



Northern Ireland  
Assembly

Committee for Justice

# OFFICIAL REPORT (Hansard)

COVID-19 Response and the Health  
Protection (Coronavirus, Restrictions)  
Regulations (Northern Ireland) 2020:  
Department of Justice

2 April 2020

# NORTHERN IRELAND ASSEMBLY

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**Members present for all or part of the proceedings:**

Mr Paul Givan (Chairperson)  
Ms Linda Dillon (Deputy Chairperson)  
Mr Doug Beattie  
Mr Paul Frew  
Mr Patsy McGlone  
Miss Rachel Woods

**Witnesses:**

Ms Deborah Brown                      Department of Justice  
Mr Andrew Laverty                      Department of Justice

**The Chairperson (Mr Givan):** Deborah Brown is the director of justice delivery, and Andrew Laverty is the acting head of the criminal law branch in the Department. You are welcome again to the Committee, Deborah. The session will be recorded by Hansard and published in due course.

Deborah, I will hand over to you first.

**Ms Deborah Brown (Department of Justice):** Thank you, Chair, and thank you, Committee members, for the invitation to give you a further update on the position in the Department of Justice and on the regulations. I thank Andrew Laverty, who is the head of criminal law branch, for attending this afternoon. He will deal with those aspects. I know that you have already heard from Prison Service and the PSNI.

These are indeed unusual and difficult times. Across the Department, the staff are pulling together to ensure that we continue to deliver our essential services. Difficult decisions are being made, and challenging pieces of work are being progressed. You heard about the challenges in prisons and in the PSNI and previously about how we ensure respect and dignity for the deceased and bereaved. You will be aware of the new rules on staying at home and away from others. We are reducing our day-to-day contact with other people to ensure that we will reduce the spread of the infection.

I would like to provide you with a further update on the Department's actions since the last briefing. We have taken action to ensure that only those who need to be in work are in work. Where possible, we are accommodating working from home and ensuring that we are enforcing social distancing. We are finding different ways to do business and using technology to avoid face-to-face contact. We are continuing to engage with our staff, and we are providing regular updates and information, including on health and well-being.

In addition to the work in prisons and in the PSNI, you will be aware of the steps that are being taken in the courts. The Lord Chief Justice has issued clear guidance, including in respect of courts, to minimise the number of people who need to attend, to postpone future jury trials and to prioritise the most urgent business. He has also announced that, with effect from Thursday 26 March, all court business will be consolidated in the following courthouses: the Royal Courts of Justice, Laganside Courts, Craigavon, Dungannon and Londonderry. Until further notice, only urgent matters will be heard, and those are likely to be undertaken remotely.

You will also be aware of what was being done to ensure respect and dignity for the deceased and their loved ones during the crisis. We are taking precautions to prepare for the risk that the normal burial arrangements are not sufficient. We will do all that we can to ensure dignity for the deceased and their family. We are working with all those involved to enable as many people as possible to be buried or cremated in the usual way.

You will be aware that we are progressing work at the Kinnegar site near Belfast, which is to be used as the Northern Ireland temporary resting place in the event that it is needed. Work is also under way to provide pastoral support for families at this difficult time of grief and mourning, which will be particularly hard for them in the current circumstances. A dignity reference group has been established to ensure that respect for the deceased and their families is central to all that we are doing. The priority is to ensure that there is respect and dignity for the deceased and their families.

I also want to provide assurance on the Department's preparedness. As I highlighted at the last briefing, we have in place our business continuity plans and our business continuity managers' forums. The departmental operations centre is now in place, and we have an emergency response team. We are also holding regular conference calls across the justice system, and we have in place the appropriate reporting mechanisms.

