

E&A 17/01

P/1056

24 AUG 2001

Ivan Millen

24/08/01 09:31

To: alan.doherty@drdni.gov.uk, Claire Archbold/LEGAL/DFP@DFP,
colin.watson@deni.gov.uk, david.mccune@detini.gov.uk,
dave.brittain@deni.gov.uk, David
Reynolds/OFMDFM/DFP@DFP,
edwin.gallagher@dardni.gov.uk, karen.robinson@dsdni.gov.uk,
lesley.rooney@doeni.gov.uk, mervyn.langtry@dhfeteni.gov.uk,
Neil.Magowan@DHSSPSNI.GOV.UK,
norman.irwin@dfpni.gov.uk, ray.mowat@dhssni.gov.uk,
jennifer.mccay@doeni.gov.uk, agnes.killen@dcalni.gov.uk,
brenda.marson@dhfeteni.gov.uk, trevor.brant@deni.gov.uk,
john.hinds@detini.gov.uk, Rosalie
Flanagan/OFMDFM/DFP@DFP, Patricia
McAuley/OFMDFM/DFP@DFP, Dorothy
Angus/OFMDFM/DFP@DFP, Murray
Cameron/OFMDFM/DFP@DFP, Des
Vincent/OFMDFM/DFP@DFP, Stephen
Grimason/OFMDFM/DFP@DFP, Chris
Stewart/OFMDFM/DFP@DFP, Maggie
Smith/OFMDFM/DFP@DFP
cc: Anne O'Boyle/OFMDFM/DFP@DFP, Trevor
Rea/OFMDFM/DFP@DFP, David
Reynolds/OFMDFM/DFP@DFP
Subject: Draft Statement to Assembly on Legislative Programme

To see attached please. This is the current draft of the proposed Statement on the Legislative Programme for the 2001 - 2002 session. It has not yet gone to Sir Reg or Mr Mallon for agreement. Before we submit it to them I would ask for your confirmation that it does not cause you any difficulties.

A response **by close of play Tuesday 28 August** would be appreciated.



draft statement 24 8 01.c

Ivan

George
Thank you
Patricia
Fullen 3/9

Patricia
I have advised Ivan
we have no comments.
Fullen 28/8.

DRAFT

STATEMENT TO ASSEMBLY ON LEGISLATIVE PROGRAMME

[ACTING] FIRST MINISTER / DEPUTY FIRST MINISTER

With permission, Mr Speaker, I will make a statement on my own behalf and that of [Mr Mallon / Sir Reg Empey] about the legislative priorities of the Executive for the new Assembly session up to July 2002.

I shall begin by giving you an update on the legislative proposals announced in the Assembly in September 2000. At that time we set out a Programme of some 31 Bills to be brought forward in the 2000 – 2001 session of the Assembly and during the year a further 4 Bills were added to the Programme. Of these 35 Bills, 18 have been enacted. In addition, 4 Bills were introduced in the Assembly in the latter months of the last Session and are currently at various stages in the Assembly process. They will be carried into the 2001 – 2002 Programme.

Work is continuing on the remaining Bills announced in September 2000, but which were not introduced during the last Session.

Some of these are at an advanced stage of drafting and they, together with new proposals, and the 4 Bills that are currently in the Assembly, will form the Executive's Legislative Programme for 2001 – 2002.

On this basis the new Programme will consist of the following Bills.

Starting first with **Budget Bills**. Depending on the position regarding autumn

supplementary requirements a Budget Bill may be required by December. Thereafter, two Budget Bills will be needed. One to deal with the Spring Supplementary Estimates in March and the second setting out the Main Estimates will be introduced in June.

In addition it is intended to bring forward 3 other Bills relating to Finance and Personnel matters in this Session. These are -

- an **Audit and Accountability Bill** to rationalise the organisation of the Health Service and Local Government Audit and address the implications of the Sharman Report on Audit and Accountability arrangements. This Bill was announced last year as an Audit (Transfer of Staff) Bill but was subsequently delayed to widen its scope to take account of the publication of the Sharman Report and to allow appropriate consultation.

The other DFP Bills will deal with the reform and development of civil law. They are:

- a **Marriage Bill** to reform the system of the preliminaries to, and the formalities for, marriage; and
- a **Matrimonial Proceedings and Family Law Bill**. This second matrimonial Bill would reform divorce law to include measures to improve the service available to divorcing couples and their children by streamlining and ^{improving ??} imposing the divorce process and encouraging a holistic approach to dealing with family breakdown.

*Ivan Hellen
will amend*

target and reform areas of civil law including the administration of marriage law.

On agriculture matters the **Foyle and Carlingford Fisheries Bill** remains a priority. The main purpose of this Bill will be to promote and develop Lough Foyle and Carlingford Lough and to develop the licensing of aquaculture in the Loughs. This Bill, which was originally announced last September, has to proceed in parallel with corresponding legislation in the Republic and in line with the provisions of the North/South (Implementation Bodies) Order (NI) 1999. Discussion between the two jurisdictions continues on the content and detail of the legislation.

Again on agriculture matters, it is also proposed to bring forward a **Fur Farming Bill** that would prohibit the keeping of animals solely or primarily for slaughter for the value of their fur. This would bring the Northern Ireland law in this respect into line with that in England and Wales.

