child and Adolescent Mental Health Service**

Mervyn Storey (DUP) asked the Minister of Education what action her Department has taken to improve links and collaboration between schools and the Child and Adolescent Mental Health Service; and how she plans to monitor the outcome. (AQW 2124/10)

Minister of Education: The Department of Education has participated actively with the Department of Health, Social Services and Public Safety in the review and improvements planned in services to support children and young people with mental health conditions. The Department of Education was represented on working groups taking forward relevant elements of the Bamford review, contributed to the response of the Executive to the review and the subsequent action plan.

To ensure that the children and young people under the care of Child and Adolescent Mental Health Services (CAMHS) receive the most appropriate support from both health and education services, DE and SEELB are planning, in partnership with the Belfast Health and Social Care Trust, a new purpose-built Regional Child and Adolescent Psychiatric Centre. This will include a Learning Resource Centre which will deliver a new flexible education model, on the Forster Green site to bring together the Adolescent Psychiatric Unit and the Child and Family Centre. It is hoped that the Adolescent Centre will

be operational from early 2010 and the Children's Centre operational from spring 2010.

In the development of the Pupils' Emotional Health and Wellbeing Programme the interface between schools' staff and the CAMHS in respect of pupils who have been referred or a being treated will be addressed.

The Department of Health, Social Services and Public Safety is developing an information sharing protocol which will underpin the relationship between all agencies and personnel engaged in working to support children. The Department of Education is engaged in this process and the outcome will be shared with schools in due course.

### **Mental Health and Wellbeing**

Mervyn Storey (DUP) asked the Minister of Education if teacher training incorporates knowledge on mental health and wellbeing. (AQW 2125/10)

Minister of Education: The Pupils' Emotional Health and Well-Being Programme, which will focus on the post-primary sector initially, is still in development. It is expected that the Programme, once established, will make a significant contribution to the wider strategies around improving mental health in our community.

The Working Groups established to take this work forward will address the issues such as:

- The training and support required by teachers and other schools' staff in promoting pupils' emotional health and wellbeing to supplement that provided for implementing the personal development elements of the Revised Curriculum; and
- Current services and sources of support available to schools' pupils and how these might be accessed.

Members of the Working groups comprise a very wide range of experience and expertise drawn from the education sector, the Department of Health, Social Services and Public Safety and a

number of voluntary organisations with a focus on mental health and wellbeing.

A review session with all partners is planned for November at which achievements to date will be shared. The current timetable envisages that the Programme should be in place to roll out in the 2010/11 school year and once established, its effectiveness will be monitored over time.

## **EMPLOYMENT AND LEARNING**

### **Blind and Partially-Sighted People**

Peter Weir (DUP) asked the Minister for Employment and Learning what provision is made by his Department to make documents accessible to blind and partially sighted people. (AQW 1930/10)

Minister for Employment and Learning: The Department for Employment and Learning continues to give priority to promoting equality of opportunity. Much of what the Department of Employment and Learning does addresses the needs of those who are most disadvantaged in society, including those who are blind or partially sighted. The Department of Employment and Learning offers to make its printed material available in different formats on request. This is stated on all printed material that the Department of Employment and Learning issues and is intended to make information accessible to all. Material can be provided in Braille, large print or audio format on request. Other internet facilities such as the Careers Service website provide the "BrowseAloud" technology and the facility to enlarge font size if the client wishes.

### **Blind and Partially-Sighted People**

PJ Bradley (SDLP) asked the Minister for Employment and Learning what action his Department has taken, or intends to take, to provide a level of service to blind and partially-sighted people equal to that of fully-sighted people. (AQW 1989/10)

Minister for Employment and Learning: The Department for Employment and Learning continues to give priority to promoting equality of opportunity and to good relations, and ensuring fair and inclusive delivery of all its programmes and services. This is in keeping with its responsibilities in implementing equality and good relations duties.

The Department for employment and learning provides a range of support for blind and partially sighted people to allow them to make use of the Department's services.

This range includes:-

Careers Service – Advisers who are trained in disability awareness to support all clients to help them make effective career decisions.