You will be aware that the Northern Ireland hub is run by TEO and it coordinates the Northern Ireland response to the COVID-19 pandemic and feeds into the overall UK response through the Cabinet Office. That operates from 7:00 am to 7:00 pm and also at weekends. In line with other Departments, we have our departmental operations centre, which reports into the hub, escalating issues that require cross-departmental working and support. A liaison officer from each Department works in the hub. Two high-level meetings steer the work of that hub: the civil contingencies group (CCG), which meets daily, comprises the permanent secretaries from each Department; and the Executive COVID crisis management committee, which comprises the Ministers. It is due to meet again tomorrow.

The Cabinet Office runs a number of ministerial meetings. The key meeting for DOJ is the daily general public-sector ministerial implementation group. Public order is a standing item on that agenda, with other issues, such as excess deaths, also included. A DOJ senior official and the Minister have been dialling in to those meetings. We are preparing our situation reports to the hub by 3:00 pm each day. We are working with our emergency response team to make sure that that is coordinated, and we have that information provided by 4:00 pm to the UK-wide COVID-19 dashboard.

Our emergency response team complements and supports the ongoing efforts of business areas by acting as a conduit and providing information to the business continuity managers, the board and the Minister, where issues have been resolved at local level, providing information and advice to inform decisions at a local level, and, in particular, to ensure consistency of approach across the business areas and to provide information and advice to inform the decisions at a departmental level where issues cannot be resolved within the local business continuity structures. We have also commenced work to look at our recovery phase and lessons to be learned. We know that we are unlikely to go back to the way that we used to do our business. In all of this, our focus is to ensure the health and safety of our staff, while continuing to provide those essential services.

I hope that that provides the Committee with some reassurance on the Department's approach in the current circumstances. If you are content, I will pass to Andrew to cover the regulations.

**The Chairperson (Mr Givan):** Thank you, Deborah. Andrew?

**Mr Andrew Lavery (Department of Justice):** Thank you, Deborah. Thank you, Chair, for the opportunity to speak to the Justice elements of the Coronavirus Regulations.

As the Committee is aware, the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 were brought into operation on Saturday 28 March. The regulations contain offences and penalties, at regulation 8, that are of direct interest to the Department of Justice. The inclusion of

offences and penalties in any Northern Ireland legislation makes it a cross-cutting matter, which means that they require both the approval of the Minister of Justice and Executive agreement.

The regulations, which have a fixed lifespan of six months, contain provisions to close premises and businesses, and place restrictions on movements and gatherings to protect against the risks to public health from coronavirus. A person who contravenes a requirement to close a business or premises, or who fails to comply with a direction relating to a restriction on movement or gathering, commits an offence, the maximum penalty for which is a fine of up to £5,000 upon summary conviction.

As an alternative to prosecution through the courts, the regulations include provisions for a fixed-penalty notice scheme. That allows the police to offer a fixed-penalty notice of £60, reducing to £30 if paid within 14 days, to individuals over 18 years old for lower levels of offending. Where a penalty notice is unpaid, the provisions in the regulations allow for it to be uplifted by 50% and registered as a court-imposed fine for enforcement by court-appointed fine collection officers.

The Justice Minister was satisfied that the offences and penalties provisions in the regulations were commensurate and proportionate with other offences that can be tried on a summary-only basis in Northern Ireland and approved their inclusion in the regulations. The Minister also supported the inclusion of the fixed-penalty notice provisions, including the provisions that allow for the penalty notice to be enforced by court-appointed fine collection officers. These provisions were considered necessary and proportionate to make the penalty notice effective.

That is the end of the prepared note that I have. If I may, Chair, you mentioned that the regulations were silent on children, and ACC Todd touched on that. I could add something to that, if it would help at this point.

**The Chairperson (Mr Givan):** Yes, it is on my list of questions, so feel free to take it.

**Mr Lavery:** I did not intend to pre-empt everything that you might say. We, as Justice officials, in working on the regulations, were alert to the fact that there were no children-specific provisions in them. When the regulations were being prepared, last Thursday and Friday, we made contact with the Home Office officials who created the first version that was used as a template for each of the jurisdictions, and we asked what the intention was around children.

