



Committee for Justice

OFFICIAL REPORT (Hansard)

Coronavirus Bill Legislative Consent Motion:
Department of Justice

23 March 2020

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Paul Givan (Chairperson)

Mr Doug Beattie

Ms Jemma Dolan

Mr Gordon Dunne

Mr Paul Frew

Mr Patsy McGlone

Miss Rachel Woods

Witnesses:

Ms Maura Campbell Department of Justice

Ms Clare Irvine Department of Justice

Ms Jane Maguire Department of Justice

Ms Doreen McClintock Department of Justice

Mr Alan Smyth Northern Ireland Prison Service

The Chairperson (Mr Givan): I welcome Doreen McClintock, head of operations and resilience planning; Maura Campbell, deputy director of policing policy and strategy division; Jane Maguire, head of family courts and tribunals branch; Clare Irvine, head of judiciary and mental health capacity branch in the civil justice policy division; and Alan Smyth, deputy director of the Northern Ireland Prison Service. I will hand over initially to Doreen and Maura to make their presentation. Members will have questions, and then I will invite Jane and Clare to comment.

Ms Doreen McClintock (Department of Justice): I thank the Committee for accommodating this morning's meeting so that we can provide a more detailed update to you on the measures in the Coronavirus Bill that relate to justice and policing functions. I am grateful to my policy colleagues for joining me this morning, and we will try to answer any questions that Committee members have.

You are all aware of the evolving situation and have previously been provided with a high-level overview of some of the measures that might be included in the draft Bill to allow us to better manage the response to coronavirus. The Bill is being debated in the House of Commons today and will be subject to a legislative consent motion (LCM) in the Assembly tomorrow. We all understand the fears and uncertainties that people face, given the risks to their health, to their loved ones and to their livelihoods. The emergency Bill gives us the powers that we need to take the right action at the right time to respond effectively to the progress of the outbreak. Our focus today is specifically on the provisions in the Bill that relate to justice functions in Northern Ireland, although the Bill covers the functions of many other Departments, most notably those with responsibilities for health and social care, who are leading on its development.

The Bill is targeted at delivering only the new measures that are considered to be necessary and that can be provided only by primary legislation. They are temporary and proportionate to the threat that we face. They will be activated only on the basis of scientific advice and will be in place only for as long as is clinically necessary. The Bill allows the four Governments across the UK jurisdictions to switch on the powers when they are needed and, crucially, to switch them off again when they are no longer necessary.

The measures in the Bill fall into five broad categories: measures to contain and slow the virus, such as isolation powers; powers for police and immigration officers or powers to close schools; measures to increase the available Health and Social Care workforce, such as allowing for the temporary registration of suitable health and social care staff or allowing retired staff with the right skills to return to the workplace without impacting on their pensions; measures to ease the legislative and regulatory requirements and, therefore, the burden on front-line staff — some of the justice measures fall into that category; measures to allow us to manage the deceased with respect and dignity, which I will return to in more detail; and measures intended to provide support to people, such as allowing employees to claim statutory sick pay from the first day of absence and supporting the food industry to maintain supplies.

The powers relating to policing and justice functions will help to alleviate the administrative burdens on justice functions in the event that widespread absences related to the spread of COVID-19 reduce our capacity to deliver those functions. They include specific measures relating to coroners and inquests to relax requirements relating to notifications to the coroner in cases of death from natural illness or disease, to clarify that there is no requirement for a jury inquest in relation to a death from COVID-19 and to provide that there is no requirement for a jury inquest in relation to a death in prison from natural illness.

There are also amendments to the Mental Health (Northern Ireland) Order 1986 and the Mental Capacity Act (Northern Ireland) 2016 that will allow greater flexibility in a situation where medical staff may be unable to carry out their usual functions due to pressures caused by coronavirus. They include extensions to the time limits during which a person may be remanded in hospital and modifications relating to the medical evidence required by a court in certain circumstances — for example, before making a determination of unfitness to plead or a direction for recording a finding that a person is not guilty by reason of insanity.

The Bill provides powers for courts and tribunals in Northern Ireland to direct the use of live links in respect of participation in any court or tribunal proceedings where the court determines that that is in the interests of justice. It also provides for public participation in proceedings where live links are used through a power to direct that proceedings be broadcast and creates new offences relating to unauthorised recording or transmission in relation to such broadcasts. It also specifically provides for the availability of live links in relation to appeals that are brought in respect of any requirement or restriction made relating to the containment power provided for in the Bill, for the avoidance of any doubt about the new proceedings.

The Bill includes powers of direction to enable local government to direct private providers in the death management industry — for example, funeral directors, mortuaries and crematoriums — individuals and services to implement a central plan. The powers are intended to improve throughput to streamline the system at every stage up to burial or cremation. They are sensible, precautionary powers that we need to provide for in the event of a worst-case scenario. In addition to those powers, we have taken precautions to prepare for the risk that the normal burial arrangements are not sufficient. In doing so, we will do all that we can to ensure dignity for the deceased and their families.

We must also safeguard public health. In the event that the virus hits Northern Ireland very hard, we have seen elsewhere in the world that that gives rise to challenges that we are working to meet. The Bill will provide the police with additional powers to support actions taken by the relevant health authorities to prevent the spread of coronavirus. They will enable the police to enforce sensible public health restrictions, including returning people to isolation and, where necessary, directing individuals to seek relevant treatment or attend suitable locations for further help.

We previously briefed you on the potential for the Bill to include provisions for the early release of certain fixed-term prisoners. Those provisions are a late addition to the legislation. They will provide the DOJ with powers to reduce Northern Ireland's adult prison and juvenile justice centre population, to ensure that any reduction in services caused by staff shortages due to coronavirus can be counterbalanced by the reduction of the population that needs to be managed, and, by doing so, that we continue to provide safe and secure custodial environments.

The Bill is drafted so that it will expire automatically two years after it has passed, with some exceptions: for example, the provisions relating to the emergency registration of nurses, healthcare workers, pharmacists and social workers. The Bill also provides powers for Ministers to suspend or revive the operation of any provisions in it via regulations. They can be exercised by UK Government Ministers but only with the consent of Northern Ireland Ministers in so far as they relate to functions that have been devolved to Northern Ireland. The powers are also exercisable by Northern Ireland Ministers where they relate to functions that have been devolved. There is also a power to extend any provision in the Bill for a maximum of six months. Again, that power can be exercised by UK Government Ministers but only with the consent of Northern Ireland Ministers.