Disability Advisory Service - provides a range of employment and pre-employment programmes to meet the needs of disabled people. These include Access to Work(NI), Workable(NI), New Deal for Disabled People and the Job Introduction scheme.

Steps to Work and Pathways to Work - seek to tailor services and remove barriers to work for each individual

Further Education and Higher Education Institutions – provide a range of services through pastoral care to help individual students with disabilities to access courses. Funding is made available for students with a disability, including those who are blind and partially sighted to help pay the extra costs which may be incurred as a direct result of a disability.

## **ENTERPRISE, TRADE AND INVESTMENT**

### **Blind and Partially-Sighted People**

Peter Weir (DUP) asked the Minister of Enterprise, Trade and Investment what provision is made by her Department to make documents accessible to blind and partially-sighted people. (AQW 2044/10)

Minister of Enterprise, Trade and Investment: All DETI documents which are published in hard copy and made available for download on the Department's website include the following or similar message:

"This publication can be made available in alternative formats. To receive copies in alternative formats, such as large print, Braille or audio cassette, or in another language, please contact XXX to discuss your requirements".

Demand for alternative formats has been relatively low to date but any requests received are actioned as quickly as possible. A recent request for an information pack in Braille was delivered within two working days and requests for large print are usually delivered within one day. DETI also gives consideration to proactively producing certain key documents in more accessible formats for people with visual impairments. The Department of Enterprise, Trade and Investment's current Disability Action Plan has been produced, for example, in a larger print (font 14).

The Department of Enterprise, Trade and Investment would be happy to discuss these issues with members of the Right to Read alliance.

### **Blind and Partially-Sighted People**

PJ Bradley (SDLP) asked the Minister of Enterprise, Trade and Investment what steps have been, or will be, taken by her Department to ensure that the same level of service is provided to blind and partially-sighted people as that provided to fully-sighted people. (AQW 2085/10)

Minister of Enterprise, Trade and Investment: In line with the Department of Enterprise, Trade and Investment's obligations under the Disability Discrimination Act and Section 75 of the Northern Ireland Act 1998, DETI is committed to providing a high quality service to all customers, including those with disabilities. Key customer-facing areas of DETI have met with disability organisations to discuss the provision of information and services to people with a disability, including those with a visual impairment. DETI's Consumer Affairs Branch officials have, for example, met with the Royal National Institute of Blind People (RNIB) and with a number of local groups for

the blind in Belfast, Banbridge, Bangor and Newtownards to provide information on basic consumer rights and the work of Trading Standards Service (TSS) and to offer TSS assistance to help resolve any consumer complaints.

Information packs relating to public appointments, in addition to stating that alternative formats can be made available upon request, state that "All reasonable adjustments will be made to accommodate the needs of applicants/candidates with a disability". Appropriate assistance was made available to an applicant with a visual impairment who attended for interview earlier this year.

The potential for further action will be explored, in liaison with the local disability organisations, including members of the Right to Read alliance, as part of the development of future DETI Disability Action Plans.

## **HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY**

### **Multiple Sclerosis**

Lord Morrow (DUP) asked the Minister of Health, Social Services and Public Safety (i) to detail the number of people in the Southern Health and Social Care Trust area diagnosed with Multiple Sclerosis broken down by area; and (ii) how many of these cases would be regarded as severe. (AQW 1868/10)

Minister of Health, Social Services and Public Safety: The information requested is not available.

### **Sign Language Interpreting Services**

Trevor Lunn (Alliance) asked the Minister of Health, Social Services and Public Safety what steps his Department will take to ensure that spending by Health and Social Care Trusts on sign language interpreting services is used to provide interpreters qualified to 'Member of the Register of Sign Language Interpreters' standard. (AQW 1878/10)

Minister of Health, Social Services and Public Safety: Four of the five Health and Social Care Trusts, as well as the Northern Ireland Ambulance Service Trust, already ensure that any interpreters they employ are Members of the Register of Sign Language Interpreters. In most cases, interpreting services are contracted through organisations such as the Royal National Institute for the Deaf (RNID) and 'Hands That Talk'.