The regulations, at regulation 7, include specific provision for a parent or guardian to be guilty of an offence if they do not comply with a direction from the police to remove a child, bring a child home or stop a gathering. The Minister also had that question for the Executive Office on Saturday, when the regulations were being agreed by urgent procedure.

The regulations apply to children under 18. They can be charged and prosecuted, so long as they are over the age of criminal responsibility, which is 10 years for Northern Ireland. That is a prosecution through the courts. Clearly, a fine of £5,000 is not an appropriate penalty for children and, in that regard, I spoke with colleagues with specific responsibility for Youth Justice this morning, and they confirmed that a fine is not typically used as a disposal for children under 16. Instead, the police and the PPS, who do not like prosecuting children for minor or first-time offending, will actually use a range of diversionary interventions and disposals. These can include community resolution notices, which do not attract a criminal record; an informed warning from a police officer; restorative cautions, which is a mini-conference administered by the police; and diversionary youth conferences. That is a very small overview of some of what might be available for children aged over 10 but under 18. I hope that, in some way, I have given you some more reassurance that the regulations are not completely silent on children.

**The Chairperson (Mr Givan):** Thank you. I appreciate a bit more clarity on that. I would be keen to see how the advice has been interpreted and how the regulations apply, because I do not see it, specifically, for below the age of 18. That may be subject to whether or not you have a successful prosecution. Not that I want to see the prosecution route. We should be trying to avoid that for children, and it should only ever be a matter of absolute last resort to go there. I would rather seek responsibility from their parents, but that is not always possible, to be able to control 16- or 17-year-olds who are determined to do their own thing. It is a very difficult area to navigate but one that is relevant. The issue around gatherings of young people and them not being kept in their own homes has been raised with me. It is a live issue that will need to be addressed.

**Mr Laverty:** As I said, Chair, it is a point that the Minister was specifically concerned about, and she posed the question to Executive Office colleagues and officials on Saturday night, and that was the advice that was returned. On that basis, the Minister was content to include the offence and penalties provisions.

**The Chairperson (Mr Givan):** The regulations refer to the Executive Office around businesses and about powers of direction. How, in practice, is that going to work? Hopefully, we never get to that point, but how would you get to a point where a direction would issue from the Executive Office against a business?

**Mr Laverty:** I would rely on Executive Office officials to confirm this, Chair, but there is a difference between the England and Wales regulations and those in Northern Ireland. They are a very broad instrument and are designed to capture individual offending as well as corporate offending. In the England and Wales system, they can impose unlimited fines upon summary conviction. Clearly, that is a very significant deterrent for very big businesses. Within the Northern Ireland system, we do not have unlimited fines in the Magistrates' Court. There has to be a maximum specified fine amount, and the underpinning fines legislation sets that limit at £5,000. We asked the Executive Office, when the instruments were being prepared on Thursday and Friday, about the gap between what is available in England and Wales and what is being proposed for Northern Ireland based on the underpinning legislation. They were satisfied that the direction powers that they had in the Act allowed them to go after the larger businesses that they were made aware of that were contravening any of the regulations. With regard to those penalties, it is a triable either way offence. It can be tried in either the Magistrates' Court, in which case, it is a fine of up to £100,000, or it can be tried on indictment in the Crown Court and an unlimited fine can be imposed.

**The Chairperson (Mr Givan):** I will be interested in exploring that more with TEO around what the evidence base would be before a direction would issue, because, obviously, it cannot just be based on social media speculation or media contributions. There has to be a proper process — an evidence base — to trigger a direction ever being made.

**Mr Laverty:** I expect that they will use other statutory bodies to support them in that. It may well be that they work with the Health and Safety Executive, the Chamber of Commerce or local councils — for instance, Belfast City Council, in the case of Belfast-based companies.

**The Chairperson (Mr Givan):** Deborah, is the Department coordinating the procurement of PPE and testing equipment that is being sought by the different aspects of the justice system such as the police, prisons, probation etc? Are you able to give us a figure on what the justice system order is from those different organisations for the various types of equipment?