We previously advised the Committee that, given the urgency, it was possible that the legislation would be made without seeking the legislative consent of the Assembly. However, in recognition of the role of the Assembly in scrutinising important legislative powers that will affect Northern Ireland, an LCM has been prepared. You should already have received a copy of our input to that process, and the motion will be debated in the Assembly tomorrow.

I appreciate that this opening statement has been quite lengthy, but we wanted to give Committee members as comprehensive an overview of the provisions in the Bill as possible and will seek to answer any questions that you have.

The Chairperson (Mr Givan): Doreen, thank you. I appreciate both the overview and the pressure that the Department is under and the environment that you have to work in. We thank you and commend you for that. I have a query about the prisoner aspect. How is that being incorporated in the LCM?

Ms McClintock: Alan will speak on that in more detail. It was a late amendment that came in over the weekend, and it will be added as an amendment to the LCM.

The Chairperson (Mr Givan): So that is still to be tabled and will be tabled today.

Ms McClintock: Yes.

The Chairperson (Mr Givan): And it will be put through tomorrow in conjunction with the overall LCM.

Ms McClintock: Yes.

The Chairperson (Mr Givan): I take it that the Justice Minister will need to deal with the amendment, rather than the Health Minister, from a procedural point of view, or can that just be incorporated into the current Health LCM?

Ms McClintock: My understanding is that it will be incorporated.

Mr Alan Smyth (Northern Ireland Prison Service): I think so, yes.

The Chairperson (Mr Givan): OK, thank you.

Maura, other folks will be able to deal with some of these questions, rather than me asking questions at the moment. Do you want to take me through the policing side of things?

Ms Maura Campbell (Department of Justice): The policing powers contained at schedule 20 in part 5 of the Bill are primarily focused on enabling the police, including the airport and harbour police as well as the PSNI, to support medical professionals where that is necessary. In the vast majority of cases, we do not anticipate that the need to use them will arise. They are there as a sensible, proportionate precaution. Any actions taken by the police in response to the coronavirus will, of course, be in line with their existing legal responsibilities and will be used to protect life and keep our communities safe. The usual accountability arrangements will continue to apply.

The policing powers will enable the police to enforce sensible public protection restrictions. That includes returning people to isolation where a person suspected of having coronavirus refuses to follow the instructions of the Public Health Agency and presents a risk to public safety. It is to allow them to be returned to isolation or detained so that they can be assessed or provided with the necessary treatment. The powers will only be exercisable during a transmission containment period

that is declared by the Department of Health. I stress that, at all times, the police will be guided by the expert advice from our health professionals.

Some appeal mechanisms are included in the legislation, and there are separate provisions in relation to children, where some of the powers will be exercised through a responsible adult.

The Chairperson (Mr Givan): Thank you. Jane, do you want to talk through your aspect of it?

Ms Jane Maguire (Department of Justice): I am dealing with the provisions in relating to coroners and inquests. The Bill modifies a number of provisions in the Coroners Act (Northern Ireland) 1959. I will take you through each of the three provisions briefly.

The first provision is linked to clause 17, but the substantive part of it is found in schedule 12, part 3, paragraph 26. The effect of that is that a death from natural illness or disease will not have to be reported to the coroner, even if the deceased has not been seen by a doctor within 28 days prior to death, provided that a doctor can sign a death certificate under the revised death certification provisions in the Bill — in particular, in paragraph 24. Under those provisions, a doctor will be able to sign a death certificate, if the death is from natural illness, if they can state the cause of death to the best of their knowledge and belief, even if they have not treated the deceased in the 28 days prior to their death. Ordinarily, if a deceased had not been seen by a doctor in the 28 days prior to death, that death would have to be reported to the coroner. The purpose of the provision is to reduce the number of deaths that need to be reported, in order to ensure that coroners do not become overburdened.

The second provision is found in clause 29. Coronavirus, or COVID-19, has already been made a notifiable disease under the Public Health Act (Northern Ireland) 1967. That is for public health reasons, to allow accurate data to be captured and to enable contact tracing. It is not for reasons relating to scrutiny after death. Ordinarily, an inquest into a death from notifiable disease would have to be held with a jury. The effect of this provision is that, where an inquest is to be held, and it appears to the coroner that the death is caused by coronavirus, it disapplies the requirement for an inquest with a jury. There will still be an inquest, but there is no need to have a jury. Again, that is to mitigate the impact on coroners, and also to avoid delay in the inquest process. Importantly, a coroner will still have discretion to hold a jury inquest where they consider it appropriate.

Thirdly, clause 30 relates to deaths from natural illness in prison. This is not dissimilar to clause 29, in that the effect is to disapply the requirement for an inquest to be held with a jury. There is a statutory requirement in the Prison Act (Northern Ireland) 1953 for there to be an inquest into every death in prison. Ordinarily, under section 18 of the 1959 Act, that inquest has to be held with a jury. This provision will enable an inquest into a death in prison from natural illness to be held without a jury. Again, that will help to mitigate the potentially significant impact on coroners and the inquest process, and also to reduce delay by enabling the inquest to be opened sooner. Again, importantly, the coroner will still have the discretion to hold the inquest with a jury where they consider it appropriate.

The other point in relation to both those clauses is that, during a pandemic, it could actually be quite difficult to convene a jury due to a high level of sickness among the general population, so having a jury could, I imagine, itself create difficulties in terms of risk and social distancing and so on.

The Chairperson (Mr Givan): Thank you, Jane. Clare?

Ms Clare Irvine (Department of Justice): I have two aspects of the Bill to talk about this morning.

The first is mental health and mental capacity. Clause 9 and schedule 9 in relation to mental health and schedule 10 in relation to mental capacity make some modifications to the Mental Health (Northern Ireland) Order 1986 and the Mental Capacity Act (Northern Ireland) 2016. The basic thrust of these modifications is to take a bit of pressure off the health service at a time when it will be very busy dealing with other matters. In relation to the mental health Order, which Doreen alluded to earlier, there are two main policy objectives. First, to increase by a moderate amount the time periods for carrying out various functions under the Act; and secondly, in relation to various functions under the Act, to decrease the amount of medical evidence which is needed in order to satisfy the court. The various modifications that are made to the mental health Order are detailed in paragraphs 9 to 14 of schedule 9.

We have not actually commenced those parts of the mental capacity Act that are being modified by schedule 10. However, we did commence work on this quite some time before this immediate need

arose. At that time, when we were drafting these provisions, we took the view that we would include them because they might prove useful given that commencement of this particular Act would take place in due course. We have included them in the Bill just for completeness, but it is important to note that those actually have no legal effect for now.