The Western Health and Social Care Trust currently has a service level agreement with 'Hands That Talk', who employ 11 interpreters who are Members of the Register of Sign Language Interpreters, and an additional 5 who have recently completed the Junior Training Interpreting course (one step away from MRSLI). 'Hands That Talk' aim to have a further 12 interpreters qualified to MRSLI standards by 2012.

### **Autistic Spectrum Disorder Strategic Plan**

Mark Durkan (SDLP) asked the Minister of Health, Social Services and Public Safety to detail (i) the spending profile for the additional £2.02 million allocated to the Autistic Spectrum Disorder Strategic Plan; and (ii) the total funding available for implementation of the plan. (AQW 1882/10)

Minister of Health, Social Services and Public Safety: An additional £2.02m has been secured specifically for autism services over the next three years. This additional funding will support Trusts in the implementation of the actions outlined in the ASD Strategic Action Plan.

This funding is part of the £17 million secured as part of the Comprehensive Spending Review allocation for learning disability services. This £17m includes general investment in areas such as respite care which will also benefit those affected by autism.

### **Assistance Provided to Carers**

John O'Dowd (Sinn Fein) asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1196/10, how his Department determines the support, advice and assistance provided

to carers in the Upper Bann constituency in the absence of any statistical information. (AQW 1919/10)

Minister of Health, Social Services and Public Safety: At regional level, the Health and Social Care Board is responsible, through its Local Commissioning Groups (LCGs), for assessing the health and social care needs of local populations.

At individual level, the Carers and Direct Payments Act (Northern Ireland) 2002 imposed a duty on Health and Social Care (HSC) Trusts to inform carers of their right to an assessment of their own needs, and gave Trusts power to supply services directly to carers. This holistic assessment identifies what information, training or services are required to support the carer in their caring role.

### **Carers**

John O'Dowd (Sinn Fein) asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1196/10, if his Department holds any statistical information on carers in any of the 18 Assembly constituencies. (AQW 1920/10)

Minister of Health, Social Services and Public Safety: Statistical information on carers is not available in the format requested.

### **Blind or Partially-Sighted People**

Peter Weir (DUP) asked the Minister of Health, Social Services and Public Safety what provision is made by his Department to make documents accessible to partially sighted and blind people. (AQW 1923/10)

Minister of Health, Social Services and Public Safety: Documents can be made available on request in alternative formats for partially sighted and blind people, for example, Braille, Large Print, Moon, Makaton, Easy Read and audio CD/cassette and, if required, in an alternative language. In addition, this information can also be supplied electronically via email as appropriate.

## **Blind or Partially-Sighted People**

Alex Easton (DUP) asked the Minister of Health, Social Services and Public Safety what arrangements are in place for blind or partially-sighted people who are unable to read appointment cards or letters from hospitals. (AQW 1972/10)

Minister of Health, Social Services and Public Safety: Health and Social Care Trusts are engaged in ongoing work with the Patient Administration System to provide appointment information in the most accessible and suitable format to meet the needs and preferences of patients who are known to be visually impaired. This includes: direct telephone contact with the patient; the provision of appointment cards in large print, Braille or Moon; the transcription of appointments and letters onto audio CD/cassette; or the use of email.

## **M.E./Chronic Fatigue Syndrome**

Jonathan Craig (DUP) asked the Minister of Health, Social Services and Public Safety how many people have been diagnosed with M.E. or Chronic Fatigue Syndrome in each Health and Social Care Trust area in each of the last ten years. (AQW 1982/10)

Minister of Health, Social Services and Public Safety: The information requested is not available.

## **Blind or Partially-Sighted People**

Paul Butler (Sinn Fein) asked the Minister of Health, Social Services and Public Safety what steps his Department is taking to communicate with blind and partially-sighted people in an appropriate format in relation to hospital appointments, medical conditions, and treatment. (AQW 2032/10)

Minister of Health, Social Services and Public Safety: If a patient is known to be visually impaired, staff working in Health and Social Care Trusts make every effort to communicate with the patient in the most accessible and suitable way to meet their individual needs and preferences. This can include: direct telephone contact with the patient; the provision of appointment cards and other medical information in large print, Braille or Moon; the transcription of

appointments, letters and other documents onto audio CD/cassette; and the use of email.