**Ms Brown:** We have been collecting that data. I do not have it with me today, but we can certainly get that to you. We have been coordinating that and making sure that it is fed into the wider system. That is one of the issues that will be discussed at the CCG every morning.

**The Chairperson (Mr Givan):** I would welcome that information. Ronnie was able to tell us about 250,000 masks, for example, but he did not have the figures on the other types of equipment that were being sought. Is the Department of Finance corporately pursuing the procurement exercise for all of this across all of the Civil Service?

**Ms Brown:** I think that it is looking at how it will procure this and whether it is better to do it as a wider system or individually. Obviously, the police have been preparing their own business case on this and we are looking at that, but that has not been decided yet.

**The Chairperson (Mr Givan):** Has an order actually been made? I know that there has been a cross-border approach to some of this, where we are told that flights have been chartered to go to China to bring it here. Has that actually happened yet?

**Ms Brown:** I do not know. I will have to find that out.

**Ms Dillon:** Just a quick question. There was some speculation — more of a media thing than anything that I have heard officially — around sites that were previously army bases potentially being used for storing the remains for a period of time. I have not heard any issues about that, but there was an issue raised about the British Army being brought in to carry out particular tasks. To be honest with you, I

think that that is unhelpful, particularly when you are talking about the remains of people. These could be the remains of people who have families who have previously had issues with the British Army. I think that that is extremely unhelpful, and it would be good if we could get some clarification around whether there was any intention to do that. It was even said to me that we have numerous tradespeople who are offering their services right across the board. I know that there is now an email address set up for those people to email in with whatever services they can offer, whether for logistics or from tradespeople, for the Executive. Many of them are offering that voluntarily. For the community at large, that would mean not bringing any controversial element into it. This is about families who will already be traumatised. To think that your loved one is going to be stored until they can be buried is traumatising enough, but if there was an additional trauma — even families that would have no issue with any British Army involvement, to be honest with you, are going to be traumatised by the fact that the issue is controversial and that other people are shouting about it. That is a concern for me. There would even be the potential for some kind of public disorder. We have just spoken to Alan Todd, and things around the PSNI role in this are, in my view, going in a positive direction. I would hate to see anything being dragged in a negative direction when it does not need to happen.

**Ms Brown:** I will come back to you with some clarity on that. I am not aware that that is the intention, but we will clarify that.

**Miss Woods:** Thank you very much for your brief. I have a couple of questions. Following on from the point about the Kinnegar barracks, just to confirm that that is actively being looked at. I have been contacted by Kinnegar residents in Holywood in my area. There are two entrances to the Kinnegar barracks, one from the harbour estate and one from Kinnegar, which is accessed from the A2. Would that be considered as the most appropriate access or would it be from the harbour estate, being mindful of the community that is down there, which is quite an insular community, and to remove the obviousness of what is going on for people and not having children and other people having to watch that, if that is being done every day, in terms of using that harbour estate entrance?

Secondly, on regulation and enforcement, it was mentioned that this would be enforced through the courts. If the courts are not meeting, how would that be managed?

The third question relates to the guidance that has been issued for parents who have shared custody of children. The statutory rule allows children to go to see their mum for a week, and then back to their dad, for instance. Has guidance been issued to the youth courts and so on about that? The issue was raised with me over the weekend by a number of divorced or split-up parents. They were asking whether they would be fined if they were found to be bringing their child to another family member. It is just panic mode. Also, could it be used by one parent or carer to withhold access to a child without the contact centres and that kind of thing, just in a normal shared-custody relationship? Is there any information on that?

**Ms Brown:** A business case around the Kinnegar barracks is being prepared. It will look at the issues around access and the most appropriate access. I will take that specific issue away and see whether we can give you more clarity on the issues around the entrance.

Andrew will deal with the one on the regulations. He might be able to help with the one on the youth courts as well.