On the mental health and mental capacity clauses — more so the mental health ones, obviously, because they are in force — clause 73 deals with commencement. These clauses are not to come into force on Royal Assent but rather to be commenced by a Minister of the Crown with the consent of a Northern Ireland Department, or indeed by a Northern Ireland Department if it has the legislative competence to deal with those clauses, which in this case we do. We have a very close relationship with the Department of Health on mental health and the mental health Order, and, rather than create a very complex commencement provision within this Bill, it has been agreed that we will discuss between us who actually makes the commencement, if a commencement of these provisions is needed.

The second area is in relation to video and audio links for courts and devolved tribunals in Northern Ireland, and that is clause 55 and schedule 26. The courts are slightly further ahead than a number of tribunals in Northern Ireland in that there are already some provisions within various bits of legislation to deal with the ability of the courts to hear proceedings by video link. We had to take a view on tribunals because some are slightly more modern, others slightly less so. In the first part of schedule 26 you will see that we have taken a broad approach to allow courts and statutory tribunals to be able to use other forms of communication other than the oral hearing which we are all mostly familiar with. It will include criminal courts, civil courts, statutory tribunals and coroner's courts.

In order to make sure that we do not offend against our article 6 obligations to ensure public hearings, there are provisions created to allow for the broadcast of video links and audio hearings to allow people to enjoy open justice, and then we also create offences in relation to the unlawful recording or transmission of that broadcasting. We have chosen to insert various clauses into the Judicature (Northern Ireland) Act 1978 just to keep everything in the one place as best we can.

You will notice that part three of schedule 26 is, strictly speaking, already covered by part 1 and part 2, but it is also quite useful because it draws out some new Magistrates' Courts proceedings in relation to public health under the Bill.

The Chairperson (Mr Givan): Thank you. Alan, can you swap with Clare so we can pick up the recording?

Mr Smyth: Yes.

The Chairperson (Mr Givan): Can you take us through the prisoner element?

Mr Smyth: OK. In broad terms, the new clauses confer a power on the Department to direct that certain fixed-term prisoners be released early in response to the coronavirus epidemic. When I briefed you on 20 February, I indicated that the Coronavirus Bill would include powers to release some categories of prisoners early during what was termed an "emergency period". We learnt towards the end of February that that was to be dropped with UK prison services relying instead on existing release powers. We learnt then on Saturday afternoon past that the Lord Chancellor had decided to reintroduce specific early-release provisions, this time, directly and specifically linked to coronavirus. We saw merit in readopting a four-nation approach. We still believe that we have sound existing powers, but specific coronavirus-related powers would be better and more robust from a public presentation perspective, particularly when those powers are uniform and consistent across the UK and each nation is not using different powers, albeit with the same objective and effect in mind. Just to reiterate: we will now have specific powers to direct the release of certain fixed-term prisoners for the specific purpose of preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus or facilitating the most appropriate deployment of personnel and resources in prisons in Northern Ireland. That will provide us with a robust basis on which to work.

What do the new clauses say? As explained, the new clauses provide for the Department of Justice to make an early-release direction for the purpose of preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus or facilitating the most appropriate deployment of personnel and resources in Northern Ireland. The direction will apply to fixed-term prisoners who fall within a description specified by the Department. The DOJ will have authority to frame that description as it sees fit, so certain offences will be able to be excluded, for example,

sexual and domestic violence and other serious offending. Before making an early-release direction, the DOJ will be required to satisfy itself that doing so is a necessary and proportionate action in response to the incidence or transmission of coronavirus.

"Fixed-term prisoners" are defined as determinate custodial sentence prisoners who would ordinarily be released automatically on licence at the halfway point of their sentence, under article 17 of the Criminal Justice (Northern Ireland) Order 2008; those in custody who have previously been recalled after such a release; those detained in pursuance of a juvenile justice centre order; those recalled for breaching such an order; those detained for fine default; and those imprisoned for contempt of court. Just to be clear: extended custodial sentences, indeterminate custodial sentences and life sentences are not included.

Those released early will be released on licence. The total length of sentence — that is, the custody plus the licence — will be the same. The licence period will just be brought forward into the custody element. The same applies to juveniles released early. Their period of supervision will simply commence earlier. Those fine defaulters and those convicted of contempt of court released early will be deemed as discharged with no supervisory element or licence in place.

In the absence of specific release provisions in the Bill, we had planned to use prison rule 27 to release certain prisoners temporarily. That would not have involved supervision. However, those now released early will be subject to supervision by the Probation Board, although, as I understand it, there may be a late amendment, this morning, to remove the duty to impose certain standard conditions and to replace that with a power to impose them. That could give us flexibility on the supervision point.

Finally, the Department will be required to publish its early-release direction.

The Chairperson (Mr Givan): OK. Thank you. I will stick with you, Alan, as it is fresh in my mind. How does the four-nation approach that is being taken tally with the approach that the Republic of Ireland is taking in respect of prisoner release? Is there a differential in the way in which it is releasing prisoners?

Mr Smyth: I am not sure what its plans are. This has happened so quickly over the weekend that we have had to work quickly to catch up with where the rest of the United Kingdom is, so I have not turned my mind yet to how the Republic of Ireland is dealing with prisoner releases.

The Chairperson (Mr Givan): OK. I was speaking to the Justice Minister over the weekend, and I understand that it is letting people out on the last 12 months of their sentence, irrespective of the nature of their crime. That is why I am asking.

Mr Smyth: That is a different approach altogether from the approach that we are adopting.

The Chairperson (Mr Givan): It is. I just want to be satisfied that the specified nature of offences that are being considered are things like fine defaulting and financial crime and not crimes that relate to public safety. You highlighted a number of offences that will not be considered.

Mr Smyth: That is right.

The Chairperson (Mr Givan): It is that nature of it.

Mr Smyth: Yes.

The Chairperson (Mr Givan): The powers are for the Northern Ireland Prison Service. Will it be able to take that decision on its own or are the Department and the Minister part of the decision-making process?

Mr Smyth: The power is vested in the Department, so we will take the view of the Minister in anything that we do.

The Chairperson (Mr Givan): For any prisoner who is going to be released, will that have to be by way of application from the Prison Service to the Department and the Minister to sign off on?

Mr Smyth: I do not think that it will be on a case-by-case basis like that; I think that we will draw up broad definitions of those we will release and apply those definitions as we see fit, thereafter.