On education matters an **Education Bill** would provide powers enabling the introduction of a single common formula for the calculation of school budgets. Again this Bill would take forward a Programme for Government commitment to implement a common funding formula for schools, which distributes resources equitably on the basis of educational and social needs.

In addition, a **Special Needs and Disability Bill** is required to give effect to recommendations made by the Disability Rights Task Force by introducing measures designed to eliminate discrimination against disabled students.

A number of Bills will be brought forward in relation to Health and Social Services matters. Firstly, a **Health and Personal Social Services Bill** would introduce a right to free nursing care. That is, that the nursing care costs, on an individual basis, would be met from public funds reducing the overall cost at individual level. The Bill would also make provision as to the transfer of preserved rights and introduce a new professional body for Nurses, Midwives and Health Visitors.

A further **Health and Personal Social Services (No. 2) Bill** would introduce arrangements aimed at providing high quality services throughout the Health and Personal Social Services. This would include the establishment of a Health and Social Services Improvement Authority to monitor and improve the quality of health and social care. It would also establish a Northern Ireland Commission for Care Services to take over work currently undertaken within the four HSS Boards in relation to their duties of registering and inspecting nursing and residential care homes.

Thirdly, a **Personal Social Services (Amendment) Bill** would provide a right to a Carer's assessment where the person being cared for has refused an assessment. It would also empower the HSS Trust to supply services direct to carers following such assessments. This Bill was announced last September and proposals were published for consultation in March of this year. Drafting of the Bill is nearing completion and it will be introduced early in this session. Again this Bill forms part of a commitment given in the Programme for Government to develop a Carer's Strategy.

[HAND OVER TO ACTING FIRST MINISTER / DEPUTY FIRST MINISTER]

Likewise a **Children Leaving Care Bill**, also announced last September, would implement a Programme for Government commitment. Proposals for this Bill were issued for public consultation at the end of March and the Bill will be introduced early in the new session. This legislation would place duties on Health and Social Services Trusts to support care leavers until they are at least aged 21. Its aim is to help to improve the life chances of young people who are preparing to leave and those that have left care. In particular, the intention is to assist them to move from social services care to independent living in as stable a fashion as possible.

A further legislative commitment relating to health and social services in the Programme for Government is to introduce a **Protection of Children and Vulnerable Adults Bill**. The main purpose of this Bill would be to make provision for vetting those seeking to work with children and vulnerable adults. It would also place the current Pre-Employment Consultancy Service on a statutory basis and widen its current remit to include vulnerable adults in certain settings. The Pre - Employment Consultancy Service is a means by which prospective employers and voluntary organisations can check the suitability of those applying to work with children or with adults with a learning disability.

Apart from the **Game (Amendment) Bill** and the **Local Government (Best Values)** that are already in the Assembly two other Bills are proposed in relation to DOE matters. They are the **Local Government (Finance) Bill** and the **Dangerous Wild Animals Bill**.

The **Local Government (Finance) Bill** would consolidate and replace existing provisions by introducing a new statutory methodology for the distribution of the resources element of General Exchequer Grant to district councils.

The **Dangerous Wild Animals Bill** would regulate privately owned dangerous wild animals in order to ensure the safety of the public by introducing a licensing system regulating the keeping of such animals. This Bill was announced last September and it is now in preparation for introduction before Christmas.

On regional development matters, there will be a **Railway Safety Bill** aimed at updating railway legislation. This would provide an enhanced focus on railway safety matters and a new legislative framework to support modern and safe rail travel. Again this Bill will meet a Programme for Government commitment.

There will also be a short **Strategic Planning Bill**, the purpose of which will be to introduce more flexibility into the working relationships between the strategic planning role of the Department for Regional Development and the

operational planning functions of the Department of the Environment and the Department for Social Development.

Our own Department, (OFMDFM) will bring forward the **Children's Commissioner Bill**. You will know from earlier debate in this Chamber that the purpose of this Bill will be to establish an independent Commissioner for Children with a wide-ranging role in promoting and ensuring the protection of children.

The final two Bills, the **Social Security Fraud Bill** and the **Industrial Development Bill**, (both of which are already with the Assembly) complete the Executive's 2001 to 2002 Legislative Programme.

In all, this Statement provides an outline of 23 Bills that the Executive proposes to progress this Session. It represents the legislative proposals identified at this time but it is not an exhaustive list. Other Bills could come forward. For example, Ministers may during the year wish to bring forward other policy initiatives that require legislative authority. We have in mind, in particular, proposals for housing legislation, which the Minister for Social Development is bringing forward for consultation in the coming months. Also, proposals for planning legislation, which the Environment Minister is having worked up by his Department. It may be that these and other proposals, as yet in their early preliminary phase of the process, will come forward towards the end of this session.

Likewise, although the Legislative Programme we have set out today constitutes current priorities it is always possible that one or more pieces of

legislation may not come forward during the Session.

I hope that you will agree that the Bills we have announced this morning for the new session represents a worthwhile and challenging Programme of legislation with emphasis on legislative commitments given in the Programme for Government. We look forward to the opportunity of discussing these many and diverse subject matters as they come forward during the various stages as Bills in the Assembly.

We thank you for your attention.