### **Blind or Partially-Sighted People**

Thomas Buchanan (DUP) asked the Minister of Health, Social Services and Public Safety how many blind or partially-sighted people missed their hospital appointments in each Health and Social Care Trust, in each of the last three years. (AQW 2033/10)

Minister of Health, Social Services and Public Safety: The information requested is not available.

### **Blind or Partially-Sighted People**

Thomas Buchanan (DUP) asked the Minister of Health, Social Services and Public Safety what steps his Department has taken to ensure partially-sighted or blind people receive notification of appointments (i) in large print; (ii) by email; and (iii) by telephone. (AQW 2034/10)

Minister of Health, Social Services and Public Safety: If a patient is known to be visually impaired, staff working in Health and Social Care Trusts make every effort to communicate with the patient in the most accessible and suitable way to meet their individual needs and preferences. This can include: the provision of appointment cards in large print, Braille or Moon; the use of email as appropriate; direct telephone contact with the patient; and the transcription of appointment notifications onto audio CD/cassette.

### **Communication Disability**

Michelle O'Neill (Sinn Fein) asked the Minister of Health, Social Services and Public Safety what assistance is provided by his Department to people with a communication disability. (AQW 2067/10)

Minister of Health, Social Services and Public Safety: Health and Social Care Trusts carry out an individual needs assessment for people diagnosed with a communication disability. This assessment, which is undertaken by a multidisciplinary team, focuses on the

social, emotional, and practical needs of the person with a communication disability. Subsequently, services are provided commensurate with the individual's particular needs.

### **Blind or Partially-Sighted People**

PJ Bradley (SDLP) asked the Minister of Health, Social Services and Public Safety what steps have been, or will be, taken by his Department to ensure that the same level of service is provided to blind and partially-sighted people as that provided to fully-sighted people. (AQW 2087/10)

Minister of Health, Social Services and Public Safety: Health and Social Care Trusts make every effort to ensure that their services are provided on an equitable basis and that they are accessible to all patients and clients irrespective of whether or not they have a physical or sensory disability. Trusts can provide information in a range of accessible formats for people with a visual impairment such as large print, Braille or Moon, email, and audio CD or cassette. In addition, services are provided for people with sensory support needs, including those with a visual impairment, through Trust sensory support teams on the basis of a patient's individual needs assessment. These services include day care, supported living options, multidisciplinary team support, and the provision of sensory aids and equipment. Furthermore, the Department of Health, Social Services and Public Safety is currently developing a Physical and Sensory Disability Strategy, which will provide the future strategic direction of physical and sensory disability services in Northern Ireland.

### **Draft Disability Strategy**

Michelle O'Neill (Sinn Fein) asked the Minister of Health, Social Services and Public Safety for an update on the publication of a draft disability strategy. (AQW 2103/10)

Minister of Health, Social Services and Public Safety: It is anticipated that the Department of Health, Social Services and Public Safety will publish a draft Physical and Sensory Disability Strategy for public consultation by 31 March 2010.

## **Blind or Partially-Sighted People**

Peter Weir (DUP) asked the Minister of Health, Social Services and Public Safety what provision is made to ensure blind and partially-sighted people receive notice of hospital or doctors appointments in an appropriate format. (AQW 2116/10)

Minister of Health, Social Services and Public Safety: Health and Social Care Trusts are engaged in ongoing work with the Patient Administration System to provide appointment information in the most accessible and suitable format to meet the needs and preferences of patients who are known to be visually impaired. This includes: direct telephone contact with the patient; the provision of appointment cards in large print, Braille or Moon; the transcription of appointments and letters onto audio CD/cassette; or the use of email.