The Chairperson (Mr Givan): OK. With regard to the pressure on the Probation Board, I take it that the concern is that it is an organisation that will be impacted, like any other organisation, so putting a duty on the Probation Board in certain circumstances may not be enforceable or able to be implemented.

Mr Smyth: We will not want to add to the Probation Board's burden at this time at all, and, as I said, an amendment came in overnight that will remove the duty for us to impose standard conditions and replace that with a power to impose standard conditions. That gives flexibility around what we ask the Probation Board to do.

The Chairperson (Mr Givan): OK. Members, before I touch on any other aspect, I want to try to contain members' questions to the specific area, so that we have a structure to it. If anyone wants to ask a question on prison, we will take that now. I will then come back and lead on the next subject and open it up again. That is how I intend to do it.

Mr McGlone: Thank you for your time, this morning; it is extraordinary times. On the prisons issue, last week, I raised with Ronnie Armour the practicalities of this. Many people — I think that it is 55% — who are in the care of the Prison Service suffer from addiction or mental health problems. If those people are released early, what kind of support packages will be out there and what sort of tictacking will be done to ensure that they are not just dumped into society? There may be no corresponding support for people from the health service, which will be under increasing pressures anyway. What cushion is there to prevent a difficult, trying and very bad situation being made even worse by the early release of people who have health problems — some with quite severe health problems — and some prone, as you know, to self-harming and suicidal ideation? That is the first thing that I wanted to ask about.

The second is about testing for staff and people who are your employees in the Prison Service and the PSNI and those who fall within the care of the Department. It has become a huge issue in the health service. What measures have been taken at departmental level and what mechanisms are in place to ensure the delivery of that for vital, key workers in services such as the Prison Service and the PSNI? From what I am hearing, it sounds as though that is quite a significant issue in the health service at the moment. They are the front line, as are the PSNI and the Prison Service; they are key workers and provide a vital service, at any time but, particularly, in the time ahead. Is there any response to that? What thinking and action has been going on at the Department around those issues?

Mr Smyth: I will deal with your first point first. We will ensure that, wherever possible, there is a smooth transition from custody to the community in terms of medical intervention and support, along with our partners in the South Eastern Trust. That is as much as I can say on that at the minute.

On the point about the testing of staff, we will work with our healthcare partners and the health service to ensure that, whatever testing is in place for emergency care workers, the Prison Service staff will be involved with that.

Mr McGlone: You said, "We will". Has any work been done to ensure that testing and testing sources are available? Randox is very close to one of the prisons. Has nothing been done in the Department around that already?

Mr Smyth: I will need to come back to you on that, Patsy, because I do not have first-hand knowledge of that.

Mr McGlone: Please do.

Another issue is early prisoner releases. There is reference to supervision by the Probation Board. That will be extremely difficult in the climate that we are in. That will be, if you like, a hypothetical situation. One of the other things is the description by the Department of the offences that people have been imprisoned for, and you mentioned publishing an early release direction. Dependent upon the description of the offences, there will be an issue with the victims of some of those crimes. I am not sure, because I do not know what the descriptions are. You outlined some of them, but, if there are crimes where there has been a victim, it could be traumatic for that victim. It should be normal practice

in any event, but what type of disclosure of information can there be in a particularly sensitive case where there is a victim who might be surprised, shocked and traumatised to see the perpetrator of the offence against them walking down the street in the new circumstance? What provision is being made in that legislative change to take account of traumatic circumstances?

Mr Smyth: With all prisoner releases, if a victim is registered with the prisoner release victim information scheme, that person will receive the same information that they would receive if that person had been released at the normal release point.

Mr McGlone: That will continue.

Mr Smyth: Yes.

Mr McGlone: Grand, thank you.

The Chairperson (Mr Givan): I will bring Doug in next. I encourage members to remember that this is about legislative provisions and schedules. Can we avoid the commentary? You will have an opportunity in the Assembly. We want to find out what the legislation means and its implications. The questions should be specific and pointed and not preambled with a load of commentary around them, otherwise we will run out of time before the Assembly starts. Members should bear that in mind.

Mr Beattie: Alan, what you are going through at the minute is very difficult. I have concerns about what the criteria will be for the release of prisoners, because I do not want the burden on the health service to be added to by the release of people who have to go straight to the health service, as Patsy said. Will you be releasing criteria in regard to your decision-making on that?

Mr Smyth: Yes. The legislation says that we are required to publish what our direction is. It will be open and upfront and publicly available. It will set out the criteria.

Mr Beattie: There is a difference between direction and criteria. As long as the direction contains the criteria —

Mr Smyth: Yes, it will.

Mr Beattie: — I am happy enough. Will they then look at those people whom they release so they can say, "You will automatically go into isolation"? Have you considered that?

Mr Smyth: Not yet, but it will certainly be in the mix.

Mr Beattie: My other question is about supervision. I raised the issue of the Probation Board's capacity last week and a couple of weeks ago. Has nothing been done to increase the capacity of the Probation Board so that it can do online supervision?

Mr Smyth: I think that, at the minute, it intends to do all supervisions, certainly with the low-risk prisoners, by telephone. That is the latest I heard at the end of last week. I think that it still intends to have face-to-face contact with the more dangerous offenders who are being supervised in the community. I do not see us adding to that burden with this direction.

Mr Beattie: Will politically motivated offenders — PMOs — be part of this or will they be exempt from it?

Mr Smyth: Under article 19, which we will draw on to see who will be released, those convicted of terrorist offences are excluded from early release. I see some read-across into this direction as well.

Mr Beattie: Finally, for the Northern Ireland Prison Service, I believe that you are starting a training course today for 20 officers. Is that not against advice that has been given about social distancing?

Mr Smyth: I will need to take advice on that, Doug. All things are up in the air, I would think, from today, as the situation that we are living in changes almost by the hour. We will have to reflect on that.

The Chairperson (Mr Givan): Thank you for that approach, Doug.

Ms Dolan: Thanks very much, Alan. Just a quick question, and you might not know the answer: do you have any idea of the numbers of prisoners to whom this might apply or affect?

Mr Smyth: We have a ballpark figure for those whom it could apply to. I am not saying that these are the numbers, but the raw data suggest around 700 prisoners, but that is anybody who is convicted of a determinate custodial sentence. A large number will be excluded because of the offence that they have committed.

Ms Dolan: No problem. Thank you.

Mr Beattie: I thought you said that 700 are getting out.

Mr Smyth: There are 700 who could get out, but there is a direction —.

The Chairperson (Mr Givan): A large number will be excluded from that. That is the important point.

