



# Official Report (Hansard)

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Wells, Jim (South Down)  
Woods, Miss Rachel (North Down)

# Northern Ireland Assembly

Tuesday 4 May 2021

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Speaker:** Before we commence the sitting, I inform Members that I have been advised that Mr Gary Middleton will not introduce the Adjournment topic today. The sitting will adjourn immediately after the motion to approve the corporate insolvency regulations.

## Matter of the Day

### Centenary of Northern Ireland

**Mr Speaker:** Mr Jim Allister has been given leave to make a statement on the centenary of Northern Ireland, which fulfils the criteria set out in Standing Order 24. If other Members wish to be called, they should rise in their place and continue to do so. All Members who are called shall have up to three minutes to speak on the subject. I remind Members that I will not take any points of order on this or any other matter until the item of business has finished.

**Mr Allister:** Yesterday marked the centenary of Northern Ireland as a separate political and legal entity within the United Kingdom. Therefore, it also marked the centenary of the United Kingdom in the form that we currently know it. That, for many of us, is an occasion for considerable thankfulness and celebration.

Northern Ireland came into existence and continues to exist because of the will of its people. That is despite external and internal aggression. Externally, of course, for decades, our nearest southern neighbour overtly claimed our territory and allowed its territory to be used to facilitate the launch of terrorist attacks, and, internally, of course, we have had the besetting of vicious terrorism.

Northern Ireland is, indeed, a triumph of democracy over terrorism. Having faced all that vicious terrorism, I want today to salute the memory of the many who selflessly gave their life to stand between the law-abiding people of Northern Ireland and the evildoers in our midst.

Of course, Northern Ireland has also been subjected to relentless insult and vilification, including by those who tell us what the standards of respect are that are expected of us all, but Northern Ireland is still here and is flourishing as part of the United Kingdom. Scholars, sportsmen, inventors, generals, captains of industry, leaders in medicine: we have proudly produced them all and much more

besides. I am proud of Northern Ireland. I am proud to call it home.

Looking forward, as in the past, we cannot be complacent to the threat that faces us. Vigilance served us in the past. Vigilance will serve us in the future, along with the determination to defeat any threat that comes along, including the current threat of the iniquitous protocol.

**Mr Speaker:** The Member's time is up.

**Mr Allister:** That determination against —

**Mr Speaker:** The Member's time is up.

**Mr Allister:** — those who want to see us overcome and who wish the Province ill —

**Mr Speaker:** The Member's time is up.

**Mr Allister:** — from within and without.

**Mr Speaker:** The Member's time is up.

**Mr Buckley:** It is with immense pride and joy that I stand in the House today to welcome and mark the centenary of the country that I love and cherish. Undoubtedly, Northern Ireland means a lot of different things to many people, but one thing that we, regardless of community background, can all take huge pride in is its people. Be it in war, on the sporting field, in civic society, in industry or in medicine, Northern Ireland has punched well above its weight across the world. I am proud to call this place home, and I recognise that it is a shared home place.

I look forward to the next century with optimism. As the youngest unionist in this place, I am not oblivious to the threats that face the union and face Northern Ireland. As a young unionist with hope, I look forward to the next interesting time in our lives and in the development of this country, but I must mark and recognise the huge contribution and sacrifice of so many. Today, I think about my great-uncle Bobby Crozier, who was killed by a terrorist act at Glenanne army camp as he donned the uniform to protect its citizens. Today, I think about the many families of those who donned the uniform to defend this nation and ensure that we could reach this historic milestone in our nation's life. Their sacrifice is not in vain, and I pledge to them, in their memory, to their families and, indeed, to the community that I represent that I will do all within my power to make sure that this place prospers in the next century and that

it is seen and recognised as a welcoming place for those who may not share my community background or history.

Northern Ireland is a place that we can all rightly call home. Northern Ireland is a place that should be welcoming to all. That is the spirit in which I look to the next 100 years. I look to it with positivity, and I invite colleagues, yes, to reflect on the past but to look forward with optimism and to mark the centenary with the respect that it deserves.

**Mr O'Dowd:** Quite clearly, there will be different perspectives on the events of 100 years ago, and it would be quite easy to rise to the bait of Mr Allister's usual angry performance.

However, we have to reflect on what those 100 years have meant to all who live on this island and, indeed, across these islands and on what the future will look like. Mr Buckley's comments on the future were important. He is the youngest unionist in the House, and we need a vision for the young people and the not-so-young people who live on this island.

Ireland was partitioned by the Government of Ireland Act. In my opinion, which many share, that was the wrong thing to do to Ireland. It created division, and it created a state that systematically discriminated against a large proportion of its citizens. It created laws such as the Special Powers Act that were the envy of the apartheid South African regime. That is not democracy.

We can look forward, I think, to a new future. The Government of Ireland Act was repealed as part of the Good Friday Agreement, and the Good Friday Agreement is why we all sit here today and why we share power today. Of course, we still have our differences. We have our differences about what the future will hold, but I am confident that the future will be different from the past, both in how the past was created and in how it was enforced. I believe that democracy, that much-used word, will create a new beginning on the island of Ireland, where Protestant and Dissenter can live alongside the Catholic and the nationalist and all of those other traditions that are coming forward and that a new Ireland will be a home place to us all. I do not know what that new Ireland will look like, but I firmly believe that we now have the mechanisms in place to ensure that it is a shared place, that the mistakes of the past can be learned from and that the generation of Mr Buckley and those in the Chamber who may be slightly greyer in the head will have a better time.

I will end on this note. A young republican said to me a number of years ago, "We will be the generation that lives for Ireland. No more should any generation die for Ireland". That has to be the ambition for us all.

**Mr O'Toole:** We talk a lot about history in this place, perhaps a little too much. It is probably fair to say that we definitely talk about it too much. It is, however, the 100th anniversary of the passing of the Government of Ireland Act, the partition of Ireland and the creation of the jurisdiction of Northern Ireland, all of which were, clearly, historically significant moments. They were part of a decade of disruption on the island of Ireland that began in 1912. The decade of centenaries will run right through to the centenary of the conclusion of the Irish civil war. That decade 100 years ago brought about enormous disruption.

Rather than seeking to score points from history, it is important to set out and acknowledge two broad truths about the partition of Ireland. The first is that the disruption that took place as a result of the Government of Ireland Act was, in part, a reflection of the fact that a substantial minority of people on the island did not feel that they wanted to be part of, first, a home rule Ireland and, secondly, an independent Ireland. The second truth is that the partition of Ireland was, in my view and certainly that of my party, not the best way of reacting to that dissent. It created what was for a very long time a deeply unjust state. It would therefore be wrong to mark this day without acknowledging both of those truths: there was a substantial minority in this part of the island with a distinct identity, but the jurisdiction created by partition was deeply unjust and, indeed, the act of partition severed many families, communities and geographies in a way that is regrettable and traumatic to this day.

You only have to go to the west bank of the River Foyle in the city of Derry. It is sometimes forgotten that the city side of Derry is all on the Inishowen peninsula, and what surrounds it is both a wide river, the River Foyle, and an international border. While acknowledging the distinctness of this part of Ireland, it is also necessary for us to acknowledge the deep hurt that was caused by partition. However, that is history. As Mr O'Dowd said, what we in this place should be about is making the present better and building a better future. That is the only future for people on this island, particularly in this part of Ireland, whatever your constitutional preference.

My constitutional preference, and that of my party, is that we, on the basis of reconciliation, remove the border on the island of Ireland. However, any of us with a constitutional preference, whether to maintain the Union with the United Kingdom or to remove the border in Ireland, can do so only on the basis of reconciliation, mutual respect and sharing this place. That should be the lesson of our history, and the lesson that we all take forward as we build the future.

**10.45 am**

**Dr Aiken:** I thank Mr Allister for bringing this Matter of the Day to the Assembly.

Today marks the first day of our next century. It should be a century of pride, because we can take a lot of pride in what we have achieved. There is a lot to commemorate and to reflect on.

Yesterday, I spent the morning at a church service, which was quite remarkable in that it was led by someone from what I call the "new Northern Ireland". The minister is from Scandinavia, and she sees herself very much as part of this new Northern Ireland. The music director — I declare an interest here — was my wife, and she is American. The whole church service was not about fear or anything like that. It was about hope for the future. It was interesting to speak to some of the younger people who were at the service. I asked them how they viewed Northern Ireland, and they said that they were very happy with the way it is. There are things wrong with Northern Ireland, but there are things wrong all over the place — with the Irish Republic, Europe and the United States.

When you sit back and think about it, Northern Ireland is not a bad place to be. We have so much opportunity, and we have the greatest natural resource of all: our people. Yes, our people need to be looked after. We need a proper health service, which we are trying to build, and an education system that educates our children together rather than separately. We need an economy based on the future, which deals with the challenges that we will face as a result of climate change and other issues. We must grab the opportunities for things like fintech and other new emerging technologies. We can do that.

This is a time for hope. We should all look forward confidently together and do that in a manner in which we all work closely with one another. That is what the Belfast/Good Friday Agreement was all about: transforming

Northern Ireland and getting ready for the future.

We can look back on all sorts of things and say that we did not want to see such things. I could use Her Majesty's words to express that. However, our most important task, as an Assembly and as politicians, is to look confidently to the future and the next 100 years. Let us make Northern Ireland work for everybody.

**Mr Muir:** As Northern Ireland hits its 100th anniversary, I respect the fact that there are many perspectives on that in society and in the Chamber.

I love Northern Ireland and consider it my home, but I want to build a future based on respect and reconciliation. What makes Northern Ireland unique is its people. I am so proud of the people who make up Northern Ireland. That is what makes me happy to call the place home. However, I recognise the history of this place and that, at far too many times, people did not feel at home, and discrimination was prevalent. That discrimination affected many people, including members of my family. I am conscious of that and also of the hurt that was caused to many as a result of the violence in our past.

As we look over the last 100 years, it is important that we take learnings from the past, which will enable us to consider and appreciate different viewpoints. Some of the events that have been organised recently by your office, Mr Speaker, have been very worthwhile, and I commend you for organising them. The BBC has a podcast, 'Year '21', which I found very useful. We can benefit from engaging with and learning from our past.

As other Members said, the Queen issued a statement yesterday, which, for me, was very welcome. It follows on from the call made by King George V at the opening of the Northern Ireland Parliament many years ago. He called on people:

*"to stretch out the hand of forbearance and conciliation".*

As we look to the future, that future must be based firmly on reconciliation. President Higgins said recently:

*"The whole purpose is not to allow some event of the past have the capacity to disable you in the present and remove options for the future from you."*

That is so true.

Northern Ireland society has drastically changed. It is a wonderful rainbow of minorities and a great society to be part of. The future, however, must be about continuing that progress, which must be about being an open, welcoming and more equal place that attracts and retains people, talent and jobs. We have it in our gift to create that future society, which is about celebrating and embracing diversity. I encourage everyone to grasp it.

**Mr Carroll:** People Before Profit does not support the idea that the centenary of partition is something to be celebrated. Everything in the North is pitched within the binary framework of the two traditions, where people are expected to be either unionist or nationalist. As a James Connolly socialist, I firmly reject that narrative. While some may want to, we are not about sitting on the fence when faced with so-called divisive issues; we are about kicking down fences and challenging division, and that necessitates challenging partition.

Partition was a reactionary and undemocratic development that was used to thwart progressive and revolutionary change in Ireland. Look at the history of partition: it was undemocratically imposed on Ireland and backed by sectarianism and the widespread use of violence. That included having battalions of the British Army here, sectarian policing, the gerrymandering of electoral boundaries to ensure unionist power and a deep level of discrimination against the minority nationalist community in housing, jobs and the democratic franchise.

Of course, it is worth remembering that, in the aftermath of partition, many radical Protestants were expelled from the workforce, as they were deemed to be a threat to the state. Such was the nature of the injustices enshrined in the Northern state that it took mass upheaval through peaceful protest to challenge discrimination. The civil rights movement in the late 1960s was, of course, met with violence and repression by the unionist Government and the British military, creating the context for a sustained period of violence.

As James Connolly said it would, partition created a "carnival of reaction" on both sides of the border: in the South, a state based on the oppressive power of the Catholic Church that locked women up; and, in the North, an orange state in the image of the Unionist Party and the Orange Order. Partition created permanent divisions that have been cynically exploited by elites on both sides of the border to keep

workers and ordinary people in their place. Partition has firmly held back progress on both sides of the border.

We want to learn from history for sure, but we are not for celebrating the anniversary of partition. We want to see a socialist Ireland based on equality, justice and solidarity, where there is a world without borders and without imperialist war. It is true to say that the old world is dying and the new world is fighting to be born. In that fight, our party will be a socialist voice for challenging both states, North and South, in the interests of working-class people across the board.

**Mr Stalford:** It is ironic to be lectured about the creation of a new world by someone who, I suspect, regrets the fall of the Berlin Wall.

I will speak briefly about previous generations and then move on to talk about what we can do for future generations. I place on the record of the House my appreciation of the generation that created this state, the generation led by men such as Edward Carson and James Craig and that contributed to the victory of this country in the Great War at the Battle of the Somme. They are the founding fathers of Northern Ireland, and my children are full United Kingdom citizens because of the contribution of that generation. I will skip a generation and talk about the generation that kept the Atlantic open during the Second World War, that endured the blitz of this city and that made a contribution to the defeat of Hitlerism and fascism. Skipping forward another generation in the history of this country, I pay tribute to those who endured with bravery and stoicism the violent campaign of the Troubles, whether serving in the police, the armed forces or in any public service that kept this place going.

I was thinking about this the other day: my children will find it bizarre when I tell them that my mother had her bags searched when she went into Primark. Primark was on the news, and I was thinking that so much had happened in the history of this country that my children — all our children — will think, "How on earth did you live through that?". We did, and we endured.

Going forward to this generation, it is important that we commit ourselves to working together to make this place work. That is why I found it very disappointing that a party-political banner was erected on the side of a block of flats and pointed in the direction of a unionist community. That was nothing more than a calculated insult,

and it is not within the spirit of the statement that the Queen issued when she said:

*"Across generations, the people of Northern Ireland are choosing to build an inclusive, prosperous, and hopeful society, strengthened by the gains of the peace process."*

It is our job and the job of all elected to this place to build that society, to make this place work and to pass it on better to the next generation.

**Mr Catney:** Jonathan Buckley said that he was the youngest unionist, but, looking around, I think that I am the oldest nationalist here [*Laughter.*]

**A Member:** What about Jim?

**Mr Catney:** I am not going to call Jim anything close to a nationalist.

I want to follow on from Matthew. As a young man of maybe 22, I made my first sortie into Belfast to buy a little bar called the Liverpool Bar. The bar used to close when the two ships — either the Ulster Prince or the Ulster Queen — left for Liverpool. However, on those first days, I remember coming from the country. It was only 18 miles away, but Belfast was a different place from what it is now. People came to take the cheap ferry boat to Australia, and hundreds left every night. I saw them crying on Donegal Quay because they thought that they would never see their loved ones or family again as they were leaving this place.

As I said, I worked during the Troubles, as they were called, and I made a good living for myself and my family in Northern Ireland. This is my home, just as everyone else has said it is their home. I was born into this home, but there were problems. We cannot deny the problems that we had. We have inflicted hurt and pain on each other, and that is a pity — what a pity. I heard Mr Stalford talk about keeping the Atlantic open, and, as I have said before, my father's younger brother was blown up off the coast of Tenerife. We have a shared history. I love traditional Irish music, I love the song, and I love my Irish language: that should be shared. No one should own it; it belongs to every one of us. It was given to us by our Presbyterian forefathers, who wrote down the music and lyrics of the blind harper that we can still play and recite today.

I believe that Northern Ireland was born out of an undemocratic situation. The majority of Irish

people — 78% — voted in favour of home rule, the agreed principle of that vote. The next line, for me as a democrat, was the Good Friday Agreement; it contains all our truths and all the things that we share. We should be the generation that bends over backwards to accept and work with that document to make it work for us, our children and our children's children, and that should be our pledge.

**Mr Speaker:** The Member's time is up.

**Mr Poots:** I appreciate the opportunity that the Assembly has taken to mark the 100th anniversary of Northern Ireland. It has been a period when we have had many good, positive things and many people who have excelled.

Harry Ferguson was a great inventor. My dad bought a farm off him many years ago, and it is something that we really cherish. Poets such as Seamus Heaney, writers such as C. S. Lewis, actors such as Liam Neeson, footballers such as George Best and Pat Jennings, snooker players such as Alex Higgins and Dennis Taylor and motorcycle racers such as Joey Dunlop and young Jonathan Rea have all demonstrated that Northern Ireland people can achieve greatness. They have made great contributions here and in many other parts of the world.

**11.00 am**

I am a proud Northern Ireland man. All of its people are tremendous, friendly, kind and caring people. The scourge of the Troubles, which was inflicted for 25 years, was a disaster for Northern Ireland and for everyone in Northern Ireland. Not one of the bullets fired in the Troubles was justified. No one deserved to lose their life, and we can never return to that.

Let us look forward to a further 100 years. Others will achieve greatness, but hundreds, thousands and millions of our people will continue to be caring and loving people who are generous to others in need. Northern Ireland has had many great things to show and has many great things to come. We can move forward confidently and in a way that will ensure that people who have many benefits from being part of the United Kingdom and of that great Union will continue to have those benefits, which are not available elsewhere. We need to recognise that they are not available elsewhere and that doing anything other than being in this great Union will ensure that people will have less disposable income, less access to free healthcare and so many other things.

I am confident of a bright future for Northern Ireland within the Union. I celebrate the 100 years that we have had and look forward to leaving a Northern Ireland that is a great place for future generations to enjoy.