## **Blind People**

Peter Weir (DUP) asked the Minister of Health, Social Services and Public Safety to outline the procedures, for the sharing of data with other Departments on blind people, undertaken by his Department to ensure better tailored delivery of services. (AQW 2118/10)

Minister of Health, Social Services and Public Safety: The Department of Health, Social Services and Public Safety's Physical and Sensory Disability Unit share such data as required by other Departments, where it is available. Data is also shared through the Department of Health, Social Services and Public Safety's participation at interdepartmental and interagency working groups, which deal with issues in respect of physical and sensory disability policy development, including the provision of services for blind people.

## **EU Interreg IVA Program**

Dolores Kelly (SDLP) asked the Minister of Health, Social Services and Public Safety to detail the spend to date of the EU Interreg IVA program, and to provide an update on the (i) Cross Border Acute Hospital Services; (ii) Cross Border Eating Disorder Network; (iii) Cross Border Outcomes for Children Project; (iv) Cross Border Disability Project; (v) Cross Border Diabetes and High Risk Clients

Project; (vi) Cross Border Workforce Mobility Project; (vii) Cross Border GUM Services; (viii) Cross Border Multiagency Alcohol Harm Reduction Project; (ix) Cross Border Older People Project; (x) Cross Border Social Inclusion and Health Inequalities Project; (xi) Cross Border Obesity Project; and (xii) Cross Border Autism Project. (AQW 2132/10)

Minister of Health, Social Services and Public Safety: The Department of Health, Social Services and Public Safety, in partnership with the Department of Health and Children, successfully secured funding of £24 million through the INTERREG IVA Programme for its Putting Patients, Clients and Families First project.

The project aims to undertake a range of activity and, to date, has spent around £250,000 of its award, largely around the purchase of capital equipment and some small preparatory expenses.

A project manager has now been appointed for each strand of activity.

## **REGIONAL DEVELOPMENT**

### **Blind or Partially-Sighted People**

Peter Weir (DUP) asked the Minister for Regional Development what provision is made by his Department to make documents accessible to blind and partially-sighted people. (AQW 2043/10)

Minister for Regional Development: The Department for Regional Development has developed a Guide to Making Information Accessible to ensure that its information and services are accessible to people with physical, sensory and learning difficulties, and those whose first language is not English. This was reviewed in September 2009 and is available on the Department for Regional Development's website. It includes advice on communicating with blind and partially sighted people and reflects recent guidance from RNIB.

In accordance with the Guide, the Department for Regional Development offers to provide, on request, information and

documents in accessible formats such as audio disc and Braille. All publications and documents issued state this prominently at the front, in line with best practice recommendations.

The Department for Regional Development's website complies with rigorous accessibility standards, which are designed to ensure users with sight or hearing impairments can effectively access information. All new websites are audited by the Delivery and Innovation Division within the Department for Finance and Personnel, to ensure that accessibility standards are maintained. The Department for Regional Development's website also provides access to Browsealoud software which reads web pages aloud for people who find it difficult to read on line.

The Department for Regional Development is currently developing a suite of new SmartPass application forms, including those for the Blind and Half Fare SmartPass. Once these are finalised large print versions will be made available to those who require this format. In addition Departmental staff will, where feasible, make reasonable adjustments to facilitate completion of forms by blind or partially sighted applicants by means of telephone calls or face-to-face visits.

### **Blind or Partially-sighted People**

PJ Bradley (SDLP) asked the Minister for Regional Development what steps have been, or will be, taken by his Department to ensure that the same level of service is provided to blind and partially-sighted people as that provided to fully-sighted people. (AQW 2088/10)

Minister for Regional Development: The Department for Regional Development has taken a number of steps to ensure that blind and partially sighted people can fully access services.

The Department for Regional Development has developed a Guide to Making Information Accessible to ensure that its information and services are accessible to people with physical, sensory and learning difficulties, and those whose first language is not English. This was reviewed in September 2009 and is available on the Department for Regional Development's website. It includes advice on communicating with blind and partially sighted people and reflects recent guidance from RNIB.

In accordance with the Guide, the Department for Regional Development offers to provide, on request, information and documents in accessible formats such as audio disc and Braille, when required.