Miss Woods: All my questions have been answered.

The Chairperson (Mr Givan): OK. Thank you for that approach.

Mr Frew: It is the same for me: all my questions have been answered.

The Chairperson (Mr Givan): Maura, on the policing aspect of this, you indicated — if I picked you up right — that the mechanisms here for enforcing isolation if people continue to ignore the requests to do so will be triggered by the Department of Health —

Ms Campbell: That is correct.

The Chairperson (Mr Givan): — at which point there is transmission containment. What is the trigger point? What are the criteria for when that needs to be enacted?

Ms Campbell: That is set out in the legislation. Part 5 states:

*"If at any time the Department of Health is of the view that —
(a) the incidence or transmission of coronavirus constitutes a serious and imminent threat to public health in Northern Ireland, and
(b) the powers conferred by this Part of this Schedule will be an effective means of delaying or preventing significant further transmission of coronavirus in Northern Ireland,
the Department of Health may make a declaration to that effect."*

The threshold for that is set out specifically in the legislation.

The Chairperson (Mr Givan): We need to see what will be defined as "a serious and imminent threat". Obviously, a message has been issued that the containment phase is gone, and we are now in the delay phase. That is why I am asking when will we have this "serious and imminent threat" that means that people who have coronavirus will be forced to stop doing what they are doing and stop ignoring the advice.

Ms Campbell: I think that that will be a Health decision rather than a Justice one.

The Chairperson (Mr Givan): OK. There are no powers in the Bill to provide the police with the legislation that they need to start enforcing social distancing. Has the Department looked at that?

Ms Campbell: This section of the legislation does not deal specifically with that because it is focused on the containment of infected or potentially infected individuals, but there are other parts of the legislation, which colleagues will be more familiar with, that deal with the management of premises and mass groups of people and how that is to be managed.

The Chairperson (Mr Givan): Does that fall to DOJ?

Ms McClintock: That part of the legislation is being taken forward by the Executive Office. It specifically relates to mass gatherings, but it also, as Maura says, covers premises.

The Chairperson (Mr Givan): OK. The Executive Office is handling that. From that, though, will flow a requirement on the police to enforce it. Are you able to provide any information on how the police will be able to enforce it?

Ms McClintock: Not at this stage. I am not over the detail of that.

Ms Campbell: That will be an operational matter for the Chief Constable. It is not something that the Department would direct on.

The Chairperson (Mr Givan): OK. Let me bring in members on the policing point.

Mr McGlone: I want to pick up on Maura's point that it is an operational matter for the police. I know that the police are coming back and saying that it is not an operational matter for them because there is not a law that they can enforce. All they can say is, "You are not complying with the advice", and that is it. That brings me to this question: what necessary powers is the Department considering? Is the Department being guided by Westminster on the ultimate sanction, including lockdown? Can you tell me the process involved in that, please?

Ms Campbell: You are absolutely right. The police can enforce only laws that exist, but the provisions that Doreen referred to will create the power for them to enforce the provisions in the Coronavirus Bill, which will give them more scope to enforce situations where people are not complying with the advice.

As for how the Government ramp up the response generally to coronavirus, that is not something that will be dealt with through this legislation, and it is not something that the Department of Justice would act on unilaterally.

Mr Beattie: On reading this, I see that it talks a lot about police powers, but what about immigration officials' powers? Will they mirror the police powers?

Ms Campbell: Yes. It includes immigration official powers as well. I have not referred specifically to those, because immigration is an excepted matter, so that is determined by Westminster and applies UK-wide.

Mr Beattie: I am sorry to push you, but I am just trying to narrow it down to our very specific circumstances in Northern Ireland, with a large proportion of people moving South to North and North to South. Has anything been put in, in particular to that, for example, in order to restrict movement? I am sorry if I have missed it in this.

Ms Campbell: Again, this is, really, specifically dealing with the management of people who are infected or potentially infectious, as opposed to the general movement of the population.

Mr Beattie: Fair enough.

Is any thought being put in to try to increase the resilience in police numbers?

Ms Campbell: I am able to dial into the platinum command calls that are happening on a regular basis. Normally, that would be a matter for just the police, but the Chief Constable has helpfully agreed that the Department and a senior representative of the Policing Board can be involved in those calls, as part of efforts to ensure good communications at this exceptional time. From that, I am aware that the police are looking at various methods of ensuring that they maintain the capability that they require. That may include, for instance, looking at better use of other resources like the part-time Reserve. Again, it will be for the Chief Constable to determine that, but I know that that kind of thinking is happening.

The Chairperson (Mr Givan): On a procedural point, is it a matter for the Chief Constable to decide on the deployment of the army, if it gets to the point at which that is necessary? Is that purely an operational decision for the Chief Constable, or is there a political decision-making process in that?

Ms Campbell: No. There would be a request made by the Northern Ireland Office, if there was a request to the Ministry of Defence to bring in military assistance.

The Chairperson (Mr Givan): It would be the Secretary of State?

Ms Campbell: The request would be made through the Secretary of State, yes.

The Chairperson (Mr Givan): So, the process is that the Chief Constable would make it through the Secretary of State.

Ms Campbell: The Chief Constable, the Department and the Northern Ireland Office would work closely on that. I have not seen any indication that we are at that point or that that is being anticipated at the moment.

The Chairperson (Mr Givan): Hopefully, we do not get there, but it is just from a procedural point of view.

Ms Campbell: I cannot rule that out, but I am not aware, at the moment, of any intention to deploy military resources.

Miss Woods: I have one point on the locations in the legislation. It is about where people who are suspected of having COVID-19 will be taken to. Where are those suitable locations? For me, reading this, it is not overly clear. Is it police stations? Where will people be held?

Ms Campbell: My understanding is that it would be healthcare facilities. I do not think that we would intend to bring infectious people into police custody, unless it was absolutely essential.

Miss Woods: I know that there have been some movements in Musgrave police station to have another floor dedicated to that. Is that being looked at for holding people in police custody, if we get to that point? Would they be moved on to healthcare facilities?

Ms Campbell: If someone is identified as being infected or potentially infected, the priority would be to get them access to the healthcare assessment treatment that they require as quickly as possible. I know that the police will take reasonable precautions to prevent transmission in custody suites, if someone who is identified with the virus attends. I do not have the detail of exactly how they are doing that, but I know that they are alive to the risk of people coming into the custody population in police stations.

Mr Frew: On Doug's point about contingencies and bringing in armed personnel, again, they are two different trades. Police officers are police officers, and soldiers are completely different in the roles that they do. That may come down to manpower.