**Mr Speaker:** That concludes the debate on the Matter of the Day. Members, please take your ease for a moment.

## Executive Committee Business

### Pension Schemes Bill: Consideration Stage

**Mr Speaker:** I call the Minister for Communities, Ms Deirdre Hargey, to move the Bill.

*Moved. — [Ms Hargey (The Minister for Communities).]*

**Mr Speaker:** Members will have a copy of the Marshalled List of amendments, detailing the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list.

There is a single group of amendments, amendment Nos 1 to 20, which deal with technical and consequential amendments to schedule 3. Once the debate on the group is completed, any further amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Questions on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

*Clauses 1 and 2 ordered to stand part of the Bill.*

*Clauses 3 to 6 ordered to stand part of the Bill.*

*Clauses 7 to 12 ordered to stand part of the Bill.*

*Clauses 13 to 19 ordered to stand part of the Bill.*

*Clauses 20 to 33 ordered to stand part of the Bill.*

*Clauses 34 to 35 ordered to stand part of the Bill.*

*Clauses 36 to 40 ordered to stand part of the Bill.*

*Clause 41 ordered to stand part of the Bill.*

*Clauses 42 to 45 ordered to stand part of the Bill.*

*Schedule 1 agreed to.*

*Schedule 2 agreed to.*

### Schedule 3 (Minor and Consequential Amendments)

**Mr Speaker:** We now come to the single group of technical and consequential amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2 to 20. I call the Minister for Communities, Ms Deirdre Hargey, to move amendment No 1 and to address the other amendments in the group.

**Ms Hargey (The Minister for Communities):** I beg to move amendment No 1: In page 43, line 32, leave out "at the end add" and insert "after sub-paragraph (xii) insert".

*The following amendments stood on the Marshalled List:*

No 2: In page 43, line 35, leave out "at the end add" and insert "after sub-paragraph (ix) insert".— *[Ms Hargey (The Minister for Communities).]*

No 3: In page 43, line 40, leave out "at the end add" and insert "after sub-paragraph (xi) insert".— *[Ms Hargey (The Minister for Communities).]*

No 4: In page 43, line 43, leave out "at the end add" and insert "after sub-paragraph (ix) insert".— *[Ms Hargey (The Minister for Communities).]*

No 5: In page 44, line 27, leave out head (b).— *[Ms Hargey (The Minister for Communities).]*

No 6: In page 44, line 28, leave out head (c) and insert - "(c) at the end add ' or' ".— *[Ms Hargey (The Minister for Communities).]*

No 7: In page 44, line 36, at end insert -

*"9A. In Article 68 (inspection of premises), in paragraph (2) before sub-paragraph (e) insert —*

*'(dc) the Pension Schemes Act (Northern Ireland) 2020;'.— [Ms Hargey (The Minister for Communities).]*

No 8: In page 44, line 36, at end insert -

*"9B. In Article 72A (fixed penalty notices), in paragraph (6) after '2008' insert 'or section 17 of the Pension Schemes Act (Northern Ireland) 2020'.— [Ms Hargey (The Minister for Communities).]*

No 9: In page 44, line 36, at end insert -

*"9C. In Article 72B (escalating penalty notices), in paragraph (8) after '2008' insert 'or section 18 of the Pension Schemes Act (Northern Ireland) 2020.'— [Ms Hargey (The Minister for Communities).]*

No 10: In page 44, line 36, at end insert -

*"9D. In Article 75 (offences of providing false or misleading information), in paragraph (1)(c)—*

*(a) omit the 'or' at the end of head (iv); and*

*(b) in head (v), at the end add ', or*

*(vi) the Pension Schemes Act (Northern Ireland) 2020.'— [Ms Hargey (The Minister for Communities).]*

No 11: In page 44, line 36, at end insert -

*"9E. In Article 75A (financial penalty for providing false or misleading information to Regulator), in paragraph (2)(c)—*

*(a) omit the 'or' at the end of head (iv); and*

*(b) in head (v), at the end add ', or*

*(vi) the Pension Schemes Act (Northern Ireland) 2020.'— [Ms Hargey (The Minister for Communities).]*

No 12: In page 44, line 39, leave out "after sub-paragraph (j)" and insert "before sub-paragraph (k)".— *[Ms Hargey (The Minister for Communities).]*

No 13: In page 45, line 5, leave out sub-paragraph (3) and insert -

*"(3) In paragraph (6), in the definition of 'the pensions legislation' at the end add ', or*

*(h) the Pension Schemes Act (Northern Ireland) 2020.'— [Ms Hargey (The Minister for Communities).]*

No 14: In page 45, line 10, leave out from "omit" to "paragraph" on line 11 and insert "before sub-paragraph (q)".— *[Ms Hargey (The Minister for Communities).]*

No 15: In page 45, line 15, leave out "after sub-paragraph (ta)" and insert "before sub-paragraph (u)".— *[Ms Hargey (The Minister for Communities).]*

No 16: In page 45, line 26, at end insert -

*"12A. In Schedule 1 (the Pensions Regulator), in Part 1 (delegation), in paragraph 2(2), after head (o) add—*

*'(p) the power to issue a fixed penalty notice under section 17 of the Pension Schemes Act (Northern Ireland) 2020;*

*(q) the power to issue an escalating penalty notice under section 18 of that Act.'— [Ms Hargey (The Minister for Communities).]*

No 17: In page 45, line 27, leave out from "after" to "4" on line 28 and insert "before Part 5".— *[Ms Hargey (The Minister for Communities).]*

No 18: In page 46, line 4, leave out "after paragraph (b)" and insert "at the end".— *[Ms Hargey (The Minister for Communities).]*

No 19: In page 46, line 8, leave out from "after" to "(b)" on line 9 and insert "at the end".— *[Ms Hargey (The Minister for Communities).]*

No 20: In page 46, line 14, at end insert -

*"The Pension Schemes Act (Northern Ireland) 2020*

*15.—(1) Section 17 (fixed penalty notice for failure to comply with request for information) is amended as follows.*

*(2) In the heading, at the end insert 'etc'.*

*(3) In subsection (1)—*

*(a) for 'with a' substitute 'with—*

*(a) a';*

*(b) after 'Part' insert ', or*

*(b) a notice issued under Article 67A of that Order (interviews), so far as relevant to the exercise of any of the Regulator's functions under or by virtue of this Part.'*

*16.—(1) Section 18 (escalating penalty notice for failure to comply with request for information) is amended as follows.*

*(2) In the heading, at the end insert 'etc'.*

*(3) In subsection (1)—*

(a) for 'with a' substitute 'with—

(a) a';

(b) after 'notice')' insert ', or

(b) a notice issued under Article 67A of that Order (interviews), so far as relevant to the exercise of any of the Regulator's functions under or by virtue of this Part (an 'Article 67A notice').'

(4) In subsection (2)(a), after '67 notice' insert 'or the Article 67A notice'.

(5) In subsection (3), after '67 notice' insert 'or an Article 67A notice'.

(6) In subsection (6)—

(a) in paragraph (b), after 'notice' insert 'or the Article 67A notice';

(b) in paragraph (e), after 'notice' insert 'or the Article 67A notice'."— [Ms Hargey (The Minister for Communities).]

The amendments are technical and consequential amendments in consequence of the Westminster Pensions Schemes Act 2021. Members may recall that, on 1 June 2020 and 2 November 2020, the House agreed legislative consent motions relating to the provisions of the Westminster Pensions Schemes Bill, which extends here. The Westminster Bill has completed its passage through Parliament and is now the Pensions Schemes Act 2021.

The Act provides for collective money purchase schemes where contributions are pooled and invested to deliver an aspired benefit level. It strengthens protections for scheme members, enhances the powers of the regulator and introduces stronger sanctions for those who harm their pension schemes. It aims to increase the transparency about individuals' pensions by introducing pensions dashboards and introduces provisions to tackle pension scams.

The Bill and the Westminster Pensions Schemes Act 2021 amend the same provisions in a number of cases. That has led to a conflict in the numbering of the new provisions inserted by the Bill and the Act, as, at the outset, it was unclear which would progress more quickly. As the Westminster Pensions Schemes Act 2021 has now been enacted, amendments to the Bill are necessary to rectify the conflict in numbering. In some instances, the Assembly's Bill Office can manage the correction of the

numbering, but technical amendments to schedule 3 to the Bill are also required as a consequence of the repositioning, the renumbered provisions being inserted and some conjunctions.

Amendment Nos 1 to 6, 12 to 15 and 17 to 19 make the necessary technical amendments to reposition the renumbered provisions being inserted and some conjunctions. They do not denote new policy. Seven further amendments are also necessary to carry amendments to provisions of our law that could not be made by the Westminster Pensions Schemes Act 2021 as the Bill had not completed its passage through the Assembly. Those amendments are necessary to maintain the parity and interlinked provisions in the Bill with other private pensions legislation in a coherent way. Those consequential amendments are technical, for example in order to add references to the Bill in a number of provisions amended by the Westminster Act. Amendment Nos 7 to 11, 16 and 20 make those necessary amendments. They do not denote the policy and, in line with legislative consent motions, would have been carried in the Westminster 2021 Act had the current Bill been enacted.

I will run briefly through the amendments. As I mentioned, amendment Nos 1 to 6, 12 to 15 and 17 to 19 make the necessary technical amendments to reposition provisions that have been renumbered and make the associated grammatical changes. Amendment Nos 7 to 11 insert new paragraphs 9A to 9E in schedule 3. They amend articles 68, 72A, 72B, 75 and 75A of the Pensions (NI) Order 2005, which are articles that have either been amended or inserted by the Westminster Pension Schemes Act 2021. The amendments made by paragraphs 9A to 9E are necessary to add a reference to the current Bill into provisions in those articles that refer to the relevant legislation here. Paragraphs 10 and 21 of schedule 8 to the Westminster Pension Schemes Act 2021 amend articles 68 and 75 retrospectively of the Pensions (NI) Order 2005. Paragraph 11 of the schedule inserts articles 72A and 72B, and paragraph 12 inserts article 75A into the 2005 Order. In the corresponding Westminster provision, the Act includes a reference to the Pension Schemes Act 2017, which is the Westminster analogue to the Bill. As the Bill had not completed its passage through the Assembly, the Westminster Act could not include a reference to the Bill or to articles 68, 72A, 72B, 75 and 75A. The references, therefore, have to be added by the Bill.

Amendment No 16 inserts new paragraph 12A into schedule 3. That new paragraph amends paragraph 2(2) of schedule 1 to the Pensions (NI) Order 2005 to add in the references of provisions in the Bill relating to fixed penalty notices and escalating penalty notices. Paragraph 27 of schedule 8 to the Westminster Pension Schemes Act 2021 amends paragraph 2(2) of schedule 1 to the 2005 Order. In the corresponding Westminster provision, the Act includes a reference to the Pension Schemes Act 2017. Again, as the Bill had not completed its passage, it was not included in those provisions of the Bill in paragraph 2(2) of schedule 1 to the 2005 Order. The reference, therefore, has been added by the Bill.

Amendment No 20 inserts paragraphs 15 and 16 into schedule 3. The new paragraphs carry amendments to clauses 17 and 18. Once enacted, the amendments cannot be made to the Bill as it stands, as they need to be commenced at a future date in tandem with the corresponding changes to the Pension Schemes Act 2017, which is the Westminster analogue to the current Bill.

Paragraphs 18 to 20 of schedule 7 to the Westminster Pension Schemes Act 2021 amend sections 17 and 18 of the Pension Schemes Act 2017. As the Bill has not completed its passage through the Assembly, the Act could not make the corresponding amendments for the North. The amendments, therefore, have to be made by the Bill. The intention is that the amendments will be commenced at the same time as the corresponding amendments to the Westminster Act.

In conclusion, I restate that the amendments are in consequence of the Westminster Pension Schemes Act 2021 and do not denote new policy.

**Ms P Bradley (The Chairperson of the Committee for Communities):** The Committee for Communities welcomes the Consideration Stage of the Bill, which, overall, is designed to safeguard workers' pensions and introduce a welcome new regulatory framework for master trusts in Northern Ireland. Over the past few years, there have been sweeping changes to pensions, and master trusts have become very popular. The Committee was first briefed on the Bill by departmental officials on 17 June 2020, and members were reassured that the Bill will ensure that no master trust scheme can operate without authorisation from the Pensions Regulator and that specific requirements must be met.

The Committee reported on the Pension Schemes Bill on 19 November 2020, having considered the Bill at eight meetings and taken oral evidence from the Northern Ireland Assembly Research and Information Service (RaISe), the Workers Pension Trust and the Pensions Regulator.

### 11.15 am

During Committee Stage, officials advised the Committee that a number of amendments would be necessary at Consideration Stage in consequence of the Westminster Pension Schemes Bill, which, at that time, was before Parliament. The Westminster Bill has completed its passage through Parliament and is now the Pension Schemes Act 2021.

I take this opportunity to thank the officials — Gerry McCann and Doreen Roy — for all their assistance during Committee Stage and their patience with technical explanations and subsequent briefings on these amendments. The Committee was briefed by the officials at its meeting on 22 April on the text of the amendments that we are considering, and the officials outlined their purpose.

The Committee was content that they did not represent new policy or change to the original policy intent of the Bill. The Committee also noted that legislative consent motions in relation to the Westminster Pension Schemes Act 2021 were agreed by the Assembly on 1 June and 2 November 2020. The Committee was content that the amendments were technical, drafting and consequential amendments required to the Pension Schemes Bill as a result of the Pension Schemes Act 2021.

**Ms Mullan:** Having recently joined the Committee for Communities, I welcome this opportunity to speak on the Pension Schemes Bill, which has been making its way through the various stages for several months now.

The Bill, as I understand it, aims to provide additional safeguards for pension scheme members through a variety of mechanisms. Over the years, the manner in which people manage and access their pensions has changed. It is vital that the regulations keep pace with that and provide the necessary protections.

The amendments are technical in nature. I thank the Minister and her officials for providing the detail and the rationale for bringing them forward. As we have heard, as a result of the

Westminster Pension Schemes Act progressing ahead of the Pension Schemes Bill, they focus largely on changes to numbering and ordering as well as additional references not currently included. The amendments also ensure that the Bill's provisions are interlinked with other pensions legislation in place here.

I thank the research team and the departmental officials who provided briefings to support the scrutiny of the Bill so far for their time and expertise.

I am content that these amendments do not make any policy changes, and therefore I support them.

**Mr Durkan:** I thank the Minister for bringing the Bill back for Consideration Stage.

My hesitancy around the LCMs and accelerated passage for any Bill, let alone a Bill that will impact on all pension savers throughout the North, is on record. However, I do acknowledge and have acknowledged that there was a huge element of urgency with this Bill as a result of the Assembly's three-year hiatus, which had already placed pension scheme members here at a disadvantage to their counterparts in Britain. This Bill, however, will bolster protections for pension savers, providing people with a safety net of assurances surrounding their pension schemes. It is, therefore, vital that those safeguards are implemented without further delay.

One key issue discussed at Committee was the exponential increase in members of master trusts in the North. Members recognised the need for inbuilt protections but were reassured that, when master trusts do not have access to a pension protection fund, there is a safety net in the event of fraud. Likewise the fact that the Pensions Regulator will have a role in regulating cross-border schemes and can intervene, if necessary, is very much welcome.

Assurance was sought, because of the Committee's nervousness, about potential changes to the Bill that would happen at Westminster on which we would not have a say. We got assurances that we would, and we are having that today.

As for the amendments, we certainly support them. I appreciate that they have been detailed by the Minister and the Chair, but I highlight those made in relation to supporting a cap on exit charges on certain occupational pension schemes. That cap, in many instances, has acted as a barrier, preventing many individuals from accessing their pension savings. It is

important that we remove that barrier and provide certain levels of flexibility and freedoms. The new provisions in relation to a ban on member-borne commission charges are similarly welcome.

The Bill will improve pension schemes. It will make them safer, and it will make them greener. We support the amendments and the Bill.

**Mr Speaker:** I call the Minister for Communities to make a winding-up speech.

**Ms Hargey:** Again, thanks very much to the Chair and members of the Committee for Communities for taking the briefings from Gerry and Doreen. A lot of the amendments are technical in that they are consequential to the legislation. I appreciate the manner in which the Committee approached the Bill, and I urge the House to support it.

**Mr Speaker:** Thank you, Members.

*Amendment No 1 agreed to.*

*Amendment No 2 made:*

In page 43, line 35, leave out "at the end add" and insert "after sub-paragraph (ix) insert".— [Ms Hargey (The Minister for Communities).]

*Amendment No 3 made:*

In page 43, line 40, leave out "at the end add" and insert "after sub-paragraph (xi) insert".— [Ms Hargey (The Minister for Communities).]

*Amendment No 4 made:*

In page 43, line 43, leave out "at the end add" and insert "after sub-paragraph (ix) insert".— [Ms Hargey (The Minister for Communities).]

*Amendment No 5 made:*

In page 44, line 27, leave out head (b).— [Ms Hargey (The Minister for Communities).]

*Amendment No 6 made:*

In page 44, line 28, leave out head (c) and insert "-(c) at the end add ' or'".— [Ms Hargey (The Minister for Communities).]

*Amendment No 7 made:*

In page 44, line 36, at end insert -

"9A. In Article 68 (inspection of premises), in paragraph (2) before sub-paragraph (e) insert —

'(dc) the Pension Schemes Act (Northern Ireland) 2020;'.— [Ms Hargey (The Minister for Communities).]

Amendment No 8 made:

In page 44, line 36, at end insert -

"9B. In Article 72A (fixed penalty notices), in paragraph (6) after '2008' insert 'or section 17 of the Pension Schemes Act (Northern Ireland) 2020'.— [Ms Hargey (The Minister for Communities).]

Amendment No 9 made:

In page 44, line 36, at end insert -

"9C. In Article 72B (escalating penalty notices), in paragraph (8) after '2008' insert 'or section 18 of the Pension Schemes Act (Northern Ireland) 2020'.— [Ms Hargey (The Minister for Communities).]