**Mr Laverty:** Which one is that?

**Ms Brown:** The youth courts. I am not sure, but we can go back and speak to Peter Luney and the Lord Chief Justice on those issues.

**Mr Laverty:** Yes, the specifics of the arrangements on shared custody are something that courts colleagues would need to provide advice on. I would not want to speak to hypotheticals when it is not a part of the court system that I am familiar with.

On the regulations and enforcement, it is my understanding that there are three summary courts that are going to continue business, but I will get confirmation on that from courts colleagues. Magistrates' Courts will be conducting all business. I believe that there may be a practical approach, in that proceedings could be initiated and immediately adjourned. That would allow the prosecution and subsequent enforcement to progress.

The Department of Justice's legal advisory resource has identified an issue with the expiry clause of the regulations. We have a paper in to our permanent secretary for consideration. We believe that the intention of the regulations is that any offence that is created for the duration of the pandemic ceases to be a valid offence after the regulations expire. Our understanding is that the intention is that enforcement would continue after the point of expiry, but the regulations do not include a specific saving provision that would make that completely clear. We have therefore requested from Home Office colleagues confirmation on what their expiry and post-expiry enforcement plans are. Given that we are being asked to operate the regulations consistently across all jurisdictions, we will be looking at what we can do to ensure that meaningful enforcement can continue after the regulations stop.

**Miss Woods:** So, just to confirm, that would be for the Home Office to decide? It would not be something that could come through Northern Ireland?

**Mr Laverty:** We are also speaking to the Department of Health and Executive Office colleagues, because they are very much the policy-setters who are giving us the direction of travel for the regulations. We will be looking at them and asking them what they wish to progress from a Northern Ireland-specific perspective. It is not simply that the Home Office will be dictating to us; there will also be a Northern Ireland element. It may well be that, at a point towards the end of the regulations, if a charge has only just been made, a sympathetic decision might be taken that such cases might not be pursued. It is something that we are very much working on, and the regulations afford the opportunity for amendments to be made. The Department of Health has to review them every 21 days. If, for instance, there was going to be a change in the lockdown arrangements — if a reasonable purpose was no longer going to be considered reasonable for leaving the house — the regulations would need to be amended to reflect that. That ability to amend the regulations would also allow us to bring in an amendment clause to fix the expiry issue, if it turns out that that is needed.

**Miss Woods:** Thank you. I appreciate that.

**Mr Frew:** I have a couple of questions. Before I get to the guidance though, I would like to ask: if you look inwards into the Justice Department for a moment, what policies are in place to protect staff in the Department around those people who have to isolate, people who go off with symptoms and those who have vulnerable people at home? At the Finance Committee, I asked whether there was a sweeping policy for that throughout the Civil Service. I am not sure that I have been given an answer yet; in fact, I know that I have not. What policies are in place in the Justice Department for such people? I know that the Government do not really want Departments to use the furlough process. Are there procedures and policies in place for that?

**Ms Brown:** Guidance has been issued across the board to the NICS that advises people what they should do. If they live on their own and develop symptoms, they should isolate for seven days. If they live with a family, they should isolate for 14 days. There is detailed guidance there. A hub has also been set up for staff that they can go to with frequently asked questions etc, and it provides all of that guidance about what people should do in those circumstances around making sure that they and others are staying safe. There are policies around where people can be given special leave for particular circumstances etc, those with vulnerabilities etc, so that they can avail themselves of the special leave. There is guidance around all of that and, in addition, the head of the Civil Service wrote out last week and our permanent secretary is writing out regularly to staff as well to make sure that people are being kept up to date. As I said the last day, this is moving very fast and things are changing very quickly, and we need to make sure that we are engaging with our staff.

We have quite a few people who are at home at the moment, who are self-isolating or working from home etc. We are making sure that we have regular engagement with those staff and methods of communication in place. We are looking innovatively at how we can use home computers etc to keep in contact. We have recently explored the use of Zoom etc to make sure that there is face-to-face contact, because the mental health of our staff is hugely important and we know that, in these very difficult times, just that contact with the office can actually really help people.