If we are talking about the army, I would say that there is probably a pool of retired or ex-police officers and part-time Reserve that we may well be able to draw on. They may well volunteer their services. On the army piece, it may be a political issue, with questions and conundrums around it, but there is a pool and a good resource of reserve forces in Northern Ireland, from Northern Ireland. That might be more operationally sound than bringing in, perhaps, units from Scotland, England and Wales. They will know the area and the people and could well be used as manpower. Of course, there would be different roles for police officers and soldiers, but it might well help the police with extra manpower and operationally. Have there been any thoughts or forward planning on those issues?

Ms Campbell: The police have been looking at recently retired police officers, in particular. I think that that is one option that they will be pursuing. I am not aware of any intention to seek military assistance at this stage, and I think the police have said so over the weekend on social media.

Mr Frew: With the Reserve forces, you are getting not only infantry, but engineers, comms, vehicles and mechanics. It may well be a way forward in the next couple of weeks.

The Chairperson (Mr Givan): I want to tidy up the policing side of it. Have there been discussions on collaboration with the guards? Is there a plan around cross-border cooperation, including supplementing of resilience around workforce and so on? Is that being discussed?

Ms Campbell: I am not aware of specific discussions around that, but I think that there will be the usual good cooperation and communication between the police and the guards, as there is for any other challenges that affect both parts of the island. On foot of an amendment that was made in the Republic last month to the relevant legislation in the South — the Health Act, 1947 — there are similar powers in place there to those we have here. That legislation was amended on 20 February to add COVID-19 to the list of notifiable diseases in the Republic. There are powers in that legislation for the gardaí to assist health professionals in a similar way to how this is due to operate in the UK. Obviously, people can move across the border, so I think that the local forces will be collaborating and cooperating on that.

The Chairperson (Mr Givan): We need to look at the Executive legislation on resilience. Social distancing has not been happening in supermarkets in my constituency. If we end up having to enforce social distancing, and if the public continue to ignore advice — I listened to the Minister of Justice this morning say that society needs to respond — how will the police ensure that people are doing what they are supposed to do if the laws are implemented? Has there been work with the Department of Justice and the Chief Constable to ensure that the legislation, if enacted — you have told us it is being taken through the Executive Office — will be operational? Have those discussions taken place with the Department?

Ms Campbell: I am not aware of that, but I have not been engaged on the specific powers that the Executive Office is taking forward.

The Chairperson (Mr Givan): OK. Does anyone else have a question on the policing side of it?

Ms Campbell: Chair, before we leave that point, one of the members had a question about testing kits. The PSNI is in discussion with a local provider and has been in touch with the Department seeking approval to enter into a direct-award contract. We have given approval, in principle, to that, subject to the testing kit that is made available meeting accredited standards. That is on foot of advice received from Central Procurement Directorate that that would represent reasonable value for money and a proper procurement approach.

We are not in any way seeking to draw resources away from healthcare staff — obviously, we need to be responsible there. We have been keeping in contact, at senior level, between the Departments to make them aware of the actions that the police are taking and to ensure that they are content with that. Therefore, work is under way. I think that a contract could be in place relatively soon to provide for some level of testing of officers, because it is important that those who are protecting us are themselves protected, so that they are able to exercise their job. It links back into the resilience of the force and ensuring that we have sufficient numbers of police officers to keep everyone safe.

Mr McGlone: Briefly, I take it that you do not have a time frame for that yet, Maura?

Ms Campbell: I think that there could be a contract very soon. Again, it is linked in with ensuring that the kit that is being sourced is properly accredited. I am told that that should happen imminently.

Miss Woods: Last Thursday, we discussed the fact that there was not enough personal protection equipment being issued to the police, and they were looking to increase supply. Is that still ongoing, or has that equipment been sourced?

Ms Campbell: I think that that is still ongoing. I am aware of the comments that Assistant Chief Constable Todd made when he was here last week. I know, from linking in with the police and their planning, that that is still a work in progress. I think that access to sufficient levels of that sort of equipment is a common challenge across a number of sectors, but where equipment is available, it is being prioritised. They now have dedicated teams or identified individuals in each district who are leading on COVID-19. Obviously, those officers will be the first to receive any equipment that is available.

The Chairperson (Mr Givan): In trying to control movement and the mass gatherings that still seem to be happening, will the Department be responsible for any potential new punitive measures? If new

legislation is brought in to try to stop that, it obviously needs to be associated with some kind of penalty. Will that fall to the Department of Justice? I cite the example of approaches that have been taken in other countries where people, individuals and businesses who continue to disobey are being fined.

Ms McClintock: My understanding is that that has already been included as part of the legislation. Offences and penalties have already been included.

The Chairperson (Mr Givan): And the Executive Office is taking that aspect of it?

Ms McClintock: Yes, in conjunction with colleagues in DOJ.

The Chairperson (Mr Givan): I wanted to come back to the issue of the courts, and then the issues around deaths at the end. On the courts side of it, has there been any discussion about consolidation of the work that takes place in courthouses? Does that fall within your area?

Ms Irvine: That would really be a matter for the Office of the Lord Chief Justice. He has issued various updates on the judiciaryni.uk website, which is actually a very useful resource just for keeping an eye on what courts are doing. You will all appreciate that it is a very fluid situation. The Lord Chief Justice is obviously responsible for the deployment of the judiciary in Northern Ireland. Some very pragmatic decisions are being made about prioritising business and ensuring that courts and tribunals are doing what they can in these very difficult times.

The Chairperson (Mr Givan): Do other members have questions on the provisions of the Bill that relate to the courts and court proceedings?

We will move to the issues around deaths. With regard to the death registration process for people who have passed away or will pass away, there is the requirement to have that notified, for example, by local government. Is that the responsibility of the Department of Justice or the Department of Finance?

Ms McClintock: The Department of Finance. It has also contributed to the legislation in relation to certain measures to facilitate that death registration process.

The Chairperson (Mr Givan): OK, so it is the Department of Finance's responsibility. I know that it has already been an issue in Northern Ireland, and local government has had to deal with it. Under law, it had to come in and provide the certificate. That obviously led to issues for that local authority.

Ms McClintock: There are measures in the legislation that should make that easier once it is passed.

The Chairperson (Mr Givan): Are you able to elaborate any further on the procedures around deaths and how we will be able to manage if the situation is as bad as what has happened elsewhere?