Amendment No 10 made:

In page 44, line 36, at end insert -

"9D. In Article 75 (offences of providing false or misleading information), in paragraph (1)(c)—

(a) omit the 'or' at the end of head (iv); and

(b) in head (v), at the end add ', or

(vi) the Pension Schemes Act (Northern Ireland) 2020.'.— [Ms Hargey (The Minister for Communities).]

Amendment No 11 made:

In page 44, line 36, at end insert -

"9E. In Article 75A (financial penalty for providing false or misleading information to Regulator), in paragraph (2)(c)—

(a) omit the 'or' at the end of head (iv); and

(b) in head (v), at the end add ', or

(vi) the Pension Schemes Act (Northern Ireland) 2020.'.— [Ms Hargey (The Minister for Communities).]

Amendment No 12 made:

In page 44, line 39, leave out "after sub-paragraph (j)" and insert "before sub-paragraph (k)".— [Ms Hargey (The Minister for Communities).]

Amendment No 13 made:

In page 45, line 5, leave out sub-paragraph (3) and insert -

"(3) In paragraph (6), in the definition of 'the pensions legislation' at the end add ', or

(h) the Pension Schemes Act (Northern Ireland) 2020.'.— [Ms Hargey (The Minister for Communities).]

Amendment No 14 made:

In page 45, line 10, leave out from "omit" to "paragraph" on line 11 and insert "before sub-paragraph (q)".— [Ms Hargey (The Minister for Communities).]

Amendment No 15 made:

In page 45, line 15, leave out "after sub-paragraph (ta)" and insert "before sub-paragraph (u)".— [Ms Hargey (The Minister for Communities).]

Amendment No 16 made:

In page 45, line 26, at end insert -

"12A. In Schedule 1 (the Pensions Regulator), in Part 1 (delegation), in paragraph 2(2), after head (o) add—

'(p) the power to issue a fixed penalty notice under section 17 of the Pension Schemes Act (Northern Ireland) 2020;

(q) the power to issue an escalating penalty notice under section 18 of that Act.'.— [Ms Hargey (The Minister for Communities).]

Amendment No 17 made:

In page 45, line 27, leave out from "after" to "4" on line 28 and insert "before Part 5".— [Ms Hargey (The Minister for Communities).]

Amendment No 18 made:

In page 46, line 4, leave out "after paragraph (b)" and insert "at the end".— [Ms Hargey (*The Minister for Communities*).]

*Amendment No 19 made:*

In page 46, line 8, leave out from "after" to "(b)" on line 9 and insert "at the end".— [Ms Hargey (*The Minister for Communities*).]

*Amendment No 20 made:*

In page 46, line 14, at end insert -

*"The Pension Schemes Act (Northern Ireland) 2020*

*15.—(1) Section 17 (fixed penalty notice for failure to comply with request for information) is amended as follows.*

*(2) In the heading, at the end insert 'etc'.*

*(3) In subsection (1)—*

*(a) for 'with a' substitute 'with—*

*(a) a';*

*(b) after 'Part' insert ', or*

*(b) a notice issued under Article 67A of that Order (interviews), so far as relevant to the exercise of any of the Regulator's functions under or by virtue of this Part.'*

*16.—(1) Section 18 (escalating penalty notice for failure to comply with request for information) is amended as follows.*

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*(a) for 'with a' substitute 'with—*

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*(b) after 'notice')' insert ', or*

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*(4) In subsection (2)(a), after '67 notice' insert 'or the Article 67A notice'.*

*(5) In subsection (3), after '67 notice' insert 'or an Article 67A notice'.*

*(6) In subsection (6)—*

*(a) in paragraph (b), after 'notice' insert 'or the Article 67A notice';*

*(b) in paragraph (e), after 'notice' insert 'or the Article 67A notice'.*— [Ms Hargey (*The Minister for Communities*).]

*Schedule 3, as amended, agreed to.*

*Long title agreed to.*

**Mr Speaker:** Members, that concludes the Consideration Stage of the Pension Schemes Bill. The Bill stands referred to the Speaker.

Members, please take your ease for a moment or two.

**11.30 am**

*(Mr Principal Deputy Speaker [Mr Stalford] in the Chair)*

## **The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 6) Regulations (Northern Ireland) 2021**

**Mr Principal Deputy Speaker:** Members, the next items of business are motions to approve five statutory rules (SRs), all of which relate to the health protection regulations. There will be a single debate on all five motions. I will call the junior Minister to move the first motion. He will then commence the debate on all the motions, as listed in the Order Paper. When all who wish to speak have done so, I shall put the Question on the first motion. The second motion will then be read into the record, and I will call the Minister to move it. The Question will then be put on that motion. That process will be repeated for the remaining SRs. If that is clear, I shall proceed.

**Mr Kearney (Junior Minister, The Executive Office):** I beg to move

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 6) Regulations (Northern Ireland) 2021 be approved.*

*The following motions stood in the Order Paper:*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 7) Regulations (Northern Ireland) 2021 be approved. — [Mr Kearney (Junior Minister, The Executive Office).]*

*That the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 be approved. — [Mr Kearney (Junior Minister, The Executive Office).]*

*That the Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment) Regulations (Northern Ireland) 2021 be approved. — [Mr Kearney (Junior Minister, The Executive Office)]*

*That the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment) Regulations (Northern Ireland) 2021 be approved. — [Mr Kearney (Junior Minister, The Executive Office).]*

**Mr Principal Deputy Speaker:** The Business Committee has agreed that there should be no time limit on this debate.

**Mr Kearney:** Junior Minister Lyons and I are bringing forward four statutory rules, Nos 71, 91, 93 and 97, that amend the Health Protection (Coronavirus, Restrictions) Regulations. De ghnáth pléitear na leasuithe le comhaltaí in ord na n-uimhreacha de réir mar atá siad leagtha. We normally take Members through the amendments by number. This morning, we will be taking through the amendments made between the principal regulations, namely the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations, and the new set, which commenced on 9 April 2021. We are also bringing forward one statutory rule, No 96, that amends the Health Protection (Coronavirus, Wearing of Face Coverings) Regulations. To try to make it a bit simpler for us and for Members, we will move through the amendments in order of their SR number. Mr Principal Deputy Speaker, with your permission and especially given the number of regulations that we are dealing with, I will focus my remarks exclusively on those at the centre of today's debate.

First, SR 71 makes the sixth amendment to the 2021 (No. 2) restrictions regulations. Made on 24 March, it allowed for a number of relaxations and technical amendments to correct the legislation. From 25 March 2021, it allowed professional sporting leagues or competitions to take place where they had already commenced after 18 December 2020. It also amended the next formal review date for the regulations to 15

April 2021, removed the expiry date of the regulations, which had been 31 March 2021, and corrected a technical drafting error on the level of fines and fixed penalty notices for certain offences. We ask Members to note here that there were no policy changes to the level of fines in that correction. From 1 April, the SR allowed up to six people from two households to meet outdoors in a private dwelling and up to 10 people from two households to exercise together outdoors. It extended the list of non-essential retail allowed to operate click-and-collect services to include garden centres and plant nurseries.

SR 91 made amendment No 7 to the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations 2021 on 31 March. It came into operation on 1 April and allowed up to 10 people from two households to take part in outdoor sport, including exercise or training, and indoor toilet facilities in sports or exercise facilities to open for those participating in an outdoor sport.

The third SR that we are debating is SR 93 of the Health Protection (Coronavirus, Restrictions) Regulations. This rule made no policy change to the regulations; it only consolidated the restrictions regulations as they stood on 8 April 2021. This consolidation created a clear and accessible set of regulations that can be more easily amended in the coming weeks and months as further relaxations are agreed by the Executive. This rule also marks the start of the set of new principal regulations and revokes the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations, which were made in July 2020, and all subsequent amendments to them in 2020 and 2021.

Some face-covering provisions previously in the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations were not included in that new consolidation. Instead, SR 96, which is before the Assembly today, amended the Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment) Regulations to include those existing face-coverings provisions in relation to places of worship and close-contact services. This rule was also the first amendment to the Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment) Regulations 2021. It was made on 8 April and came into operation on 9 April 2021. It required people to wear a face covering whilst inside a church or other premises where beliefs are practised and where they are providing or receiving a close-contact service.

For eagle-eyed Members, I point out that, while the wording has changed slightly in this piece of legislation, it is a matter of drafting and does not reflect any change of policy. It does, however, now provide operators of a passenger transport service, their employees and their agents with the power to enforce the legislation.

Aris eile: níl athrú ar bith air seo ó thaobh polasaí de.

Again, this is not a policy change. Operators of passenger transport services had already been designated as relevant persons with identical powers under the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations. Those powers are now in the Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment) Regulations instead.

I now move on to the fifth and final statutory rule, SR 97. This is the first amendment to the newly consolidated Health Protection (Coronavirus, Restrictions) Regulations 2021. Coming into operation from 12 April, it allowed: click-and-collect services for all non-essential retail; the opening of outdoor retail, including car dealerships, car washes, garden centres and plant nurseries; the viewing of venues used for weddings or civil partnerships by up to four visitors, accompanied by one staff member; the removal of the "stay at home" requirement; outdoor sporting events for up to 15 people for the purpose of training, organised by a club, individual or individuals affiliated, in each case, to a relevant sporting body or organisation; the removal of the 25-person limit for attending funerals, marriage and civil partnership ceremonies; and, lastly, up to 10 people from two households to meet outside at a private dwelling.

Molaim an rún agus na rialacha don Tionól. I commend the regulations to the Assembly.

**Mr Gildernew (The Chairperson of the Committee for Health):** First, I note the improvement in the daily reported statistics. We all welcome the fact that a significant number of people are being vaccinated, with the programme now open to 30- to 34-year-olds. The vaccination programme has been a success, and we welcome the impact that the speed of that programme is having on cases. The downward trend in the number of cases identified on a daily basis is welcome, as is the significant reduction in the number of COVID patients in our hospitals, although our thoughts are with those patients with COVID who are in hospital. We wish them a speedy recovery that will see them back home with their families as soon as possible.

The easing of restrictions is welcome, and we hope that the rules that we are discussing today start to bring us along the road to recovery and normality. We all welcome the opportunity to see more of our friends and family in outdoor settings. I am sure that many of us have taken advantage of the opening of hairdressers' and barbers' businesses, although I am sure, a Phríomh-LeasCheann Comhairle, you see that that does not include me [*Laughter.*] I hope that it soon will.

It is a process, however, and I urge everyone to follow the guidance and regulations rather than push or bend the rules at this important time. It is crucial that we follow the rules and guidance as they are eased, as the process of easements will ultimately allow us to move more quickly to the point at which COVID-19 has less of an impact on our lives. We all look forward to that time.

The easing of restrictions and the reduction in numbers of COVID cases and patients allow the Department of Health to shift its focus to recovery from COVID-19. Over the last year, we have seen our waiting lists grow longer, health inequalities widen and the health and social care workforce stretched to, and indeed beyond, breaking point. The Department must focus on and urgently address those issues over the coming months. The Committee held an informal event with cancer charities and support groups; there is significant concern that late presentations of cancers are resulting in much worse outcomes for patients and more difficult and expensive treatments for the health service to provide. Following the rules allows our health service to focus on those very important issues.

The Committee was briefed on the regulations on 22 April 2021 and raised some issues with officials on 29 April. There is increasing frustration among members of the Committee about the limited opportunity that the Committee has to consider COVID-related rules. At times, the Committee has the feeling that all it can do is to rubber-stamp the rules, as opposed to scrutinising them and having an input into the process. The Committee has raised the issue on a number of occasions in the Chamber and with the Department. We understand the tight time frames that are involved. However, the role of the Committee is to scrutinise legislation, and the current process leaves the Committee unable to effectively undertake that role. That was highlighted last week by the significant confusion about guidance issued for the hospitality sector, which resulted in the Committee urgently writing to Ministers to seek clarification of the guidance. I

ask Ministers, as restrictions continue to ease over the coming weeks and months, to consult Committees at an early stage through a return to the SL1 proposal stage that would allow that scrutiny and input to take place.

The briefing that we had from the director of population health on the regulations gave members the opportunity to discuss the regulations in more detail, and a number of issues were raised. Members raised the issue of the change in messaging from "stay at home" to "stay local". There were concerns about the definition of "stay local" and about how that would be enforced by the PSNI. That issue was raised again by the Committee at its meeting on 29 April. There were concerns that there was still no definition of "stay local". We would appreciate Ministers' clarification of that today.

There was also a discussion of the wearing of face coverings indoors. The Department advised that that was being considered as decisions were being made to open indoor venues. The Committee further discussed the information that accompanied the regulations and concluded that some thought could and should be given to including public health reasons for the decisions that are made. That would provide the public with understanding of and evidence on why particular decisions are made and a level of confidence in those decisions.

The Committee awaits information on the fines related to the regulations.

The Committee looks forward to receiving from the Department that clarification on the level of fines associated with these regs.

#### 11.45 am

As I mentioned, the Committee also raised concerns with officials in relation to the guidance and regulations for hospitality and the seemingly confusing information and enforcement of those regulations. The Committee agreed to write urgently to the Health Minister and the Executive Office to underline its concerns in relation to the issues that had been raised by the sector and the difficulties that it was facing in reopening its businesses. We got a response from the Minister of Health late on Friday evening outlining the definitions currently used and saying that the Department of Health would be content to consider alternative definitions of "outdoors". I would appreciate it if the Ministers could outline any ongoing work in that area.

**Mr Allister:** Will the Member give way?

**Mr Gildernew:** Yes.

**Mr Allister:** Has the Committee been able to establish to its satisfaction how one determines whether it is the Executive Office that is giving guidance and making decisions or the Department of Health? The regulations seem to emanate officially from the Department of Health, but their interpretation often seems to lie with the Executive Office, which, not for the first time, does not seem to know whether it is coming or going on these regulations.

**Mr Gildernew:** I thank the Member for his intervention. It is our understanding that these regulations reside primarily within the Department of Health and that the drafting and evidence is provided to the Executive by that Department.

I will now make some remarks as Sinn Féin spokesperson for health. Yesterday's data from the Department of Health reveals that we are indeed moving in a better direction in our battle with the COVID-19 virus. The bank holiday weekend saw communities all over the North reopening. One could not help but feel happy to see some semblance of normality, with people returning to socialising with family and friends and, indeed, our hard-pressed businesses starting to see some trade. We recognise that this has been a hugely challenging time for communities and business right across the island.

While we all deserve the sense of relief that the relaxation of restrictions brings, we must continue to take these steps cautiously. While encouraging a safe reopening of our businesses, it is also important to remind ourselves of the public health messaging around hand hygiene, social distancing and mask wearing, which are crucial measures and which I appeal to everyone to continue to maintain as best they can in the time ahead. It is vital that all public health messaging is clear and well communicated in all settings, particularly as we reopen more venues over the coming weeks. The "stay local" message, for example, needs to be clarified. When we ask people to stay local, are we asking them to stay within village, town or county boundaries, or are we permitting inter-county travel across the island? We need to be clear with these and all other regulations.

Our efforts across the island must be intensified. As the relaxation of travel begins and as we progress into the summer months,

when people will want to move around more freely, it is vital that the relevant Departments in Belfast and Dublin coordinate their efforts to ensure that all data is shared as necessary. Our efforts on travel locator forms, the movements of those who travel and quarantine measures must be in sync if we are to contain the virus at its current levels and, indeed, continue to drive down levels of transmission right across our island to protect lives, health and well-being and to allow our hard-pressed health workers the respite that they have so richly earned via their efforts on behalf of us all.

**Mr Principal Deputy Speaker:** I am mindful of the fact that, including Mrs Cameron, whom I will call next, I have four Members on my list. However, there are considerably more than four Members in the Chamber. If you wish to participate in the debate, Members, I ask you to rise so that I can add you to the list.

**Mrs Cameron:** I start by praising those who continue to achieve remarkable success with the progress and roll-out of the vaccination programme. Many friends and constituents have relayed to me directly just how impressive the programme is, whether in community pharmacy or centres such as the SSE Arena or Seven Towers leisure centre in Ballymena, in my case. I thank everyone involved in this life-saving work. Let us remember that that is what the vaccine does: it saves lives, prevents serious illness and reduces transmission. I also argue that it encourages good mental health support. I urge all those in the younger age groups to think of others and to take the vaccine when it is offered to them.

Huge thanks must go to the staff and volunteers who are involved in the entire process. We will never forget the entirety of our healthcare and care home staff, who have given so much to others throughout the pandemic.

Time has moved forward substantially since the regulations were enacted, and we have seen much progress on our pathway out of lockdown to restoring the personal and economic freedoms that we all want returned to society as soon as possible. I ask the junior Ministers to update us on any potential relaxations on the common travel area if they are able to do so.

The SRs reflect the two initial sets of relaxations from COVID restrictions, which took effect on 1 April and 12 April. They relate to the reopening of outdoor retail, extension of click-and-collect services to all non-essential retail, greater flexibility on gatherings in gardens and allowing those who are planning a wedding to visit venues.

We are fully supportive of those rule changes, and, in that vein, I am delighted that that direction of travel has been supplemented by the Executive's agreement on further changes to regulations. We need to reopen our economy as much as possible, and, in doing so, we need to engage constructively and in a timely fashion with those in business in order to ensure that, on this journey, communication is clear. There needs to be a clear public health message, and the end goal has to be clear.

It is a matter of deep regret, frustration and even anger for some that businesses that have longed to reopen are now in limbo because of rigid rules on outdoor hospitality, for example. That is entirely unavoidable, but it needs a quick solution that shows understanding and support, not penalty and punishment. Those are not competing interests, they are mutual interests.

We need to do more to make progress on a couple of issues that I want to comment on today on behalf of constituents. One is visitation of loved ones in care homes and in hospitals, and, in particular, those for whom visitation will aid recovery from serious illness, such as stroke. With the vaccine roll-out in those settings being so successful, we must open up close-contact visitation to other family members as soon as possible. Care home residents and their loved ones have sacrificed so much in this pandemic, and we need to restore their rights.