At present, the Department for Regional Development is continuing to revise its Accessible Transport Strategy draft Action Plan 2009-2012. This addresses a wide range of barriers that impede use of the transport system by people with disabilities. These barriers include physical, attitudinal or psychological, the availability of information, the type of services and affordability. Public consultation on the most recent draft action plan has recently been completed and it is anticipated that this will be published towards the end of the year.

People who are registered as blind with a Health and Social Care Trust are eligible for free travel on public transport. People registered as partially sighted with a Trust are eligible for a half fare concession. SmartPass application forms are available in a number of alternative formats and Departmental staff will, where feasible, make reasonable adjustments to facilitate completion of these forms by means of telephone calls or face-to-face visits.

Translink's newer C3K train sets feature a number of measures designed to aid people with sight impairment, such as Braille signage at toilets, doors and safety notices, and audible as well as visual passenger information on board. They also feature high contrast interiors, emergency call buttons and conductors on board who can assist people with disabilities if necessary. It is hoped that all Translink trains will be equipped with these features by 2012. All main railway stations are fully accessible, and improvements have been made to ensure improved access to all railway halts. This followed consultation with Disability Action, to ensure all varieties of disability and sensory impairment are taken into consideration.

The Department for Regional Development is also working with Translink to develop options for the introduction of audio visual systems on Translink buses, which will aid bus usage for people with sight impairments. Work is ongoing and a business case will be developed in due course. A pilot scheme will be introduced subject to the outcome of the business case and the availability of resources.

All appropriate public transport staff, including booking centre staff for the Door-to-Door scheme, are trained in disability equality, etiquette and attitude, equal rights, passenger handling and customer services.

The Department for Regional Development also funds Imtac, the Inclusive Mobility and Transport Advisory Committee, who are the main source of independent advice to Government and others in the North on issues affecting transport and disability. I have met regularly with Imtac and a number of other disability group representatives, including the East Belfast Sight Support Team and Guide Dogs.

The Department for Regional Development's website complies with rigorous accessibility standards, which are designed to ensure users with sight or hearing impairments can effectively access information. All new websites are audited by the Delivery and Innovation Division within the Department for Finance and Personnel, to ensure that accessibility standards are maintained. The Department for Regional Development's website also provides access to Browsealoud software which reads web pages aloud for people who find it difficult to read on line.

### **Disabled Facilities for NI Housing Executive Tenants**

Jim Shannon (DUP) asked the Minister for Social Development what action she is taking to address the lack of disabled facilities for NI Housing Executive tenants in the Ards area. (AQW 1907/10)

Minister for Social Development: Upon recommendation of an adaptation by an Occupational Therapist (OT), the Housing Executive will, in relation to any individual, carry out such works of adaptation to his/her home as are necessary to meet any duty which is owed to that person by the DHSS&PS within the relevant legislation.

As the disabled adaptation service is a demand led service the budget is allocated on an area basis and not by District Office. Details of the Housing Executive's programme of disabled adaptations for the Ards Council Area for the current financial year 2009/10 to date are detailed below.

### **ADAPTATIONS SPEND**

<b>Ards Council Area</b>	<b>2009/10 Spend(k)</b>
Extensions	406
Lifts	0
Heating	26
Showers	82
Others	51
<b>Total</b>	<b>565,000</b>

### **Blind or Partially-Sighted People**

Peter Weir (DUP) asked the Minister for Social Development what provision is made by her Department to make documents accessible to blind and partially-sighted people. (AQW 2038/10)

Minister for Social Development: The Department for Social Development is committed to ensuring that the information it provides is accessible to all Section 75 groups. The Department for Social Development has mechanisms in place for providing information in alternative formats such as Braille and large print and is currently producing guidance for staff on issues relating to accessibility and information. This guide, which includes advice on communicating with those with sensory disabilities, will promote best practice throughout the Department for Social Development and help to ensure that we provide our diverse customer base with their information requirements as quickly and efficiently as possible.