Ms McClintock: The measures that are being brought in to facilitate the death management process are really just around trying to speed up the system so that we can manage, as long as possible, with burials and cremations. There are powers of direction to allow councils to direct people to assist with the transportation, disposal and storage of human remains if necessary. We will try to continue with normal burials and cremations until the point where the system is no longer able to cope with that. Beyond that, we are looking at body storage solutions.

The Chairperson (Mr Givan): When you say "continue with normal burials" —

Ms McClintock: To a point.

The Chairperson (Mr Givan): — how do you do that in the context of social distancing? It is obviously an incredibly difficult time because people are dying of other causes, but, because of the situation that we face, social distancing needs to be put in place. At what point does that, again, unfortunately, need to be enforced?

Ms McClintock: You are probably already aware that Roselawn has imposed restrictions there, and you can see that that is probably how other sites will deal with it as well. When I say "normal burials", it is to try to facilitate the burial as opposed to facilitating people being able to come along to it. We are

obviously trying to encourage social distancing as much as possible, and council areas will put their own measures in place as they see fit.

The Chairperson (Mr Givan): You talked about burials and solutions to keep people who have passed away. Are you able to elaborate?

Ms McClintock: In relation to body storage solutions?

The Chairperson (Mr Givan): Yes.

Ms McClintock: We already have capacity for 280 bodies, if we need to, over and above normal capacity, and we are actively seeking to increase that so that, if we need to, we can store the bodies until such times as we are able to facilitate burial or cremation.

The Chairperson (Mr Givan): We have a slightly different culture here than maybe even in England: two to three days, compared with three weeks. It is about how we accommodate that while not knowing how far this could go.

Ms McClintock: At all stages, we want to treat the deceased and their families with dignity and respect. A lot of that will be about communicating and making sure that people are very much involved in the process. We will be looking at the different faith requirements as well, and facilitating that as far as possible. We are in a very different situation now, and we are looking at a situation that we thought or hoped that we would never have to face. We may have to get to a stage where people's wishes may not be able to be taken into consideration, but there will be a very good reason for that.

The Chairperson (Mr Givan): Currently, then, you have capacity for 280 bodies, and you are actively seeking to increase that capacity. What if you do not get it?

Ms McClintock: We are confident that we will be able to increase it.

The Chairperson (Mr Givan): Is that through private and public-sector provision? Has it gone out to the public sector yet?

Ms McClintock: Not yet, but we have had quite a few discussions about that. This is happening across the UK, and the Cabinet Office is leading on it. We are confident that we will be able to secure additional body storage.

Mr Dunne: Thanks very much. Just on that subject, will the deaths registration process move away from local government?

Ms McClintock: I am not over the detail of that because the Department of Finance is taking that forward. There is, potentially, capacity to do some of it online.

Mr Dunne: Right, OK. We are all aware that it is a highly sensitive issue and we appreciate the way in which you are dealing with it. As the Chair has said, we generally take about three days here. Will that have to change, or is it likely to change?

Ms McClintock: That may well have to change, depending on the pressures on the industry. We are talking to funeral directors about what needs to be put in place. We do not know the number of people who will be off sick. That will affect funeral directors as well as council staff, and all of that will have to be factored in. As I said, where we can, we will continue with burials up to the point where the system can no longer cope. I imagine that we will get to that point.

Mr Dunne: I know that people have had issues already this past weekend, although they are not directly related to the immediate problem. There are problems with burials generally, with churches not being able to meet. All of those issues cause great concern to people. We appreciate your efforts, and we trust and pray that it will never come to that.

Mr McGlone: I share Gordon's views and sentiments on those matters. Unfortunately, we are facing into a reality that this time last year or even a few months ago we would never have thought we would have been in.

You mentioned Roselawn and, as far as I know, that is controlled by Belfast City Council. Forgive my ignorance in this. As you know, there are numerous graveyards throughout the North that are not under the control of local government or any public body, for that matter. Can you advise what effort is being made with local authorities, churches or anyone else who controls those graveyards to ensure that there will be a coordinated approach to burials? As Gordon, Paul and others have said, this is an extremely sensitive time for people, full of all sorts of emotions. We want to ensure that sensitivity of approach, but we also want to ensure that there is a corresponding approach across the whole of the North. You do not want one form of burial in one place and, two or three miles down the road, another form of burial that some could interpret as cold.

Ms McClintock: There is still a lot of work to be done and a lot of discussions to be had around what it will look like in practice and all of that. We have been engaging with councils on their responsibilities. We are very conscious that it goes much wider than that, given all the churches and other burial [Inaudible] out there. Discussions are ongoing, but I do not know the detail of that at this stage.

Mr McGlone: That is grand; as long as it is being thought about.

Ms Dolan: I have a quick question on the guidance for funeral directors. Is that a local government responsibility for funeral arrangements and stuff?

Ms McClintock: Local government will have the powers of direction to ask them to transport the bodies or whatever. That is all contained as part of the legislation.

Ms Dolan: OK. There is not yet specific guidance for funeral directors?

Ms McClintock: In relation to handling of bodies?

Ms Dolan: Yes.

Ms McClintock: In relation to funeral directors and how they should —.

Ms Dolan: Yes.

Ms McClintock: The Department of Health has been working on that. As far as I know, there is draft guidance for funeral directors.

Ms Dolan: That is great; thank you.

Mr Beattie: Doreen, we know that it is a difficult subject. People out there need as much clarity as we can give them. As regards the death management plan, we bury about 16,000 people a year in Northern Ireland. It is my understanding that funeral directors have the capacity to bury up to 30,000 people a year in Northern Ireland within that three to four days. If you listen to what the Health Minister is saying on possible death numbers, they fall within that criteria. I do not think that that is the issue here; the issue is that we have handed this to local authorities. Funeral directors are coming to me and saying that they need better guidance on the spread of coronavirus through embalming of bodies and the like. One local authority may tell funeral directors that they do not have to embalm closed coffins that will be buried within three days, but another local authority might say, "We will embalm, have an open coffin and still bury within three days", in which case you will get a shift of people. Is there not a plan at a higher level to direct all councils to adhere to one death management plan?

Ms McClintock: We have just been talking about the guidance that the Department of Health is drafting for funeral directors. It is about keeping them safe in relation to what they can and cannot do with bodies and how bodies should be handled. There will be that guidance from the Department of Health. The powers of direction in the legislation, which the local authorities will use, are more to do with the transportation, storage and disposal of human remains, as opposed to directing how a funeral should take place.

Mr Beattie: How quickly will that direction to undertakers come out? Will it come out as required, or will it come out as, "This is a direction, and we will press a button to instigate it"?