Secondly, we need home visitation to be looked at once more. We need housebound family members or those who are single or are outside bubbles to be allowed the comfort of others in their homes once again.

One word that keeps cropping up is "loneliness". The company of others is vital in tackling loneliness, and I hope that we can see progress on that soon, as intimated by the First Minister.

We are in a much better place than many of us probably expected us to be, and while we seek to preserve much-valued liberty, let us also continue to do our bit in continuing to behave responsibly by following the basic precautions on hands, face and space in order to ensure that there is no going back but just going forward.

**Ms Hunter:** I welcome the opportunity to speak in today's debate in my role as my party's health spokesperson. Many of the regulations today have now been superseded by more recent announcements and regulations, but the amendment on wearing face coverings seems

to be a particularly sensible precaution to take, especially as people can now return to their place of worship and attend services such as weddings and funerals subject, of course, to a risk assessment.

Thankfully, the number of daily infections continues to fall and the vaccine programme continues at a pace with its successful roll-out. All that has allowed for the loosening of restrictions by the Executive in the last two weeks and continued loosening in the weeks ahead. The reopening of society and a return to a much more normal way of life has come as a huge relief after months of lockdown and what was a very difficult winter for so many of us. The changes to restrictions would not have been possible without society as a whole pulling and working together.

We owe a massive debt of gratitude to our NHS and our front-line workers. We will be forever grateful to them for their work under the most trying of circumstances throughout the pandemic in what has been an exceptionally tumultuous year. I also pay tribute to the public for sticking with and continuing to adhere to the restrictions. It has not been easy, but we are seeing every day how their sacrifices continue to pay off.

None of us wants to see or experience again further restrictions or a return to lockdown. It would be all too easy, as things begin to look more positive, for us to ease up in adhering to the guidelines and for complacency to set in. That, of course, would be a huge mistake, and I continue to urge members of the public to adhere to restrictions, which include maintaining social distancing, washing hands and, of course, wearing a face covering.

Having spoken with constituents, I call on the Executive to ensure clear messaging to the public, particularly on travel and making trips to seaside resorts. Additional clarity from the Ministers on holidays this summer would be welcome.

**Mr Buckley:** I thank the Member for giving way. She knows that that point is something that I have raised consistently at the Committee, particularly on the message to stay local. The Committee has not had any indication or clarity from officials as to what that message means. As we go towards the summer months and people begin to get some release from their cabin fever and start to go about their business, it is crucial that they know exactly what they can and cannot do.

**Ms Hunter:** I thank the Member for his intervention. I agree wholeheartedly and share his frustration. Being from a constituency that has such a beautiful coastline and attracts a lot of tourists, I think that the messaging could definitely be a lot stronger and clarification is needed. As the Chair of the Committee said, it is not clear what "stay local" means. Does it mean x number of miles? We do not know. As the summer and the beautiful weather come closer to us, additional clarification is badly needed.

I have spoken to constituents who have shared their concerns and said that they really do not understand the messaging. Perhaps further money being put into a media campaign or more online communication are needed as younger people especially really do not know the rules. Guidance is also essential on what is seen as being essential travel within the common travel area. Additional clarity on that is much-needed.

Another main concern that I have is about birthing partner policies in hospitals. Expectant mothers have expressed to me their deep frustration and severe anxiety at not being able to have their partner with them at such an emotional and life-changing moment, especially for first-time mums and young mums. I could have visited Primark last weekend or got my nails done, yet we have expectant mothers who are waiting on wards and are vulnerable and alone and making decisions without their partner being there. That is a really important point. With the continuing loosening of restrictions, now is the time for change in the policy to allow for birthing partners at all stages of the birthing process — before, throughout and after — so that it is not decided on a case-by-case basis and is not for up to one hour a week post-birth.

**Mr Buckley:** I appreciate the Member's giving way; she is touching on points that are close to my heart and the hearts of my constituents. Does she agree that it is equally unacceptable for trusts to adopt different approaches in their communication on birthing partners, which is what we have seen to date? If we are going to get clarity on the matter, it must apply across Northern Ireland.

**Ms Hunter:** I thank the Member for his intervention. I agree: there is a lot of confusion because the response is often, "We do what we can on a case-by-case basis", but we have expectant mothers asking, "What will that mean for me?". With birth, unexpected things can happen, so it is really important, especially in circumstances where there has been a

traumatic birth, that they have their partner there for that additional support.

As I have done previously, I want to mention the impact of the pandemic and successive lockdowns on our collective well-being and mental health. I am thinking particularly of the elderly, the vulnerable and those who have had to shield, especially those who are living in rural areas like my constituency, and have been greatly impacted by the isolation over the past number of months. We have not yet seen the full impact of the pandemic on people's mental health or the ramifications for our health service. I continue to urge the Executive and the Minister of Health to work to ensure that the correct and sufficient services are in place to deal with that.

As of last Friday, many businesses have thankfully reopened, at least to some extent, and will continue to do so in the coming weeks. That is very welcome and great to see. I know from business owners in my constituency of East Derry that the Executive's support schemes were a lifesaver and allowed businesses to meet necessary costs and outgoings throughout different phases of the lockdown. However, I urge the Executive to not let up on support for businesses. It is still very early days in the road to recovery, and, sadly, many businesses will have found themselves in a position where it is no longer sustainable for them to have their doors open at all.

I thank the Health Minister and his Department for all that they have done over the past year and continue to do, in what is a tumultuous time in our history.

## 12.00 noon

**Ms Bradshaw:** It is with some reluctance that I support the regulations such a long time after they came into effect; indeed, some have, in effect, been superseded by later regulations that we have not yet debated in the Chamber. I hope that you, Mr Principal Deputy Speaker, will allow me some brief leeway to touch on those later changes towards the end of my contribution.

I repeat my and my party's great discomfort about the need for the regulations to be in place at all. We are a liberal party. We want to move as quickly as possible to a position where people can access public services freely, engage in socialising and leisure activities as they see fit and run businesses without significant barriers. We should not underestimate the severe impact of denying or delaying access to vital services, notably in

health; of restricting people from doing things to help their physical or mental well-being; and of limiting people's ability to earn a living and engage in their passions. Nevertheless, as responsible representatives and legislators, we accept that the balance falls in favour of restrictions in the interests of overall public health. We need to be sure at every step, however, that restrictions are justified and consistent and that they can be easily understood and complied with.

Amendment Nos 6 and 7 to the (No. 2) regulations have already been largely overridden in practice, but amendment No 6, in particular, continues to contain a degree of precision and complexity that mystifies many members of the public. They contain permission for 10 people from two households to meet outdoors for exercise and for six people from two households to meet in a private garden. Subsequently, we appear to have broadened the latter but not the former. There are, no doubt, graphs and charts that explain how that, in theory, is supposed to reduce the risk of inter-house spread, but it is hard to understand why it is 10 people specifically for exercise but no other purpose, with a further requirement that it be in public, but six — now 15 — people for any purpose as long as it is in private. In fact, at one stage, we permitted golf four-balls from a maximum of two households: that is just not how it works. Those constant layers of complexity may sound good in theory, but they make the public give up trying to understand them in practice, with an inevitable impact on compliance. Is outdoor activity low-risk or not? In other words, while it is understood that a range of considerations goes into deciding on the restrictions and that the process is complex, there is no doubt that the outcome should not be. If we expect compliance, we need to ensure that the outcome is clear, coherent and consistent.

I am still a little mystified as to why the face covering regulations are not written more straightforwardly. I have received assurances that they are being considered again. The requirement should simply be for them to be worn in any indoor public space or when visiting a home to provide a service, with specific allowance for practical requirements such as eating in a restaurant.

The revocation of the (No. 2) regulations is a helpful tidying-up of the overall regulations, although I still wonder whether we are giving enough attention to the why rather than just the what. The tidying-up means that it is clearer what the regulations state, which is a good thing. However, as I raised at the Health

Committee, I wonder whether there should be some commentary, perhaps in an explanatory memorandum, that goes beyond generalisations about public health considerations and explains exactly why the regulations are in place. While I respect that public health risk is not the only consideration, I remain of the view that public compliance would be higher if there were a more direct link between restrictions and clarity on the scientific evidence for them.

I turn to what is now best read as amendment No 1 of the 2021 regulations. That, too, has largely been overridden by the opening of gyms, retail and outdoor dining. Are we clear that the regulations are being applied clearly, coherently and consistently? The issues that have affected the hospitality sector in Belfast have been raised today. In the past week, some premises found that arrangements identical to those made and permitted under identical regulations last summer were suddenly no longer permitted. Either implementation was wrong in the summer or it is wrong now, but neither looks good. The costs of such a mess, not just financial, are huge to a sector that is already struggling and to customers who were looking forward to the restoration of social contact. It is long past time that the Executive Office guidance focused clearly on being attentive to the direct needs of people who are trying to make ends meet, to resume their passions and to meet up with friends after a long, dark winter. The ongoing confusion is immensely frustrating and could so easily have been resolved through a focus on greater clarity. We have a long way to go before we remove the emergency legislation altogether, so there is still time for lessons to be learned.

**Mr Robinson:** Now that we see some easing of restrictions, which is very welcome, when do the Ministers anticipate that even a limited number of spectators, provided they abide by the health regulations — wearing face masks etc — can attend Irish League matches and other sporting occasions?

I highly commend all health workers who have done such a tremendous job to keep us safe from this deadly virus. Again, I appeal to all in society to still adhere to government guidelines to keep every one of us safe.

**Mr Sheehan:** It has been a difficult and challenging year or 15 months for everybody but for some more so than others. We know that many people have died, others have contracted the virus, and people have lost their jobs and their livelihoods. Hopefully, with the vaccination programme, we are moving out of

the emergency that we have been in for so long. People are definitely tired and frustrated with the lockdown, and they want things to be eased up. There is no doubt about that. However, "caution" has to be the watchword as we move forward, and we need look no further than what is happening in India at the moment.

First, I should make the point that we are dealing with a global pandemic. The pandemic affects not just here, be it the island of Ireland, Northern Ireland or wherever you want to talk about, but the whole world. If the virus cannot be eliminated across the globe, all of us will always be in danger, and we have seen that over recent days in India. The difficulty in all this is that, when there are more infections, it is more likely that there will be more mutations and, when there are more mutations, there will be more infections. It is a circular problem and a vicious cycle, and we have to be wary of that at all times. I do not want to rain on anybody's parade, and I am as happy as everyone else that the vaccination programme is going well and that restrictions can be eased to some extent.

I want to move on to something a bit more light-hearted. Like Cara Hunter, I had intended to get the nails done on Friday, but, unfortunately, a friend who was retiring phoned and asked me to go for a few pints with him instead, so I had to go and hold his hand. While we were in the pub — well, not in the pub; outside it — where everything was well organised, I ended up at a table beside some young lads who were all enjoying themselves and were out for a bit of craic and a few beers, but, as it turned out, there were seven at the table when there should have been only six. One of the young waiters came over and asked one of them to leave, and, for a while, there was a bit of a Mexican stand-off. That illustrated to me the mindset: once we start to ease restrictions, people feel that it is safe to go about their normal activities as they did prior to the pandemic.

The wearing of face masks was one of the restrictions mentioned. Junior Minister Kearney outlined clearly all the issues that we are dealing with here today, and one of them is wearing face coverings, particularly in churches. Junior Minister Lyons will know that he and I have been toing and froing during some of the debates about the wearing of face masks, but the evidence is now absolutely compelling that the wearing of a face covering helps prevent transmission of the virus. It is clear now that the vast majority of infections take place as a result of aerosols coming from people sneezing, coughing, talking, singing and

so on. If you imagine someone smoking a cigarette and exhaling the smoke, that allows you to understand the way in which the droplets are emitted from a person's mouth or nose. The wearing of face coverings is absolutely important in ensuring that we continue to reduce the transmission of the virus.

Given the situation in India and similar problems that other countries may face, we need to be careful and vigilant about the potential importation of the virus.

I will finish on another issue. Contact tracing will also be vital in the time ahead. Over the past year or so, I have been very critical about the contact-tracing operation that has been in place here. I felt that it was very amateurish at times. Since I have moved off the Health Committee, I am no longer sure what the state of play with it is, but I certainly had some serious confrontations with the chief executive of the Public Health Agency (PHA) about the operation that it was running and its deficiencies. In the time ahead, as we continue to ease restrictions further, it is vital that the contact-tracing operation can find those who are infected and those who have come into contact with them. In that way, we can prevent the onward transmission of the virus.

That is all that I have to say today. I support the regulations.

**Ms Anderson:** I support the regulations. In reflecting on the past year, I will say that, when we stood here at the beginning of the pandemic, we were talking about hundreds of people having lost their lives. As I stand here today, it is coming close to 3.5 million people who have died globally. The enormity of that is somewhat overpowering. When we look at the images on our screens of what is happening in India and elsewhere, we know that that number will only increase as time rolls on.

As we, thankfully, experience an easing of our restrictions, there are a couple of issues that some Members have raised that I will speak about in the context of my constituency of Foyle. Karen Mullan and I have been inundated with questions from businesses that want some clarity about what will happen after 24 May. Thankfully, they know that they will be supported up until that time, but, as has been mentioned, they need more support even as they come out of the restrictions. There are some businesses that I would like to give a shout-out to, because they as yet do not understand what has happened. There are some small wholesalers that may have got support from some other grant relief, such as

the COVID restrictions business support scheme (CRBSS), but have not had rate relief, because of hereditament. Apparently, that is the categorisation of a business where, if you sell it to another business as opposed to selling it to the public, you are classed as being different. There are a number of businesses, including a few in my constituency, that are small wholesalers with a net asset value of £15,000. They are not getting rate relief, nor are they getting Land and Property Services (LPS) support. They are adversely affected and are struggling. I would like the Ministers to look at that when they are looking into support for businesses.

We know about long COVID.

All of us have constituents who struggle with long COVID.

### 12.15 pm

I would like the Chair of the Health Committee, as well as Ministers, to take that up. In my constituency, trying to get an OT service assessment is close to impossible. An 88-year-old constituent of mine finds it very difficult to use stairs. She cannot physically do so. Yet she has been put on a waiting list of 18 months. She will be 90 by the time she gets an assessment. On top of that, a number of my constituents need OT support because long COVID has impacted on their mobility. We need to look at the lack of OT and GP services. A number of doctors have been involved in COVID-19 duties throughout the pandemic, but, given where we are, some of my constituents still find it difficult to get access to a GP.

I raise these issues only in the context of the easing of restrictions. There is a perception that we are playing catch-up. We are discussing regulations that have already come into place, but that is how things have been progressing.

Another section of people that I would like the Ministers to address is student nurses and domiciliary care workers in the private sector. There is still confusion as to whether they will receive all the £500 appreciation. We all know that domiciliary care workers and student nurses, like others in the health service, are the salt of the earth, and we need to give them clarity.

Finally, in relation to the point made by Pat Sheehan on test, trace and isolate, we said at the beginning of this process that it was necessary to get that right. I do not think that we did. As we ease the restrictions, it will be

crucial to look at that programme to make sure that we get it right.

Go raibh míle maith agat. Thank you for giving me the opportunity to contribute.

**Mr Allister:** I start by reflecting on what others have said, in paying tribute to the vaccinators in our land. We can all marvel at the efficiency and assiduous attention that has got us to where we are. We also recall, of course, that it is because we are in the United Kingdom that we are so far advanced.

When one sees first-hand how the operation is performed, as I did at the Seven Towers leisure centre in Ballymena, one cannot fail to be impressed, not least with the volunteers. We must remember that many of those who usher people in and out, keep people in the right line, show them where to sit and all that, are volunteers. Their contribution, as well as that of the professional vaccinators from our medical services, is truly remarkable. Therefore, I join in paying tribute to them.

I also want to raise some concerns about the pace at which we are going in this matter. My constituents constantly raise with me why, if we are up to speed with vaccinations and our infection rate is on a par with that of other parts of the United Kingdom, do we lag so far behind in the opening-up process. Why are we always some weeks behind what is happening in GB? I heard talk from the Prime Minister — I think it was today — about how the one-metre rule might go by the end of June. We heard talk about opening up flights and all those things. Yet in Northern Ireland, we seem to be forever last in the process. Why is that? Is it our dysfunctional system of government? Is it that we have a Government that like to remind us that they have the power over how we live our lives? Is it because the unspoken message is that we are being held back by our neighbour the Republic of Ireland, which is so far behind in vaccinations? Indeed, when the junior Minister comes to reply, may I ask him what contingencies are in place to deal with the possibility of infections spreading from the substantially less-vaccinated Republic of Ireland into Northern Ireland? What steps do the Executive propose to take to protect the people of Northern Ireland, which should be one of their primary considerations if things are out of kilter and if the Republic continues to lag behind in vaccinations and the extent of the infection rate? Those are key considerations.

Another factor of great agitation has come to light over the past few days, and it relates to outdoor hospitality. As I sat here today, I read

correspondence from a constituent in North Antrim who runs a much-sought-after and much-used hostelry on the north coast. Yesterday, that person was served with a prohibition notice from the environmental health officer from the Causeway Coast and Glens Borough Council — the same council that turned a blind eye to overcrowding in a certain hostelry in Portrush during the Open golf tournament a couple of years ago but which is coming down incredibly hard on an operator elsewhere on the north coast. The council is saying that, because the area at the back of the premises does not have 50% of the roof removed, even though it has most of its side walls removed, and because it does not, therefore, comply, it is serving a prohibition notice on that operator. That is the sort of thing that was never mentioned in July, when the whole premises, inside and out, could be in use. Yet now, suddenly, it is a prohibition. Why is that?