**Mr Frew:** Are they also supported though remuneration, so that nobody is going to end up coming short here at the end of a very traumatic period? That is important.

**Ms Brown:** Yes.

**Mr Laverty:** Mr Frew, if it might help, I can offer you some personal examples of what is happening in our criminal justice policy and legislation division. That is mirrored across the Department. All our

heads of branch have secure laptops. Our computer system is a secure one, so it is not something that you can easily connect to with normal IT equipment, but each of our heads of branch, including me, is home-working. We have access to those laptops, which allow us access to secure emails and to Trim, our database of working records.

As Deborah mentioned, there are weekly updates from the head of the Civil Service and also from our permanent secretary. We, the heads of branch, disseminate those out to our office colleagues who are also at home, because if they are not an essential worker, they are not required to come into the office. It is about keeping them and their families safe. All of us have relatives whom we are concerned with, so it is about doing as much home-working as it is possible to do.

As Deborah also mentioned, I believe that they are exploring an IT system that might not allow access to the records database, but might allow some sort of controlled access to work emails, which would greatly open up the opportunities for people with access to a laptop or a personal computer to be able to do meaningful work. That is a big part of what we are trying to do: to make sure that staff do not get into a sort of drift or feel forgotten about. It is about maintaining contact, maintaining their mental health, trying to look positive and keeping them engaged. I hope that that offers you some sort of reassurance in that respect as well.

**Mr Frew:** Are safe distancing practices being put in place?

**Ms Brown:** Yes.

**Mr Frew:** I am sure that some places and built environments are different from others. It may be more challenging in some places than in others, but is it being adhered to and implemented as much as possible?

**Mr Laverty:** Just this morning, I called into the office to collect some papers, because it is difficult to work remotely if you do not have a lot of the reference material that you use regularly. Even before last week, when we were given the instruction to work from home if possible, which then became a direction to go home unless you are an essential worker, people were moving around the office. Where there was spare space, people were able to create significant social distance between themselves. I did not see it as being an issue in the access to justice directorate. Certainly in my branch and other branches in the immediate locale of our office, social distancing was being adhered to very carefully.

**Mr Frew:** Good. I want to ask about access to justice. Many fathers and mothers are awaiting a court date and then a judgement on access to their children. That could well be one of the major undercurrents that bungs up the system here, whereby courts are unable to perform their function properly. Many people who have been denied access to their children up to this point and are waiting patiently for a court directive in order to gain custody of, joint custody of or access to their children now feel that there is no hope of seeing their children any time soon. Can any measure be put in place to ensure that those court cases roll on? Can anything be put in place in the interim? I realise that some family cases are very serious and have to be tested in court. Is that being looked at?

**Ms Brown:** As I understand it, the Lord Chief Justice's directions give examples of what is considered to be urgent business, but those are not exhaustive. Issues around contact arrangements for children could certainly be brought to the courts. Although they are not specifically mentioned, that is my understanding.

**Mr Frew:** OK. That is good. It is remarkable guidance for remarkable times. We do not want to see it in place for any longer than it needs to be. There are already questions coming out of the guidance. People have contacted me to say that they run up a certain track or hill every morning where there is nobody, but if they leave from their house to run or jog, they bump into so many people up the street. There are wee things like that. What about gardeners and window cleaners? A window cleaner asked me whether it was OK if he continued to clean windows. I replied, "As long as you do the outsides only". Of course, I was being flippant in that case —

**Mr Laverty:** Those are real-world issues.

**Mr Frew:** — as he is a good friend. You can see where wee anomalies appear. People are so frightened of the virus, but they are also now frightened by the determinations and guidance. That is not a mindset that you really want to keep going.