### **Blind or Partially-Sighted People**

PJ Bradley (SDLP) asked the Minister for Social Development what steps have been, or will be, taken by her Department to ensure that

the same level of service is provided to blind and partially-sighted people as that provided to fully-sighted people. (AQW 2089/10)

Minister for Social Development: The Department for Social Development is committed to providing a service to all customers throughout Northern Ireland and a range of steps have been taken to ensure that the service provided to blind and partially sighted customers is equal to that provided to fully sighted customers. The Department for Social Development has:

- ensured that buildings where customers are provided with a face to face service are universally accessible in accordance with legislation, that all signage conforms to Royal National Institute for the Blind (RNIB) standards and that the availability of assistance for those who may experience difficulties accessing our services is highlighted at the Welcome desk;

- put in place systems to allow customers to be visited in their own homes to assist with the completion of application forms and answer queries on complex or difficult cases;

- consulted and worked with a wide range of voluntary organisations throughout Northern Ireland, including the Royal National Institute for the Blind, when taking forward projects and promoting benefit entitlement; and

put in place mechanisms for providing information in alternative formats and is currently producing guidance for staff on issues relating to accessibility and information. This guide will promote best practice throughout the Department for Social Development and help to ensure that we provide our diverse customer base with their information requirements as quickly and efficiently as possible.

The Department for Social Development will continue to meet its Section 75 obligations in relation to the level of service provided to our customers.

### **Programme Protection Unit**

Jim Shannon (DUP) asked the Minister for Social Development to detail how many Disability Living Allowance reviews carried out by

Programme Protection Unit have resulted in (i) reductions; and (ii) increases in DLA payments in each of the last two years. (AQW 2135/10)

Minister for Social Development: The number of Disability Living Allowance cases reviewed by Programme Protection Unit which have resulted in a reduction or increase in payment is set out in the table below.

<b>YEAR</b>	<b>Number of DLA Cases Reduced</b>	<b>Number of DLA Cases Increased</b>
2007/2008	696	1113
2008/2009	1141	1569

### **Programme Protection Unit**

Jim Shannon (DUP) asked the Minister for Social Development (i) how many Disability Living Allowance reviews have been carried out by Programme Protection Unit; and (ii) how many additional staff have been recruited to PPU, in each of the last two years. (AQW 2136/10)

Minister for Social Development: The table below details the number reviews carried out by Programme Protection Unit (PPU) in Disability and Carers Service (DCS) in the last two years and the number of staff engaged on these reviews. However, as no staff have been recruited specifically for PPU activity within DCS it is not possible to address part (ii) of the question directly.

<b>Year</b>	<b>Number of Reviews</b>	<b>Staff in PPU</b>
2007/2008	3847	21
2008/2009	5407	25

## Disability Living Allowance Expenditure

Jim Shannon (DUP) asked the Minister for Social Development to detail the increase or decrease in the amount of Disability Living Allowance expenditure, following DLA reviews by Programme Protection Unit, in each constituency, in each of the last two years. (AQW 2137/10)

Minister for Social Development: The information is not available in the format requested as it is not possible to determine the exact amount of increases or decreases in Disability Living Allowance (DLA) expenditure that are attributable to reviews under the Programme Protection process. The table below however, details the number of increases or decreases in the amount of DLA paid to individual customers following reviews under the Programme Protection process, in each constituency, in each of the last two years.

Parliamentary Constituency	2007/08		2008/09	
	Increase	Decrease	Increase	Decrease
Belfast East	42	35	75	50
Belfast North	95	46	134	63
Belfast South	44	29	70	49
Belfast West	109	69	147	104
East Antrim	42	21	48	67
East Londonderry	36	32	63	77
Fermanagh and South Tyrone	53	20	70	41
Foyle	98	79	114	106
Lagan Valley	48	27	72	66
Mid Ulster	73	30	80	52
Newry and Armagh	67	49	105	62

North Antrim	57	35	70	56
North Down	27	22	52	31
South Antrim	47	31	55	60
South Down	61	40	94	56
Strangford	55	35	80	58
Upper Bann	67	47	120	59
West Tyrone	81	37	110	79
Unallocated Post Code*	11	12	10	5
Total	1113	696	1569	1141