I read in the prohibition notice that the regulations that are relied on are, in fact, the Smoke-free (Premises, Vehicle Operators and Penalty Notices) Regulations (Northern Ireland) 2007. So, here we have a situation where a business that has struggled to get back open and spent lots of money, like others, in equipping itself according to the standards that are set in the summer to be open again outside, suddenly finds that it is being visited with retribution under the smoke-free regulations of 2007. Where is the fairness? Where is the logic? Where is the need for any of that?

I say to the Executive that they really need to get a grip. We have had enough petulance when it comes to the hospitality industry. The Executive need to get a grip, and, in particular, they need to embrace common sense when it comes to many of those issues. Otherwise, businesses that have just about kept themselves above water, when they think that relief is coming, are slapped down and may well sink without trace. Is that what the Executive want? I hope not, but that is what some of those actions, such as in respect of that small business, are going to deliver.

The other remarks that I wanted to make echo something that Mrs Cameron said when she talked about the punitive restrictions on visiting in care homes and, indeed, in hospitals. Just last week, an elderly lady was in touch with me. Her husband is in the cancer unit of the City Hospital, and his prospects are very poor. He may well not come out of hospital. The family had to nominate one visitor, and, because the lady in question is impeded in her mobility, visiting is a big problem for her, and they

nominated the eldest son of the household. Now they are in a situation where that poor lady may never see her husband alive again, and that is cruel. There is no other word for it: it is cruel. Therefore, I echo the comments that the relevant Department needs to address that issue. A bit of discretion would go a long way.

**Mr Buckley:** I thank the Member for giving way. I wholeheartedly agree with the Member's point, and the points that have been echoed by my colleague Pam Cameron. The lack of visitations in the care home and residential settings has been a cruel aspect of COVID. However, from speaking to the sector, I know there is alarm about the lack of support in place to help adjust so that visitations can be provided in the very difficult circumstances. Insurance is a particular problem, and insurers are now holding care and residential homes to ransom rather than allow safe and compliant visitations. Will the Member agree that it is important that the Department of Health and Executive colleagues work with that sector to ensure that barriers can be overcome?

**Mr Allister:** I do absolutely agree. Many sectors have suffered immensely. We tend to look at the care home sector from the perception of the families and those in the care homes, but I have no doubt that care home operators, likewise, have difficulties. However, I say to the Executive that the regulations need to be tempered with a modicum of discretion and common sense to allow visitation. We need clarity moving forward, and we need to move forward, not stagnate.

**Mr Carroll:** Last weekend, I received my first dose of vaccine at the SSE Arena. I thank all those health workers who administered it to me and the many hundreds of thousands of people who have received one or two doses of the vaccine. It was a surreal but remarkable event and experience, to be frank. It struck me that our health service and vaccination programme has a global workforce, and it would not be able to function without the many international and migrant workers that keep it running. Obviously, everyone rises and thanks our NHS workers — and I have just done that, and I do it throughout these debates — but what is thanks when there is no official recognition or remuneration for the work of those important and essential workers? At last week's Health Committee, we found out that no new money has been set aside to give a pay increase to healthcare workers in our communities. Health workers risk their lives, and the least the Executive can do is to meet their union's demands for a just pay settlement. As things stand, it does not look like that will

take place, and that is a severe failure for those workers.

Last week was a fiasco for hospitality. Some organisations that did not throw their staff under the bus were told that they could not open, despite being able to open last year. Other organisations could open seemingly without any bother, despite throwing their workers under the bus by disgracefully withholding pay or, in some cases, sacking them. We need to recognise that what happened last week was a fiasco and does not need to be repeated.

### 12.30 pm

As other Members said, we need clarity about what staying local means. People can travel to caravans and similar set-ups and environments. Can they do that for leisure? Is it within the current regulations, or what is the situation with that? As Pat Sheehan and others said, we need caution. There is a very worrying scenario not only in India, where there is a rise in cases and new variants, but in Chile, which lifted restrictions too quickly and where cases and deaths rocketed and spiralled. Everybody, including me, wants restrictions to be lifted as quickly and as soon as possible. However, it is better to be too cautious and wrong than to be reckless and move too quickly. I ask the junior Minister to answer this in his response: what is the modelling for predicted cases? Chris Whitty said that there will be an inevitable rise in cases in England, so, presumably, a bit of work is being done with hospitality and retail in order to talk about the expected rise in cases here.

**Mr Principal Deputy Speaker:** No other Member has indicated that they wish to speak in the debate. Therefore, I call the junior Minister Mr Gordon Lyons to respond to Members' contributions.

**Mr Lyons (Junior Minister, The Executive Office):** I welcome today's debates on the amendments covering SRs 71, 91, 93 and 97, which are amending the Health Protection (Coronavirus, Restrictions) Regulations, and SR/96, which is amending the Health Protection (Coronavirus, Wearing of Face Coverings) Regulations. I thank Members for their contributions. Although I will not comment on Members' points, I am happy to address some of the individual questions that were raised.

First, I want to address the issue of concern that Mr Gildernew raised, which does not seem to be an issue that concerns only him. I recognise the contributions that were made across the House on the position on outdoor

hospitality. That has been of great concern, and I say to businesses that I certainly recognise the lengths they have gone to and the investment that they have made to try to reopen safely. There has been a lot of concern about and care taken on that, and proprietors want to make sure that they can reopen their business. Many of them want to stay within the rules and thought that they were doing so. We have been informed that there has been no change to the definition of indoor and outdoor areas that applied last year. Mr Allister rightly said that the definition of "enclosed" and "substantially enclosed" comes from the smoke-free premises legislation of 2007 and is directly referenced in the regulations. That is the same definition that was in place last July, which states that outdoor premises should not be more than 50% enclosed. Obviously, there is an issue because people looked at what they did last year and thought that they could do the same because no one had told them otherwise. That is absolutely an issue of messaging.

As I said before, many people want to stick to the rules and do things the right way. Mr Allister gave an example of a very heavy-handed approach where people came straight in with a prohibition notice. I am sure that that was not a deliberate breach of the rules by the business but a lack of understanding of what they actually meant. I have taken that on board, and, if possible, the Executive should be flexible about that in the future. That will require the amending of those regulations, and it is something that we should look at. However, I would really like to see indoor and outdoor dining open again as soon as possible. That is what we should all want to see.

**Mr Catney:** I thank the junior Minister for giving way. I was fortunate that I was able to go for a pint on Friday. I went to a bar called Bob Stewart's, which borders just south of my constituency of Lagan Valley. The bar did things very well, and they were very well-handled. There were queues and one-way systems in place. I then took a turn up to a local golf club and found how it had organised it. A one-way system was in place. I then had to go out to visit a bar in Lisburn called The Highway Inn. Its owners spent £70,000 on setting up a little pod. That was done within the regulations, but they fell foul of the law. There are discrepancies.

Does the Minister agree that those bar owners tried their best to work within the law and that there is a little ambiguity, regardless of where you are, when you look at that seating in a pod? It is an outdoor space that is cleaned every time that it is used. It was one person in, one person

out, and it can be rented out for only two hours at a time.

**Mr Principal Deputy Speaker:** With the greatest respect to the Member from Lagan Valley, three pubs in one day sounds like some sort of a crawl. I am sure that it was not.

**Mr Catney:** May I come back on that one, Mr Principal Deputy Speaker? *[Laughter.]* Believe me: one was an official visit; the other two — all right. I make no apologies: I had waited a long time to have those drinks, and I enjoyed them. *[Laughter.]*

**Mr Lyons:** Before you interjected, Mr Principal Deputy Speaker, I was going to say that it seemed as if the Member was on a pub crawl on Friday. Indeed, we heard from quite a few Members around the Chamber that they spent Friday visiting pubs. I am not sure what time that was, but, just for the record, I can confirm that I was doing constituency business on Friday.

I am glad to hear —.

**Mr Catney:** It was before the rugby.

**Mr Lyons:** Maybe visiting pubs is constituency business for the Member. It is good to see people getting back out again. We require that understanding and recognition that people are trying to do their best and to keep within the rules. The Executive and environmental health officers should make it as easy as possible and be trying to help people. We should remember that those businesses have been under huge pressure over the last 12 months, and we should help them.

Consistency is also important. That comes up time and again, and I will address it when I come to Cara Hunter's remarks. People get exceptionally frustrated when they see different approaches being applied in different places. I take on board the Member's comments on that.

The other issue that Mr Gildernew raised was the "Stay local" message. I completely agree with him that there is a need for greater clarity on that, and the Executive are looking at it. During January, when we were in a very restrictive lockdown, most people will have understood that to mean very much staying within the areas where they live. However, as we opened up caravan parks and people can now play sports in different places, it is harder for us to be clear on that. The Executive recognise that, and I know that other Members recognised that as well.

I want to pick up on some of the points made by Pam Cameron. We fully recognise the issue of mental health and loneliness, in particular. We hear about that time and again, and I am very keen that there is movement on indoor settings. People, especially some of the older people in our society, want to have that contact. They are maybe not able to go or do not go to pubs, bars or restaurants, but they want to have a friend in their home. We need to look at that in a very sympathetic way.

We also need to consider the common travel area and travel within it, an issue that Pam Cameron raised. I have been contacted by an awful lot of people who want to see their children or grandchildren who live in England, Scotland or elsewhere. There is much more freedom in the rest of the UK compared with Northern Ireland. If you come back to Northern Ireland, you must isolate etc. It was mentioned many times that we are entering a period in which the case numbers are very low in comparison with what they were just a few months ago. We need to allow people to travel a little more freely and to enjoy a family life, which, of course, is a fundamental human right.

**Mr Gildernew:** Will the Minister give way?

**Mr Lyons:** Yes.

**Mr Gildernew:** Will the Minister acknowledge that, even in recent weeks, we continue to see hospital services here under tremendous pressure? At times during recent weeks, capacity has been over 100%. We need to ensure that we are cautious in how we abide by and adhere to all the regulations to take as much pressure as possible off the hospital services and to retain that, in order to allow the hard-pressed staff to get a rest.

**Mr Lyons:** We always need to show caution in everything that we do when we are considering the regulations. We need to ensure that we do not throw caution to the wind. We are still promoting the message of maintaining social distancing where we can and engaging in all the habits that should be common to us by now. However, that cannot stop us moving forward and recognising the many different issues that are facing us, be they in our economy or in mental health. They need to be taken into consideration.

I want to pick up on an issue that Cara Hunter raised. I completely agree with her about the restrictions on hospital visits and, as Mr Buckley raised, care home visits. These restrictions have not been imposed as a result of

regulations; they are the policy of the Department of Health. I support what she said. Mr Allister raised the same issue and gave a very sad example of people who are not able to visit their loved ones in hospital. A constituent who contacted me this week told me about his pregnant wife. She has two young children but will have to stay in hospital for some time because of the details around her pregnancy, and she is not able to see her young children because of the visiting rules. When we consider that her family members can go to a hairdresser, or wherever else, but cannot visit their mother in hospital, we need to look at that. These are young children. It is important that we show flexibility around visiting and recognise the severe impacts that the restrictions are having on people. I thank her for raising that issue. I also agree with her comments on business support.

Paula Bradshaw is no longer in her place. I agree with what George Robinson said about spectators at sporting events. That can be done in a managed and safe way. I think of Larne Football Club and the processes that it had in place. People were brought into and left the ground in a very orderly manner. There was plenty of social distancing — almost entirely outside. That needs to be considered, and Minister Hargey will bring forward proposals on that area.

Martina Anderson made a number of points about health services in general, including long COVID, access to GPs and student nurses. They are issues of policy for the Minister of Health, but I will ensure that they are passed to him. It is important that those are considered. We understand the concerns around them.

Mr Allister raised a number of issues. I join him and other Members in paying tribute to those who have been vaccinating and who have done such a fantastic job. Their work has allowed us to get to the point at which we are today, and that has to be recognised. Of course, being part of the United Kingdom has allowed us to advance to this stage. I also suggest that not being part of the European Union has helped us, but that is possibly not a view that is shared across the House. It is good to see the vaccination take off, and, in particular, we recognise the volunteers who have given up their time.

Mr Allister raised the issue of why we "lag so far behind" the rest of the UK in the relaxation of regulations. I want to make sure that we can open up everything as safely and quickly as possible. In fact, there is a duty on us to do that. As soon as these restrictions are not required,

they should be lifted. He also asked about protecting Northern Ireland from areas such as the Republic of Ireland where there is a higher rate of infection. At this time, the strong public health advice is that there should be a 10-day period of self-isolation when one returns from certain countries, including the Republic of Ireland. All these issues will need to be kept under review. As many mentioned, if there are particular hotspots in certain countries, or in countries in general, prudence and caution will be required when considering those and determining whether further restrictions are necessary.

I hope that I have answered the Member's questions on outdoor hospitality. Again, I strongly agree with the need for consistency among environmental health officers as well.

#### 12.45 pm

I think that I have answered most of Mr Carroll's questions on travel and the "Stay local" message. I do not have details here on future modelling. The Chief Medical Officer and, in particular, the Chief Scientific Adviser provide that. I will ask my Department whether any future modelling can be provided to the Health Committee if the Committee wants to request that.

Over the past 12 months, we and the Minister of Health have had many debates of this nature. I am glad that we are heading in the right direction. It is great to see our town and city centres opening again. I noticed that last week, when I could not get a parking space outside my constituency office. Unfortunately, it had been very easy to do that over the last number of months. In one way, I am glad that that is not the case because it shows that we are opening up again and that the economy is coming to life.

We want to make sure that that continues because real people are being impacted in their businesses, jobs and livelihoods. We need to do everything in our power to support them. It is fantastic that the grant schemes have been in place and all the rest of it, but people do not want handouts. They want to run their businesses, so we need to make sure that we can open up. We have willing partners who want to make sure that we can open safely, so let us make sure that we work with them, recognising that COVID is still with us and that we need those measures and mitigations. Let us make sure that we follow the public health advice so that we can continue down that road

of getting things opened up again, which we all want to see.

I commend the regulations to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 6) Regulations (Northern Ireland) 2021 be approved.*

### **The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 7) Regulations (Northern Ireland) 2021**

**Mr Principal Deputy Speaker:** The motion has already been debated.

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 7) Regulations (Northern Ireland) 2021 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

### **The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021**

**Mr Principal Deputy Speaker:** The motion has already been debated.

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

### **The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment) Regulations (Northern Ireland) 2021**

**Mr Principal Deputy Speaker:** The motion has already been debated.

*Resolved:*

*That the Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment) Regulations (Northern Ireland) 2021 be*

*approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

## **The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment) Regulations (Northern Ireland) 2021**

**Mr Principal Deputy Speaker:** The motion has already been debated.

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment) Regulations (Northern Ireland) 2021 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

**Mr Principal Deputy Speaker:** Members, as it is 12.50 pm, and the Business Committee is due to meet at 1.00 pm, I propose, by leave of the Assembly, to suspend the sitting until 2.00 pm.

*The sitting was suspended at 12.50 pm.*

*On resuming (Mr Speaker in the Chair) —*

**2.00 pm**

## **Oral Answers to Questions**

### **The Executive Office**

**Mr Speaker:** Questions 7 and 10 have been withdrawn.

### **Goods Checks: Veterinary Arrangements**

1. **Mr O'Toole** asked the First Minister and deputy First Minister whether any discussions that they have had with the UK Government on the protocol on Ireland/Northern Ireland have included veterinary arrangements in relation to goods checks. (AQO 1962/17-22)

**Mrs O'Neill (The deputy First Minister):** While we have differing views on the decision to leave the EU and on the protocol, we are committed to working together to achieve the best possible outcome for local businesses and will continue to do so. As an Executive, we regularly review the impacts arising from the end of the transition period and continue to raise concerns with the Westminster Government and the EU on many issues, including those relating to sanitary and phytosanitary (SPS) checks.

Any decision on veterinary arrangements for goods checks is the responsibility of the British Government. In seeking the best possible outcomes for our citizens and for traders, however, we have continued to highlight to Whitehall and the EU the impact that those issues are having on our businesses. We have been clear that any solutions to them need to reflect the practical impacts and should be developed in liaison with our business community, which has continued to stress that solutions need to be simple, practical and affordable.

**Mr O'Toole:** Before I ask a supplementary question, I acknowledge that this is the first time that we have been in the Chamber since the First Minister announced her decision to depart. While she and I do not agree on very much, perhaps we agree on experiencing a degree of frustration at times with the Democratic Unionist Party, but I will leave it at that. I wish her and her family all the best as we move on.

Deputy First Minister, we know that there are difficulties with our post-Brexit trading

arrangements. I am glad that you agree that a veterinary arrangement would be good for smoothing those issues, but we also need to focus on the positive benefits that our unique market access can bring us. What are you and the Executive Office more broadly doing to reassure investors, given that, this week, a major multinational investor told the 'Financial Times' that the company had looked at the opportunities coming from the protocol but the current scenes in Northern Ireland mean that it thinks that it might be "uninvestable" in? That is not good enough. What is the Executive Office doing not just to reassure investors —

**Mr Speaker:** Will the Member get to the question, please?

**Mr O'Toole:** — but to get them here?

**Mrs O'Neill:** First, I say to the Member that it is the responsibility of all of us in political leadership to work to make politics work for everybody. Politics has to deliver for everybody. None of us wants to see a reoccurrence of the scenes that we have seen on our streets over recent weeks, and we all need to go out of our way to make sure that that does not happen. We certainly do not want that to be a factor that determines the outcome of people's decisions on whether to invest here and to create employment opportunities and all the prosperity that comes with that.

As part of moving forward and our recovery, particularly the economic recovery, the Department for the Economy has published a plan, while the Executive are working on the new Programme for Government, the economic recovery package and the post-COVID response. That combination of things means that we need to look at what opportunities are presented to us. There are opportunities afforded to us and markets open to us; you have referred to that on a number of occasions. We need to make those opportunities work to our advantage in the time ahead, and I will work with all Executive Ministers to make sure that that is the case.