Ms McClintock: The direction in relation to these powers?

Mr Beattie: The treatment of bodies.

Ms McClintock: That is a matter for the Department of Health. It was actively working on it last week, so I imagine that it is imminent. If it is not already out, it will be out soon.

Mr Frew: Most people will die in hospital. That interaction with the hospital at that point will be critical. I do not know if the coroner is involved at that point, but the undertaker will be. It will probably need to be that interaction: is that correct?

Ms McClintock: Yes.

The Chairperson (Mr Givan): We have gone through the different aspects that each member has raised. Are there any other broader points that members want to make at this stage?

Mr Dunne: Chair, you have mentioned this issue already. I am already getting messages from the public about social distancing, crowds gathering and a lot of people not taking it seriously. I know the points have been made, and we should underline that. The pressure is building for something to be done in the Assembly on those issues. We appreciate all your work and efforts in these difficult times. We all need to move towards doing something on those lines, and whatever you can do will be much appreciated, Chair.

The Chairperson (Mr Givan): Thank you. I appreciate that these are extraordinary times. You all have your own varying personal situations and the concerns that that will manifest, and you still have to do your job. I do not underestimate the personal strains that people will have, without knowing what they are, because it affects all of us. I thank you for the work that you are doing. I appreciate it, as do the public. Thank you very much.

The Chairperson (Mr Givan): Some points have been raised about aspects that do not fall within the Justice remit. The LCM will go through tomorrow. I want to be in a position to relay a general Committee view of the specific justice-related measures albeit, in the case of some of them, incredibly reluctantly, although I acknowledge the situation that we are in. I would like to get a view that I can articulate tomorrow that the Committee supports the justice-related elements of the LCM. There are other things that do not fall within this Committee's remit.

Are members willing to indicate that they are content with the justice aspects? We wait to see the specific prisoner release amendment; obviously, that only happened on Saturday. On the basis of what we have heard, however, do members wish to indicate a position on that? I am happy to go round the table if that is needed.

Mr Frew: I will start off. I think that we would like to send a message from the Committee that we appreciate the work that all these people have done and are doing under extreme pressures. You highlighted that everyone has family concerns and personal issues. These people are at the top of their game and are at the head of their organisations: this is their time. That has to be relayed.

On the specifics of the Bill, it is a case of "needs must" with these things. You will not get anyone more libertarian than me in my politics, but the measures will need to be deployed for a short period. Someone has to have the discretion to enact the clauses and deploy the powers, and we will have to trust those people if it comes to that. I am a wee bit worried about the two-year period, as a lot of people are. Let us hope that the crisis does not last that long and that, maybe, it can be repealed much earlier than that.

We are in extraordinary times. I have even changed my view on this over the last two weeks and even in the last two days, having seen some of the behaviour out there. Some people just do not realise and will not understand what is going on. This law is required for those people. Most people will do things sensibly and with as much grace as possible, but there will be the few who will let us all down. That has to be relayed, and, more than ever, the Executive and the Assembly have to be united and use whatever powers we have at our disposal to keep safe as many of the population as possible, always treating people with human dignity. That is all that I want to say, if that is helpful; I do not know if it is.

The Chairperson (Mr Givan): It is. I appreciate that.

Mr McGlone: I will be very brief. We are in extraordinarily difficult times that will require extraordinary measures. It may well be that we are back here in the next two or three days, judging by what Boris Johnson said yesterday in Westminster. On Paul's point, I would have had concerns about the two years, but, if I am picking that up correctly, the Government at Westminster have tabled their own amendment to bring that to six months.

Fair play to the staff for being here with us. These are very difficult times for the entire community. Whatever measures need to be taken must be taken. The recklessness that has been displayed by some people will really push the Government to take more difficult measures. Needs must in the circumstances.

Miss Woods: I have a big problem with the two-year period, especially with a debate only happening a year into it. Certainly, there is a time when those measures will have to come into place, but we need to ensure that people are treated with dignity and respect and that human rights are adhered to. With regard to the specifics of the Bill, I certainly have concern about the lack of detail that we, as a Committee, have been given so far and information about what came from the Department, but I understand that these are difficult times and that the landscape is ever-changing on a daily, even hourly, basis. Certainly, measures will have to be taken. I would just be mindful that, perhaps, they should not be taken for that length of time.

The Chairperson (Mr Givan): Jemma, I know that it is unfair of me to ask you, because you have been here only one week and Linda, who leads on your party's behalf, is not here, but I do not want to pass you, obviously.

Ms Dolan: My remarks will be the same as what everyone else has said. I have problems with things in the Bill, but needs must. We are in extraordinary times. Whatever has to be done, do it. I have concerns about the two years, but so does everybody else.

Mr Beattie: Chair, you have my absolute support to say that we support the measures, because I support them. I do not have an issue with the two-year period. The reason that I do not is that the situation will reoccur next winter. Anybody who understands how these work will understand that the peak will last for a long time. The two years could be rescinded at any stage when we know that it is over. It will be there. It will be on the shelf. It can be picked down as and when it is required. I do not have a concern about that.

In many ways, the Bill does not go far enough. There are other measures that could be put in it. I do not think that people have explored how the military can help. When they see military, they see guns. That is not the case: the military could set up a role 1 medical facility in Northern Ireland to help with capacity. It could also set up and man a tented testing centre to add capacity. It could also provide drivers and people to help to ensure that the water supply is not interrupted. In some ways, the measures are very uncomfortable, but, in other ways, they need to go a little further.

The Chairperson (Mr Givan): I thank members for making their views known. I commend you for the way in which you handled that session. It was exemplary. We got to the difficult issues very quickly. As I said to the witnesses, you all have your personal circumstances, as do I and the Committee staff. They have been doing a phenomenal job. Everyone is under pressure. This is where we need to be clear-eyed and focused on what we are doing and take decisions in very restricted time frames. Members have shown a very good example of that, and I commend you for it.

The public really need to listen. Those who behave recklessly cannot be tolerated. The invasion of some tourist destinations at the weekend was appalling. That has to stop. I will give my full support to whatever measures become necessary in the days ahead in order for that to stop, so that we can minimise the impact that it will have on people.

Thank you, members. I will relay that on the Committee's behalf tomorrow. Obviously, you are at liberty to speak when that issue arises in the Chamber. The debate on the motion is due to start at 10.30 am tomorrow. As soon as we get the prisoner-related aspect of it, the Committee will provide that to members so that you have it.