**Mr Lavery:** It is not sustainable in the long term.

**Mr Frew:** No. Will some sort of guidance or advice be issued as those wee questions and anomalies come up?

**Mr Lavery:** That is part of the reason that there is a built-in review in the regulations. The Department of Health has to review them every 21 days, to look at what it can learn from issues that have arisen. If there are issues that are being demonstrated to have a broad impact, both the Department of Health and the Executive Office, which are largely responsible for setting the restrictions, will want to look at and consider them. As I said to Rachel, there is an order-making or direction-making power in the regulations. They are not fixed and finite from this point on. They can be reviewed and amended.

The media message about leaving the house once a day for exercise is being rehearsed repeatedly on the news and between songs on music stations. Some of the confusion perhaps comes from the fact that there are different measures in different jurisdictions. In the South of Ireland, there is a strict 2-kilometre radius within which people are allowed to move about freely. The regulations for Northern Ireland are silent on distance, and there are not restrictions on the types of places that you can go to, as long as common sense is applied. As ACC Todd advised earlier, it is really not appropriate to travel long distances to spend an afternoon in Newcastle or to walk on Tyrella beach, or anything like that.

As is being reported in the mainstream news, there are also different approaches to the regulations being taken by different police forces in England and Wales. We are quite fortunate that we have only one police force doing the operational roll-out of the enforcement of the guidance, so the message will be consistent for Northern Ireland purposes at least.

I trust that the review mechanism, which is formally built into the regulations and requires the Department of Health to look at them every 21 days, would ensure that any issues, such as those that you and colleagues will be able to bring to them, will be taken into consideration.

**Mr Frew:** I have a final point that needs to be raised, Chair. I disagree with Linda's points about the army. I would hate for a nervousness to creep into the decision-making process. The army is an amazing organisation. It has proved its worth even over the past number of weeks with the building of the Nightingale hospital. If you want something done, the army is the best organisation to get it done. It is not only infantry on the ground. You have engineers of all hues who will keep ventilators, electric and air tubes going. You will have field hospitals and field ambulances, with medics of the highest calibre, who work through the toughest decisions. All of them operate according to and are trained in the Geneva Convention. There should be no delay. If we need people on the ground, there should be absolutely no delay from Civil Service officials. When they need help, they should seek help and get it from the army.

**Mr Lavery:** Deborah can probably cover that point if she feels that there is any need to add to it.

**Ms Brown:** That gets us into areas that are wider than those for which we are responsible. Linda's question related specifically to the Kinnegar arrangement, so I will provide clarification on that. The other issues are wider than the DOJ remit.

**Ms Dillon:** Paul, I understand where you are coming from, in that you would have no issue, but you have to accept that others would have a really serious issue with it. It is a very sensitive issue for people, so I do not think that we should be so forceful. That is why I approached it by saying that we should think about the sensitivities and all the ramifications for the PSNI and us as a Government. Please God this will all be over in a few months, but we will then have to deal with the fallout from it. I do not want decisions to be taken that we are dealing with the fallout from for years to come. I would like some clarification on the issue, and I would like it urgently, or as quickly as possible.

**Mr Frew:** May I add to that?

**Ms Dillon:** I am trying not to be forceful on the issue, because I understand that we have to give people flexibility. However, I have to impress on people the massive issue that that would be for a

large number of people. It is very sensitive and very emotive. It is not even a political point for me. It is a very emotive issue for a lot of people out there. I do not even want it to become a thing for us.

**Mr Frew:** The very important difference here is that we are not talking about a security scenario, in which we have soldiers on the ground to support a police force. We are talking about things that need to be done in an operational sense. If my health is failing and I need to breathe but cannot breathe, I do not care who comes to help me. I really do not. If I have a family member who has died and needs to be treated with dignity, I do not care who helps me. I want that loved one to be treated with dignity. If the person helping happens to be someone who serves in the army, I am OK with that.

**The Chairperson (Mr Givan):** Deborah and Andrew, thank you very much for coming to the Committee today. There are a few points of clarity that you will provide for us, but we appreciate you giving up your time to come here. Thank you.