**Mr O'Dowd:** I also wish Mrs Foster and her family all the best for the future.

As Mr O'Toole pointed out, there are both opportunities and challenges for businesses as a result of the protocol. Does the Minister agree that the alternative of a no-deal Brexit would have been devastating not only to the economy here but to the economies across these islands?

**Mrs O'Neill:** Yes, of course. We have said that from day one. The Member noted that we have been afforded special status through the protocol that facilitates our unique and continued access to the EU single market. That gives us the opportunity to be the gateway for the sale of goods to two of the world's largest markets. Local businesses and manufacturers, as well as our farmers and traders, want to see the protocol implemented so that they can avail themselves of the protections that it affords them and the special status that it affords the North. We are now the only place where businesses can operate free from customs declarations, certificates of origin and non-tariff barriers on the sale of goods to both Britain and the EU.

Going forward, we need to build on that and on the strength that the all-island economy gives us for attracting jobs and investment.

The British Government must now get on with implementing the protocol in full, and any delays to the full implementation of the protocol, which is our protection against the worst excesses of the hard Brexit, clearly risk any future stability, growth and prosperity. Even the Member who spoke previously referred to that. You are right to say that the prospect of a no-deal Brexit would have been deeply damaging and destructive and, probably even more so, very disruptive not only to our economy but to our peace process.

**Dr Aiken:** I, too, wish the First Minister all the best in the future and all the rest of it. We might have had our differences, but we wish you all the best for the future.

The question is clear. The Ulster Unionist Party has put together several practical suggestions on how to deal with SPS and trading issues. Will the deputy First Minister and the First Minister commit to bringing all parties together to discuss the Ulster Unionist Party proposals, including with Maroš Šefčovič and the EU? Rather than talking over our heads, will they actually deal with the people of Northern Ireland, where these issues matter most?

**Mrs O'Neill:** I remind the Member that the Executive meet every week and that all Executive parties discuss the issues, try to work our way through them, make the case for what is in the best interests of the business community here and try to find resolutions to the issues that we need to find resolutions to. I welcome the fact that there has been some progress across a raft of issues. However, there is more to be done. I welcome the fact that

there is a commitment from the co-chairs of the Joint Committee and the Specialised Committee and that all that work to find resolutions to the issues continues. Hopefully, in the weeks ahead, we will see some progress on that.

As I said in my original answer, it is important for our business community that we have certainty and stability and that people can plan for the future knowing exactly what is coming down the tracks. It is clear that the protocol is not up for renegotiation. There are new post-Brexit realities that we have to work our way through, and, whilst there has been progress to date, there is still a way to go. Let us continue to work together to find the resolutions that we all want to find and that are in the best interests of the economy here.

**Mr Blair:** On behalf of Alliance colleagues, I wish the First Minister all the very best for the future. I first met the First Minister when she was doing her duty in my constituency of South Antrim and I was a local councillor. I saw her dedication to duty on that occasion and have seen it since, and we thank her for that.

I go back to the original question about discussions and work on veterinary arrangements in relation to goods checks. Will the deputy First Minister give an update on the work of the joint specialist working group?

**Mrs O'Neill:** The First Minister and I attended a meeting of the Joint Committee on 24 February at which I welcomed the commitment from the co-chairs to the proper implementation of the protocol and their focus on finding solutions that are acceptable to all. As well as highlighting that the Joint Committee is a forum for constructive discussion on the issues and is the mechanism that was agreed to iron things out, I made the case that the business community here wants stability, certainty and simplification, where it can be achieved. The First Minister outlined the impact of the protocol and told the EU that a solution to the challenges that we face should be fit for purpose and not imposed, but both teams — British Government and EU — agreed to continue to engage on technical discussions and come back to the Joint Committee. I look forward to that work happening and to being invited back for a further discussion on where we have got to, but there are positive noises about some issues perhaps being resolved.

## Paramilitary Activity

2. **Mr Stewart** asked the First Minister and deputy First Minister for an update on their Department's work in tackling paramilitary activity. (AQO 1963/17-22)

**Mrs O'Neill:** With your permission, a Cheann Comhairle, junior Minister Kearney will answer question 2.

**Mr Kearney (Junior Minister, The Executive Office):** The first phase of the cross-Executive action plan on tackling paramilitary activity, criminality and organised crime ended on 31 March 2021, and the Executive Office has lead responsibility for delivering actions B1 to B4 of that plan. Actions B1 to B3 relate to the reintegration of those with conflict-related convictions who have identified obstacles to employment, financial services and travel, among other things. Good progress has been made, including adoption of the employers' guidance on 'Recruiting People with Conflict-related Convictions' by the Civil Service. Work continues to improve access to financial services and international travel. Action B4 is known as the Communities in Transition project, and phase 1 has seen contracts awarded for delivery of over 30 individual projects and two regional programmes across eight areas of focus. A mid-term evaluation of implementation so far has been completed that shows that a significant amount of good work has emerged through the project to date.

The Executive have agreed to a further phase of the wider tackling paramilitary activity, criminality and organised crime programme, to be delivered until March 2024. The Communities in Transition project will be a significant part of the community-facing element of the programme in phase 2.

It should also be noted that the Communities in Transition project is only one of many interventions that are being funded as part of the tackling paramilitarism programme, which includes policing responses and focused youth interventions amongst other things. A lasting impact, however, will be achieved only when all parts of the programme operate in partnership.

**Mr Stewart:** I take the opportunity to thank the First Minister for her many years of dedicated public service and wish her and her family well for the next steps.

I thank the junior Minister for his answer. Does he agree that there is not and has never been any justification for the existence of paramilitary terrorist activity? Given the recent attacks, particularly on off-duty police officers, especially

in my constituency of East Antrim, does he agree that the security forces should be given all the power that they require to take those organisations off our streets? Will he also assure the public that the policy of paying off paramilitaries will cease forthwith?

**Mr Kearney:** I thank the Member for his question. I dispute the point about paying off paramilitaries to make them go out of existence. That is not a correct characterisation of the work of the programme. However, I absolutely agree with the Member's condemnation of the attack on the police officer and his family in Larne, in his constituency. I also associate myself with condemnation of the attack on the police officer and her family in Dungiven just previous to that. There is no room, scope or role for paramilitary or organised crime gangs in this society. They are the antithesis of what we need to see in developing a united, shared community. We, as an Executive, must bend our collective efforts to ensuring that the programme is effective in and of itself and delivers the desired results but also that, through political leadership across all five parties that are members of our Executive, we speak with one voice — *beimid ag caint d'aon ghuth* — in our absolute and unequivocal opposition to any further violence against police officers or any other public servants in our society.

**Ms Flynn:** To follow Mr Stewart's point, over the past number of weeks we have seen the destructive influence that paramilitaries can have on our society in working-class, loyalist communities and the murderous intent of the so-called dissident micro-groups. Does the Minister agree that those gangs need to be condemned outright and removed urgently from our society and that those who refuse to abandon that criminal activity must face the full consequences of our criminal justice system?

**Mr Kearney:** Gabhaim buíochas leis an Chomhalta as ucht a ceiste. It complements the question posed by the previous Member. I absolutely agree that, 23 years after the Good Friday Agreement, there can be no place in this society for paramilitary groups, criminality, organised crime groups or narco gangs. They neither care for nor offer any type of future. The manipulation of young people that we see and the destructive violence that is used, which has very serious potential implications for life and safety in our society, must all be removed. Like sectarianism and all forms of bigotry and intolerance, those elements are a cancer in our society.

I have a clear message, and I echo what I said in response to Mr Stewart: those involved in violence, criminal damage, manipulation of our young people and attacks on the PSNI must now stop. There should be no ambiguity whatever on that issue. They must be brought before the courts, made amenable and held to account, because they are enemies of our peace process. Making politics is key to building a future free from paramilitarism, criminality, organised crime and the influence of those narco gangs. We are at a point, and there is a choice to make between a race to the bottom or a peaceful, democratic, political way forward and safer communities.

That will be found through the full implementation of the Good Friday Agreement and, as I said earlier, all of our parties on the Executive working together in concert and in lockstep.

## 2.15 pm

**Mr Stalford:** Mention was made of making politics work. What message does it send when a party in the Executive names constituency offices after those who have engaged in terrorist, criminal acts or when elected representatives of that party hail and eulogise those who engaged in terrorist, criminal acts, including, most recently, a Member of the European Parliament?

**Mr Kearney:** I thank the Member for his question. Listen carefully to what I said: we need to speak with one consistent, united voice in our opposition to all forms of violence, terror, paramilitarism, criminality and organised crime in our society. Having listened to the Member speak on many occasions, I am sure that we are at one in that ambition and responsibility. Sinn Féin will not be found wanting in our responsibility, along with Executive colleagues, for taking that agenda forward and ensuring that the anti-paramilitarism programme, which we have responsibility for seeing delivered, is effectively delivered and becomes a foundation stone for a stable, functioning society with good politics at its heart and proper power-sharing.

**Mr Allister:** Never mind the hyperbole: how does the Minister reconcile the proclaimed dedication to tackling paramilitarism with the continuing glorification of terrorism, as highlighted by Mr Stalford? We all know that a Sinn Féin MP still has the name of his office glorifying two individuals, McNulty and Magorrian, who lived and died as terrorists. As long as there is glorification of terrorism, it will

be nothing but cant and hypocrisy to talk about tackling paramilitarism.

**Mr Kearney:** I thank the Member for his question. I will not take lectures from him or his ilk on these matters. My credentials in relation to standing up against paramilitarism, organised crime, criminality, sectarianism and intolerance in this society are beyond dispute. I assure the House that I will continue to provide that type of leadership when others in the House — perhaps as I look towards the Member in question — fail in their responsibility to provide unambiguous leadership for the future *[Interruption.]*

**Mr Speaker:** Order, order.

**Mrs D Kelly:** I am sure there will be another opportunity to say it, but I offer my best wishes to the First Minister and hope that she will look forward to spending time with her family, some of whom will not have known her outside of political life. Having that family time together will be precious to her and to them.

With regard to the Communities in Transition funding, the junior Minister referred to the next round of funding allocation and the review. What will be the objectives for the next round of funding? Will we see a greater integration and opportunity for others, outside of those who have already successfully received some of that funding? Will some of that money be skewed towards better outcomes in tackling poverty and low educational outcomes?

**Mr Kearney:** Go raibh maith agat as ucht an cheist sin a chur. I thank the Member for her question. I think the Member knows well that the issues that we face are integrated and that poverty is an integral part of this society. Poverty breeds disenchantment and alienation, and that creates the circumstances where paramilitary organisations and criminal gangs can seek to manipulate young people. We need a holistic approach. I believe that, thus far in phase 1, we have seen that type of integrated approach taken forward. When we are responsible for the allocation of public moneys, it is essential that, at all stages, we ensure that the funding is targeted where it is most required, on the basis of objective need, and that we get value for money. The indications of the evaluation to date are that that has been the case in relation to phase 1 of Communities in Transition.

We are moving into a pre-market consultation. There will then be a new round of public procurement for organisations to participate in

under phase 2. All the appropriate rules and regulations on good governance and public procurement will apply at that stage.

## COVID-19 Task Force: Business and Hospitality

3. **Mr Buckley** asked the First Minister and deputy First Minister to outline the actions taken by the COVID-19 task force to facilitate the reopening of business and hospitality. (AQO 1964/17-22)

**Mrs O'Neill:** The Executive's COVID task force is leading and coordinating an integrated programme of work for response to and recovery from the COVID-19 pandemic. On 15 April, the Executive made a wide range of decisions on reopening many aspects of our economy and society over the coming weeks. In line with those decisions, the task force has been at the forefront of coordinating engagement with key sectors through meetings with key representatives of the hospitality and retail sectors. The task force adds value to the recovery process by providing advice on key messages and mitigations in order to help increase adherence to the public health regulations and guidance.

The adherence work stream of the task force has facilitated the provision of specialist behavioural insights advice on the pathway out of restrictions and on supporting sectors to ensure that they reopen in a safe and well-managed way. In addition to the work of the task force, the Executive have agreed to extend financial assistance to sectors that are still restricted or partially restricted under the COVID regulations. That includes extending until 23 May the provision of the localised restrictions support scheme (LRSS) to hospitality and gym businesses, payments to businesses that are under COVID restrictions, the COVID restrictions business support scheme (CRBSS) and the large hospitality and tourism business support schemes for those businesses that remain eligible.

**Mr Buckley:** While I welcome the opening of our society, particularly the business and hospitality sectors, the Minister will know that there was quite a bit of ambiguity about the rules and regulations surrounding that reopening. With that in mind, what consultation has there been with the Executive task force and councils in order to ensure that there is continuity of approach in how they and the hospitality sector in particular deal with those difficult circumstances in the immediate weeks ahead?

**Mrs O'Neill:** I concur that there has not necessarily been a good and joined-up approach across council areas. We have seen different approaches in different areas. The junior Ministers are trying to coordinate that work to bring the council leads together. Last week, we saw in different areas businesses getting ready to open up that did not have the chance to do so or that had to amend what they had done. A lot of those businesses met huge financial costs to try to get their premises ready to open. It is important that there is not a blade of grass of difference between approaches as we work with the hospitality sector and the whole business community to get them into a state of readiness for opening.

Last week was a good news story. We have got to a great place on the COVID response. We are winning the battle against COVID, and, with the public's continued support, we will continue in that positive vein. However, there seems to have been some disparity of approach, and we will try to rectify that. The First Minister agrees with me that we want the strongest possible communication with the task force and the hospitality sector to make sure that issues that need to be resolved can be resolved.

**Mr Catney:** I, too, take the chance to offer our First Minister time to reflect as she spends time in Fermanagh, that most beautiful of counties. No doubt she will have that. I wish her all the best.

The deputy First Minister outlined the actions taken by the COVID-19 task force to facilitate the reopening of businesses and hospitality. How will those actions help? What is the task force doing to keep those businesses afloat and open?

**Mrs O'Neill:** As the Member knows, from 30 April, we agreed that unlicensed premises could reopen on an outdoors-only basis, with a maximum of six people from two households, and licensed premises, including social clubs, could reopen, again on an outdoors-only basis, with a limit of people from no more than two households. The curfews on takeaways and off-licences have gone. We have the indicative date of 24 May for when we hope to allow unlicensed and licensed premises to reopen indoors, with mitigations in place. We hope that that is welcome news for the hospitality sector. The priority for the coming weeks must be, as I have said previously, to engage with the sector to make sure that it has all the support that we, as an Executive, the task force and local government, can possibly offer.

It is in everybody's interest. We want to have the industry up and running again. We want to see people back in their place of employment. We want to see people out enjoying themselves, having a meal and getting out and about again. We want this to be sustainable and to continue in our positive vein, but it will only be through continued communication that we will be able to do that.

**Mr Sheehan:** Enormous progress has been made in tackling the virus. Would the Minister agree with me that, as we move to further easing of restrictions, care and caution need to be the watchwords, especially when we take account of what is happening in India and even the news here that a number of people who have already been vaccinated have ended up in ICU with COVID-19?

**Mrs O'Neill:** I thank the Member for his question. He is absolutely right. COVID has no respect for timetables or dates. There is no doubt that this has been one of the toughest times for people, families, businesses, workers and all in our community. When we look at examples from across the world of how the pandemic is behaving, we see that we have to continue to be careful and cautious. We have to make steady progress and to keep going in the one direction, but the restrictions that we have had in place have been necessary at a point in time to suppress the virus and to continue to save lives and to protect our health service. We can continue to move forward and to make sure that we do not go backwards only when we have maximised the mitigations that are in place.

We want to continue to be positive and to give people that hopeful message, but it is important to say that we face risks from variants of concern. We are not out of the woods yet. We face risks from people getting together and perhaps being too relaxed. We need to encourage people to continue to take all the possible steps that we can as individuals to protect ourselves and others and to be mindful of the continued public health message around washing our hands, wearing our face coverings and limiting our social contacts and that, when we are out and about, fresh air and ventilation are part of our protection. Let us not be complacent and we can continue to make progress.

**Mr Dickson:** I add my words to those of others in relation to the First Minister. I wish her well in the future.

Minister, looking forward from where we are in relation to recovery from COVID-19, you have a task force, the Minister for the Economy has a high street task force and the Minister for Infrastructure has responsibility around planning. Can you tell us what joined-up actions you will be taking in all those areas to reimagine our public spaces, particularly in the delivery of business on the high street?

**Mrs O'Neill:** All those pieces of work have to interact with each other. None of those things can be done in a stand-alone way. An economic recovery package has to take into account the actions that the Economy Department has identified. As the Member rightly identified, we also have the high street task force, which, after a slower start than we would perhaps have wanted, I am glad to say is now off at a good pace. These things have to talk to each other and to complement each other. There is no doubt that the implications of the pandemic for our society and our economy have been immense. As I have said on many occasions in the Chamber, some sections of the economy have been hit worse than others: the hospitality sector is one, and tourism is completely on its knees. We have a huge amount of work to do to rebuild, and that will take us working collectively. We see it very much as the economic recovery package, the Programme for Government and all these things coming together and, as an Executive, planning our way out of this.

**Mr Speaker:** I call Mark Durkan. Unfortunately, there will be no time for a supplementary.

### Communities in Transition: Funding

4. **Mr Durkan** asked the First Minister and deputy First Minister whether the reported £10 million for the Communities in Transition project is additional money or an existing funding allocation. (AQO 1965/17-22)

**Mrs O'Neill:** With your permission, Mr Speaker, I will ask Minister Kearney to answer this question.

**Mr Kearney:** I thank the Member for his question. After some very disappointing and erroneous reporting about the Communities in Transition project, I welcome this timely opportunity to remind Members and the public what this important project aims to achieve.

Communities in Transition is about helping communities to break free from the grip of paramilitarism. It is designed and delivered to empower and support those in communities

that have been negatively affected by paramilitarism, criminality and ongoing coercive control to bring about positive change. In stark contrast to one unhelpful and grossly inaccurate media report, it is not designed to assist paramilitary and criminal organisations to become community organisations. Any such suggestion is an insult to those working to support communities on the ground.

### 2.30 pm

Funding for the Communities in Transition project, which is part of the Executive's tackling paramilitary activity, criminality and organised crime programme, was due to end in March 2021. During the first phase of delivery, from November 2019 to March 2021, the project had a budget of £8.5 million, which has had a significant impact in communities, from helping to establish community safety fora to re-imaging murals.

In July 2020, the Executive committed, subject to budget availability and match-funding support, to extending the programme for a further three years to March 2024. The match funding was confirmed in February, and, as a result, the Communities in Transition project is set to receive an additional contribution of £10 million over three years to support delivery of the next phase of the project, from April 2021 to March 2024. Although this sum falls short of the initial bid of £12 million, which was made to support delivery, it is a positive development that the project —

**Mr Speaker:** The Minister's two minutes are up.

**Mr Kearney:** — has much more surety on multi-year funding, rather than being part of an annual cycle.

**Mr Speaker:** That concludes the period for listed questions. We now move to 15 minutes of topical questions. Trevor Lunn is not in his place.

### Social Distancing

T2. **Mr McCrossan** asked the First Minister and deputy First Minister, after adding his voice to those of other Members in wishing the First Minister well for the future on whatever path she takes, albeit there are things on which they have not agreed, she has always put the interests of her constituency first and has done her best to serve those whom she represents, whether, given that the Prime Minister, Boris Johnson, this week revealed that he believes

that social distancing could end by 21 June, a similar approach is anticipated for here and to state whether the Executive have had discussions in relation to that. (AQT 1252/17-22)

**Mrs O'Neill:** I thank the Member for his question. That has not been discussed. I noted Boris Johnson's commentary. However, at this point, the Health Minister has not brought such a proposal to the Executive for discussion. I am sure that we will have to have that discussion in due course.

**Mr McCrossan:** I thank the joint First Minister for her answer. What is her assessment of what Boris Johnson said, given that there are still serious concerns about infection increasing in our community? Also, as Mr Sheehan pointed out, some of those who have received vaccinations are still testing positive and ending up in ICU. Was what Boris Johnson said premature and unhelpful?

**Mrs O'Neill:** I have not always agreed with Boris Johnson's approach to the COVID crisis. We make our decisions on the basis of advice from our public health team, and, at this time, there is no advice to suggest that this is an area in which we should make a change. Ultimately, that is where we want to get to, but it has to be done in a safe and steady way. It has to be done in a way that does not walk us into a corner from which we will have to reverse. We want to make sure that we make steady progress. Risks are still out there, and there are new variants. We need to be very careful. Let us continue to make progress and build on the positivity of where we are with the vaccination programme.

From an economic point of view, we understand that, in order to make hospitality businesses, for example, sustainable and profitable, they need to be able to get back to the numbers that they had prior to COVID. We want to get them there, too, but it will take a bit of time. We need to continue to make progress and take a steady-as-you-go approach over the next number of months.

### **Travel: Isolation Period**

T3. **Mr Frew** asked the First Minister and deputy First Minister, considering the impact on people who have been stranded from close family members for so long, how it can be justified that we are the only part of the United Kingdom with an isolation period in place after people travel around the country. (AQT 1253/17-22)

**Mrs O'Neill:** Again, that is the public health advice. The Executive have had this discussion on a number of occasions, and we continue to keep the matter under review. In fact, we had that discussion last week, particularly around the common travel area. People can now, for example, travel from Scotland to here but not vice versa. Some families have been distanced for over a year now, and we want to remedy that as soon as we can.

Health has been asked to keep us advised and to keep coming back to it, and we have decided that that is what we will do. I expect that we will have further discussion on the common travel area at this week's Executive meeting and probably next week as well.

**Mr Frew:** I thank the deputy First Minister for her answer. Given that hospitality has paid a high price to protect people's health and will need interventions well past reopening, does the Minister support Hospitality Ulster's modest request to establish a ministerial cross-departmental working group to oversee its recovery? If so, what will that look like?

**Mrs O'Neill:** The Member was probably not in the Chamber when we spoke about that issue earlier. I made the point that there needs to be strong communication between the hospitality sector, the Executive task force and all our Departments that have a remit in some way or another for hospitality. We need to make it as viable as we can in order for it to open up. We want to be able to keep hospitality open, which is why we need to be careful and sustainable. Communication is the way in which to do that. Unfortunately, over the past week and a half, we have seen a disparity in approach across council areas. We are trying to get that ironed out; that is really important. The First Minister and I have raised the issue of the need to engage with the hospitality sector in a more meaningful way if we are to help people to be successful in opening up during these challenging times.

### **Misogyny and Sexism in Public Life**

T4. **Mr McGuigan** asked the First Minister and deputy First Minister whether the joint First Minister agrees that misogyny and sexism in public life, such as that referred to last week by the First Minister and highlighted by the disgraceful and disgusting comments directed at the joint First Minister by a DUP councillor from Mid and East Antrim Borough Council, are totally unacceptable and are a real deterrent to women in public life. (AQT 1254/17-22)

**Mrs O'Neill:** Thanks to the Member for raising that issue. Although the comments to which you refer were directed at me, I acknowledge that the First Minister also recently referred to the misogyny with which she has had to contend as DUP leader. I think that, on many occasions, we have both talked about what you face when in a position of leadership, particularly in misogynistic commentary. Many in the Chamber can attest to the hurt that that causes not just to them as individuals but to their families. As a mother, a daughter, a sister and a partner, I know that the most distressing part is often the hurt that it causes to your family. All of us in political life — all political parties must take this on board — have to realise that all that abuse impacts on the reluctance of women to engage in public life. It is a hugely important issue; it has the ability to impact on the representativeness of our Administration. It needs to be confronted and, most importantly, condemned at every turn.

**Mr McGuigan:** I thank the joint First Minister for her answer. I note the comments about not only the hurt to the person to whom the comments are directed but the wider hurt that is caused to the person's family. Does the Minister agree that, although it is wrong for anyone to engage in that kind of sexist and misogynistic abuse, it is entirely reprehensible when it comes from an elected representative, as was the case recently with DUP councillor John Carson?

**Mrs O'Neill:** Yes. As I said, there should be zero tolerance in society of misogyny and any form of intolerance or discrimination. If that is to be achieved, political leaders will have to lead. There is a responsibility on all of us in the Chamber — this is why I welcome the fact that the Member raised the issue — to be very clear that misogyny will not be tolerated in political parties and to speak out against it when we see it in society.

**Mr Speaker:** Before I call the next questioner, I inform Members that mobile phones are being operated at the moment. They are disrupting the sound system, which affects Hansard.

## **NDNA Commitments: Delivery**

T5. **Ms Flynn** asked the First Minister and deputy First Minister, after sending her very best wishes to the First Minister, to state whether, given that the restoration of the Assembly and the Executive last year was based on commitments made in New Decade, New Approach (NDNA), the joint First Minister agrees that, whatever the outcome of the process to appoint a new First Minister, those

commitments need to be honoured. (AQT 1255/17-22)

**Mrs O'Neill:** Yes. You are absolutely correct: New Decade, New Approach provided the basis for the restoration of the institutions, so there cannot be any slippage from the commitments that were made in that deal. Citizens need to see delivery. Politics must work for everybody. Commitments that were made must be honoured. That is crucial.

I, as everybody else has done, wish Arlene the very best for her future. I said that publicly last week, but, given that people are commenting today, I again wish her the very best for the future and whatever that brings for her.

I am determined to work closely with the incoming Minister, who should be in no doubt about my determination to ensure the delivery of the outstanding commitments, particularly where citizens' rights are yet to be delivered in respect of language and culture, legacy and women's healthcare.

**Ms Flynn:** Go raibh maith agat. Thank you to the joint First Minister for that response and those assurances. That sounds like a firm and clear commitment to see the full implementation of 'New Decade, New Approach'. Can the Minister provide an update on what discussions are taking place with the two Governments about their commitments in the agreement?

**Mrs O'Neill:** Thanks again. There are clear and binding obligations on the Irish Government and the British Government to deliver on the NDNA deal and previous deals, particularly as we start to emerge from the pandemic and move to being able to deliver on things that perhaps have been delayed. We have to have that commitment, and we need see it every day from Dublin and London to ensure that all aspects of 'New Decade, New Approach' are lived up to.

## **Illegal Street Protests**

T6. **Ms Dolan** asked the First Minister and deputy First Minister, after wishing her constituency colleague the First Minister all the best in the future, whether the joint First Minister agrees that the ongoing illegal street protests are unacceptable and need to be brought to an end. (AQT 1256/17-22)

**Mrs O'Neill:** Yes. There is no place for illegality in our society. Many of the protests have been reckless, irresponsible and a clear attempt to

raise community tensions rather than air some kind of grievance. Political leaders need to take a stand against that kind of damaging behaviour rather than, as has, unfortunately, been the case with some — not all — political parties, providing justification for it, as opposed to condemning it.

**Ms Dolan:** Given the serious implications of the protests and their potential to turn violent, does the Minister agree that all political leaders should now call for an immediate end to illegal street protests?

**Mrs O'Neill:** Yes. We have seen time and time again that such protests can turn violent, so it is incumbent on all political leaders to send a clear message that those involved in violence, criminal damage, manipulation of our young people and attacks on the PSNI must stop. We all have a responsibility to build peace and make politics work, so I again urge all those in political leadership to join me in calling for an end to all illegal street protests.

**Mr Speaker:** Roy Beggs is not in his place.

### **PSNI: Unacceptable Attacks**

T8. **Mr McAleer** asked the First Minister and deputy First Minister, given that the deputy First Minister referred to recent attacks on the PSNI, whether, in light of the disgraceful attack on a police officer's home in Larne, she will join with him to condemn such attacks and to call for an end to the reckless and unacceptable rhetoric targeting the PSNI from some people in positions of political leadership. (AQT 1258/17-22)

**Mrs O'Neill:** I thank the Member for raising that. Of course, all in political leadership have a responsibility to condemn unreservedly that despicable attack on a police officer and his family in the place where they should feel safest: their home. The week before last, there was an attack on a female officer. All those reckless actions remind us all that words and the manner in which they are used have consequences. There can be no place for inflammatory or incendiary language when what is required is progressive and positive leadership in these times.

**Mr McAleer:** Thank you, Minister. Will you join me and, indeed, the House in sending a message of solidarity to the police officer and his family who were the victims of that reprehensible act?

**Mrs O'Neill:** Of course I will. I can only imagine the distress and anxiety caused to that PSNI officer and his family and, as I said, to the female officer who was targeted in recent weeks. It is important that we, across the Chamber, stand in solidarity with the officer and his family and reaffirm our commitment to upholding and protecting the rights of all citizens to live free from threat or intimidation as they go about their job.

**Mr Speaker:** I call Jim Allister. You may not have time for a supplementary question.

### **Northern Bank Robbery**

T9. **Mr Allister** asked the First Minister and deputy First Minister, given that "truth and justice" is a phrase that the deputy First Minister has recourse to from time to time, whether, in light of last night's BBC programme, she acknowledges that the Northern Bank robbery was indeed the work of the IRA as the truth. (AQT 1259/17-22)

**Mrs O'Neill:** I did not watch last night's programme.

**Mr Allister:** Whether she watched it or not, does she accept that it is the truth that the IRA robbed the Northern Bank? Can she, as a leader of the republican movement, tell us where the money is?

2.45 pm

**Mrs O'Neill:** Funnily enough, that was not discussed at the Executive meeting.

**Mr Speaker:** Time is up. Can I ask Members to take their ease for a moment, please?

### **Agriculture, Environment and Rural Affairs**

#### **Point of Entry Facilities**

1. **Mr McGlone** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the completion date of point of entry facilities as part of the protocol on Ireland/Northern Ireland. (AQO 1975/17-22)

5. **Mr Allister** asked the Minister of Agriculture, Environment and Rural Affairs to outline his strategy to restore unfettered movement of goods from Great Britain. (AQO 1979/17-22)

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** With your permission, Mr Speaker, I will group questions 1 and 5.

Under the terms of the European Union (Withdrawal Agreement) Act 2020, which embodies the Northern Ireland protocol, Northern Ireland is required to align with the European Union's sanitary and phytosanitary (SPS) rules, an agreement made by the UK and the EU that was not supported by any unionist party in Northern Ireland and runs contrary to the Belfast Agreement of 1998.

I am opposed to the detrimental impact of those additional rules on Northern Ireland businesses and consumers, specifically the barriers that they place on the movement of animals, goods and products from Great Britain to Northern Ireland. I will therefore continue to engage with ministerial colleagues and the UK Government to press that position. Ultimately, the protocol needs to go. I am firmly of the view that any product that enters Northern Ireland as its end destination should not go under any checks. There are practical solutions for products that enter the EU single market via the Republic of Ireland. There should be no barriers to trade within the UK internal market. Any barriers are wholly unacceptable and go against the requirement of unfettered trade that is underpinned in the Act of Union.

**Mr McGlone:** To date, what compensation has been paid or is likely to be paid by the Department to contractors and those associated with the schemes at the points of entry?

**Mr Poots:** That is not something that I am aware of or have engaged in; I have taken no role in that nor participated in it. As a consequence of the protocol, the estimations now are that, when the grace period ends, there will be 15,000 checks a week. That will have a damaging impact on every nationalist, every unionist and every other person in Northern Ireland, so we would do better not to have any new buildings constructed and not to have any checks on food that will end up on tables in Northern Ireland, having come from Great Britain.

**Mr Allister:** Does the Minister agree or disagree with Peter Robinson that you cannot credibly oppose the protocol while at the same time implementing it?

**Mr Poots:** First, not once have I authorised any infrastructure. This has been imposed by

Westminster and has been paid for by Westminster to placate the demands of Dublin and, indeed, the pro-protocol parties — Sinn Féin, the SDLP, Alliance and the Green Party. As a result, every consumer will feel the pain of the protocol. Worse still, not satisfied with the onerous burdens and checks that are being imposed, those parties want more, because they want the rigorous implementation of it. One might expect that from republicans, because they do not mind wreaking damage on the wider community for their own ends, but the Alliance Party is a co-conspirator and cheerleader for things like the ponies being needlessly locked up, pets having medical interventions that are not required, the food in your cupboard costing more, supplies to business being interrupted and parcel deliveries being detrimentally impacted. That is what the Alliance Party and the republicans are delivering, and I want to see it removed.

**Mr Chambers:** What consultations have taken place with the pedigree societies in GB on issues involving the protocol, such as animals with a UK-prefix tag having to be retagged with one that has a Northern Ireland prefix?

**Mr Poots:** Mr Chambers raises a valid point. All of the pedigree societies are being impacted on by the protocol. The integrity of the product that they sell is being impacted on because of the very issue that he raises about UK tags having to be changed. Again, that is unacceptable, and, again, it is something that we are raising, but it demonstrates that we have raised numerous issues with the protocol. The problem is not that there are issues with the protocol; the problem lies at its heart. It is wrong, and it needs to go.

**Dr Archibald:** I thank the Minister for his responses so far. Does he agree that the obvious solution for restoring the unfettered movement of goods from Britain to the North would be for the British Government to align with EU standards and regulations, for example on SPS matters?

**Mr Poots:** That is a possibility, and it is for the British Government to consider it. It is also a possibility that any goods that are being consumed in Northern Ireland and any product that is coming to Northern Ireland and will remain here will have no detrimental impact on the European Union's single market. Mr Coveney, Mr Varadkar and Mr Martin could tell the European Union that that is the case and support us in getting the protocol removed.

**Mr Dickson:** I thank the Minister for his answers. Minister, will you outline your plan and timescale for removing the protocol, given that you are likely to end up as First Minister?

**Mr Poots:** I have indicated that I have no desire to hold that position. At every opportunity, I have raised the issue of the damage that the protocol is doing to Northern Ireland both verbally and orally. The UK Government and the European Union are aware of the harm that it causes and the significant further pain that will be inflicted as a consequence of the ending of the grace periods because it is self-evident. They know that the protocol is not fit for purpose. It was a mistake, and it must be replaced.

In January of this year, I instructed my officials to get senior counsel opinion from a top UK constitutional lawyer. On my return to office, an eminent QC was appointed and is scrutinising every aspect of the protocol. On the completion of that work, it is my intention to lodge judicial proceedings against the protocol. I hope that the Department for the Economy and the Department of Health — this is having major implications for medicines and medical devices — will join me in taking an action against the European Union and the UK Government for the damage that they are inflicting on all the people of Northern Ireland.

**Mr Speaker:** Questions 2 and 4 have been withdrawn.

## TB Eradication Strategy

3. **Mr Clarke** asked the Minister of Agriculture, Environment and Rural Affairs for an update on his plans to consult on a TB eradication strategy for Northern Ireland. (AQO 1977/17-22)

7. **Mr Middleton** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the need to address bovine tuberculosis in cattle. (AQO 1981/17-22)

**Mr Poots:** With your permission, Mr Speaker, I will group questions 3 and 7.

The eradication of bovine TB (bTB) is one of my top priorities. I recognise the devastating emotional and financial impact that a bTB breakdown can have on farming families across Northern Ireland.

A new bTB eradication strategy for Northern Ireland will aim to reduce, and eventually

eradicate, bTB by comprehensively addressing all the recognised key factors in the maintenance and spread of the disease. My officials have completed the business case required to support the implementation of a new strategy, and I have now received final advice on a proposed way forward. That will assist me in deciding on the next steps necessary to tackle bTB in Northern Ireland. It is my intention to launch a consultation on my preferred way forward in the very near future, and I welcome the opportunity that this will provide for stakeholders and the wider public to express their views on how we can best work together to tackle this disease.

**Mr Clarke:** I thank the Minister for his answer. Will the Minister outline when he foresees the consultation being launched, and a way forward agreed, in relation to what is widely known as a costly disease for animal and human health, never mind the cost to the taxpayer?

**Mr Poots:** I thank the Member for the question. Bovine TB cost the Northern Ireland taxpayer some £37 million last year. It has been in and around that ballpark figure for quite a number of years now. I believe that roughly £40 million could be better spent elsewhere than on doing the same thing over and over and not actually dealing with bovine TB.

Work continues apace. The business case for the strategy is complete, and I have received final advice for my consideration. It is my intention to engage with officials, with a view to launching a consultation on the preferred way forward imminently. Once I have considered the responses to that consultation, I will finalise the strategy. I have made it clear that I wish to see the implementation of the new bTB strategy as soon as practicably possible in 2021.

**Mr Middleton:** Does the Minister agree that we need to tackle TB in wildlife and in cattle to deliver a healthier wildlife population?

**Mr Poots:** Absolutely. Wildlife intervention has already happened in England and the Republic of Ireland. I have spent considerable time with veterinary scientists in both jurisdictions, and their advice is very clear: if we are to rid the wildlife population and the bovine population of TB, we have to take action in both. Up to now, we have taken action only in the bovine population, and the logic of continuing to do that, without tackling the issue at the wildlife part, does not exist. The definition of madness is to keep doing the same thing and expect different answers. Some suggest that I do that, but I am afraid I cannot. We really need to get

on top of this problem, stop wasting public money and stop putting individuals through immense stress and mental health issues as a consequence of doing nothing about a long-term problem.

**Mr Catney:** Minister, will you publish the final report on the test and vaccinate or remove (TVR) wildlife intervention study on badgers and bovine TB? Have you secured the additional funding to replace the £5.1 million lost from the TB eradication programme as a result of Brexit?

**Mr Poots:** Our business plan identifies all those issues. That case will be made to the Department of Finance. If we require additional money, it will be on the basis of invest to save, because, ultimately, we will be driving down the cost of TB. However, there is a course of work to be done. TVR was a useful scheme that gave us a lot of scientific evidence of the links between the wildlife and bovine populations. There are a large number of strains of TB, as we learnt that there are of COVID-19, for example. However, a range of strains exists between the wildlife and bovine populations in particular areas. The linkage is irrefutable, and therefore the evidence base for moving forward is clear.

**Mrs Barton:** Minister, has any progress been made on the biosecurity of cattle ear tags, given that, occasionally, although the carcass of an animal in a meat factory is found to be infected with bTB, the DNA does not match that of the mother?

**3.00 pm**

**Mr Poots:** It can happen, but it is highly unusual.

**Mr McAleer:** The Minister will be aware of the animal health law that recently came into effect. Has his Department carried out an impact assessment of that law's implications for farmers?

**Mr Poots:** Yes. That is a piece of European Parliament law that was brought forward by the European Commission. We had no role in making that legislation, and we will have no role in amending it. That demonstrates the perversity of the situation that we find ourselves in, in that we are expected to implement legislation where there has been no representation. I join the nationalists of many years ago in saying that that is wrong. We cannot have legislation without representation. That is entirely inappropriate. It has an impact

on the farming community, in that farmers will be required to test at their own cost before taking their animals to a livestock mart. That will have a significant impact on those farmers.

## Farmers' Mental Well-being

6. **Ms P Bradley** asked the Minister of Agriculture, Environment and Rural Affairs what is currently being done to support farmers' mental well-being. (AQO 1980/17-22)

**Mr Poots:** The Department's tackling rural poverty and social isolation (TRPSI) programme funds the Rural Support charity, the farm families health checks programme and the SPRING social prescribing project, which supports mental well-being in farming communities.

The Rural Support charity operates a telephone helpline and a signposting service for farmers and their families. Its experienced volunteers and mentors also meet and provide continuous support to clients on a range of issues pertaining to farming matters and mental stress. Its ongoing outreach programme is targeted at farmers and farm families in order to help strengthen farm businesses and build personal resilience. The farm families health checks programme also provides support to farmers and has to date screened the physical and mental health and well-being of over 20,000 individuals, primarily farmers, farmworkers and farm family members who have attended marts and community events.

Rural Support and farm families health checks programme staff recently collaborated to create an initiative called Protecting the Asset that is You, which provides key health messages to farmers, farm families and rural communities by using social media platforms.

The SPRING social prescribing project, which is delivered in partnership with eight rural healthy living centres, links medical care to non-clinical locally delivered support services by enabling medical professionals to refer rural patients to social prescribers and, ultimately, to a range of activities and services. Although the Department of Health has lead responsibility for mental health services, we all have a role to play across government. As well as those specific schemes that farmers can access, we are supporting a range of activities to make outdoor recreation more accessible and to encourage greater community participation and engagement. As we emerge from the challenges of COVID-19, getting people

outdoors and active will greatly enhance their mental well-being.

DAERA is developing a new rural policy framework in order to shape future rural priorities. It includes draft goals to reduce loneliness and social exclusion in rural areas, minimise the impacts of rural isolation and promote the health and well-being of rural dwellers. The outworkings of that will promote positive health and well-being for farmers and, indeed, the wider rural community.

**Ms P Bradley:** I thank the Minister for that very detailed answer. We know that there are many women in those families who play a very important role in the farming industry. What specific engagement have you had with women who are involved in agriculture?

**Mr Poots:** Our engagement is quite extensive across the board. Rural Support, in particular, provides a lot of support for female members of the rural population. I have to say that, on most farms, women are very often the backbone of the show. Very often, the man is seen out on the front line, but the women tend to do an awful lot of the paperwork, provide an awful lot of the supporting work and keep the show on the road. They face immense pressures as well.

Farming is a difficult business at times. There can be serious problems with cash flow. Weather conditions can cause problems. The subject of TB, which we have just concluded on, is one that causes huge mental stress as people lose substantial parts of their herds. The mental health impact of that is massive. The impact on the gentleman who happens to be leading the farm is perhaps more evident, but it is also there for the lady who may be a bit in the background. We need to ensure that the support is available to every person who needs it in the rural communities. The women in our rural communities are vital to their well-being.

**Mr Butler:** I take the opportunity to wish my Lagan Valley colleague all the best in his leadership competition with the MP for Lagan Valley, Jeffrey Donaldson.

In your role as Agriculture Minister, you are asked every week about mental health, which is good. What are the clinical and non-clinical findings from the roll-out of the well-being and mental health programmes?

**Mr Poots:** We have identified that mental health in rural areas is a considerable problem. We have identified issues such as isolation, loneliness, anxiety and financial hardship, and

we are focusing on community development approaches as we seek to roll out preventative activities to address matters identified at a local level. In the December 2020 to March 2021 period, over 75,000 rural dwellers benefited from that initiative. We have other TRPSI-funded initiatives such as the enhancement of forest parks, the development of community trails, the utilisation of school facilities for community use, the regeneration of disused historic buildings in rural communities, the access and inclusion grant-aid scheme to enhance disabled access and usage of public buildings and the continued funding for rural support networks and small-grant schemes to assist the rural community and voluntary sector. Therefore, we take these things seriously.

**Ms Brogan:** On the topic of mental well-being, many anglers and locals in the Dromore and Fintona area of west Tyrone have been left completely devastated by the major pollution incident at the weekend that resulted in thousands of fish being killed along a 5 km stretch of the Aughlish river. Can the Minister outline what actions his Department is taking to deal with the serious incident?

**Mr Poots:** It is a pretty shocking pollution of that waterway, and I am absolutely appalled that it has happened. My officials are in the area seeking to assist and to mitigate, but, essentially, huge damage has been done, and it will not be rectified for years as a consequence of, almost certainly, someone not doing their job correctly. We will go through the process of identifying the person, taking them to court and ensuring that all costs are attributed to the individual who caused the pollution. However, all of that will not undo the damage that has been done. It deals with the individual responsible, but it will not undo the damage. I encourage everybody who is involved in business, agriculture or anything where there is the potential for materials to get into our waterways to take every action possible to ensure that that is not the case.

**Mr Storey:** The Minister will be aware of another devastating event that took place some 22 years ago in my constituency, with the destruction of the then Lovell and Christmas bacon plant. That was my former employer. It had a huge impact on the mental well-being of the business community and, particularly, the farming community and on the pig industry in my constituency. Will the Minister join me in welcoming the fact that Bann Side Foods submitted a proposal of application notice (PAN) to the Causeway Coast and Glens Borough Council on Friday, with the potential

for 400 jobs and a £75 million investment? Surely, that will be good for the mental health and economic prosperity of the farming community in my constituency.

**Mr Poots:** That is, indeed, a very exciting proposal, and it has been tremendous to see the agri-food sector growing over the past decade and generation. I remember dealing with farmers on the back of the Lovell and Christmas factory fire, and the devastation that it caused. It drove many people out of business at that time. I visited many of those people in those awful circumstances.

Of course, you and your colleagues in that factory also lost your jobs, which was devastating.

It is very exciting news that 400 jobs could be created. It demonstrates that we need to be wise when it comes to the proposed climate change legislation. In Northern Ireland, agri-food is such a large sector that we can make our significant contribution to carbon reduction without annihilating it. Mark my words: taking away 50% of beef and dairy production from Northern Ireland will annihilate the agri-food sector and the rural community. If people are genuine about dealing with mental health and stress, they should think very carefully before putting their hand to something that is causing real stress in the rural community. People need to give a bit more consideration to us all finding a way forward on climate change and carbon reduction.

## Recreational Angling: Lower Bann

8. **Mr Robinson** asked the Minister of Agriculture, Environment and Rural Affairs to outline his plans to increase recreational angling on the lower Bann. (AQO 1982/17-22)

**Mr Poots:** My Department has an annual programme to maintain and improve infrastructure at angling waters, including the provision of disabled angling stands and improved pathways. Some of these waters are located in the lower Bann catchment, such as those at Movanager, Portna and the Ballymoney river etc. Plans to improve the access road and fishing stands at Movanager canal are being considered. The Department continued to stock game in public angling estate (PAE) waters throughout the COVID pandemic, as well as carrying out maintenance and improvement works at over 90 PAE waters. My officials also work closely with The Honourable The Irish Society, Waterways Ireland and many angling clubs on the lower

Bann tributary rivers to improve angling and fisheries habitats in the area.

Finally, my Department's management of salmon stocks and its conservation measures helped to stabilise, and possibly start the recovery of, the numbers of Atlantic salmon returning to the Neagh Bann catchment to spawn. That should help to attract recreational salmon anglers to the lower Bann and increase their number.

**Mr Robinson:** I thank the Minister for his answer. Looking to the future, when our tourist trade resumes, does the Minister agree that angling, either river or sea angling, will play an important role in the future of the tourism economy in my constituency of East Londonderry and other constituencies? The Minister has probably answered this already, but will he ensure that every action will be taken to minimise the pollution incident that happened overnight in the Aughlish river in County Tyrone?

**Mr Poots:** The Member is absolutely right: the value of the tourism sector and of angling in that sector is phenomenal. We need to look after it and ensure that those incidents do not take place. Sadly, they do, but we need to do everything in our power to stop them and ensure that individuals recognise their responsibilities in ensuring that they do not happen.

## UK-EU Veterinary Agreement

9. **Mr Dickson** asked the Minister of Agriculture, Environment and Rural Affairs to outline what engagement he has had with the UK Government on a veterinary agreement between the United Kingdom and the European Union. (AQO 1983/17-22)

**Mr Poots:** Under the terms of the withdrawal agreement, the Northern Ireland protocol and domestic legislation, Northern Ireland must continue to align with the European Union's sanitary and phytosanitary (SPS) rules. I am firmly opposed to the detrimental impact of these newly mandated rules on Northern Ireland businesses and consumers, and to the barriers that they place on the intra-UK movement of animals, goods and products from Great Britain to Northern Ireland. As such, I believe that we must get to a position in which we minimise the impact of these checks and then remove them entirely

Discussions are ongoing between the UK Government and the EU Commission, via the

UK-EU Joint Committee, with the aim of finding what I hope will be viable solutions to a range of issues related to the Northern Ireland protocol, including SPS checks. The establishment of a common SPS area, under the terms of a potential UK-EU veterinary agreement, could assist in facilitating trade in live animals and agri-food products, which would be helpful. However, as it would not address the entirety of the rules associated with the implementation of the protocol, it cannot properly address the issue.

I have engaged and will continue to engage with my ministerial colleagues to explore all available options that could help to remove the protocol and its impact on Northern Ireland-GB trade. Nevertheless, responsibility on the future alignment of the UK within the EU SPS rules and the negotiation of any UK-EU veterinary agreement rests solely with the UK Government.

**3.15 pm**

**Mr Dickson:** Minister, your answer sounds as though you are engaged in doing practical things to deal with the protocol. I congratulate you on that and encourage you to continue down that route rather than trying to oppose the protocol.

**Mr Poots:** The Member welcomes doing things that reduce the impact of the protocol. I also welcome those things. We do things that help, for example, potatoes or other materials to come into Northern Ireland, but many other things are negatively impacted. Ultimately, we need to deal with the underlying problem: the protocol. Northern Ireland does not pose a threat to the European Union single market. Consequently, goods that enter Northern Ireland from Great Britain — all part of the United Kingdom single market — should not be checked because they do not pose a threat to the single market. This is a political decision, taken at the behest of the Irish Government, but it is damaging Irish people living in Northern Ireland. They need to pull back from that decision and ensure that Northern Ireland is treated fairly and equitably within the United Kingdom.

**Mr Speaker:** That ends the period for listed questions. We will now move to 15 minutes of topical questions.

## **Firefighters' Memorial Day**

T1. **Dr Archibald** asked the Minister of Agriculture, Environment and Rural Affairs

whether, on Firefighters' Memorial Day, he will join with her to recognise those firefighters who have lost their life in the line of duty, to send solidarity to their families and to express our gratitude to the heroic firefighters, along with members of the Irish Air Corps, for their recent efforts to tackle the devastating wildfire in the Mourne. (AQT 1261/17-22)

**Mr Poots:** I thank the Member for her question. What she said is entirely valid and correct. I spent time with the firefighters in the Mourne around 10 days ago. It was a devastating fire, but it was not the first. Our firefighters were out before that, have been out since and are out every year, and that does not get a media profile. The wider public do not see that because the firefighting is more localised. Well done to our firefighters. They are not only out fighting fires on the mountains but rescuing farmers who have got into trouble — for example, with slurry tanks in very dangerous circumstances. They are called out to all sorts of things around farms and in rural communities. With road traffic collisions on our rural roads in particular, the first people who are there are the Fire and Rescue Service, cutting people out of cars, doing spectacular work, saying very little about it and just getting on with their job. It is a very stressful job, and you are absolutely right that they need all the praise that we can give them.

**Dr Archibald:** I thank the Minister for his response and concur with his comments. Given the crucial North/South aspect to tackling these fires and the many other cross-border issues relating to agriculture, the environment and our rural communities, will the Minister give his commitment to working cooperatively and collaboratively through the North/South institutions and, in particular, the North/South Ministerial Council on all issues within his remit that affect our communities, North and South, and that impact on an all-island basis?

**Mr Poots:** In my role, I have every desire to work with colleagues in the Republic of Ireland. I do not have an issue with that at all when it is in the mutual interest of both countries. It is in the mutual interests of both countries that people in Northern Ireland do not experience the damage and impacts of the protocol. Therefore, political colleagues in the Republic of Ireland would do well to reflect on that, work with us on that and on other key issues to help Northern Ireland and the Republic of Ireland to prosper. That is what we want.

## **Agricultural Wages Board**

T2. **Mr Dickson** asked the Minister of Agriculture, Environment and Rural Affairs, in relation to his proposal to scrap the Agricultural Wages Board, to explain the reasoning and rationale for that decision and to state the stage that he is at. (AQT 1262/17-22)

**Mr Poots:** For years, we were told, and virtually all parties said, that we needed to reduce quangos. The Agricultural Wages Board is a quango. I have not gone back on my word on reducing quangos. Such a board does not exist in any other sector. We do not have a health wages board, an education wages board or a builders' wages board. The Agricultural Wages Board was there when agriculture wages were very low and we did not have minimum pay, and before a series of conditions on pensions, sick pay, maternity pay and paternity pay, for instance, were put in place. All those things have obviated the need for much of the work that the Agricultural Wages Board did in the past. There is therefore no point in keeping a quango when it is unnecessary.

**Mr Dickson:** Minister, you are echoing the words of the Ulster Farmers' Union and its rationale behind wishing to scrap the Agricultural Wages Board. You have cited a range of types of employment, but all of them have well-developed, collective bargaining and other negotiating arrangements for pay. The agriculture sector is not heavily trade unionised, and many of its people live in rural, diverse and widely spaced out communities. You should therefore reflect on the matter and join the trade union movement in suggesting that we need to retain the Agricultural Wages Board for the reasons that I have outlined. It concerns a group of people for whom there are little or no collective bargaining arrangements in place.

**Mr Poots:** The Member mentions collective bargaining, but what is more important is individual bargaining. The truth is that it is hard to get young people who want to go out in inclement weather and work in physical conditions, and that will continue to be the case as things go forward and there are more challenges in bringing people from other countries into Northern Ireland to carry out work. The best negotiating position exists when labour is more in demand than the other way around, so people working in the farming community at this time can demand a good source of income, and get it, because, if the farmer needs them, the farmer is going to have to pay for them. It is as simple as that.

### **Plastic Reduction Action Plan: Narrow Scope**

T3. **Ms Sheerin** asked the Minister of Agriculture, Environment and Rural Affairs why the scope of his plastic reduction action plan is so narrow, in that it applies to government buildings only. (AQT 1263/17-22)

**Mr Poots:** There are some nine different pieces of plastic involved. It is our intention to roll things out considerably further and to increase the plastic bag levy, which we are doing currently. We recognise the damage that plastic does and the fact that much unrequired plastic has been used in the past. We therefore want to screen out single-use plastics from Departments and, indeed, beyond.

**Ms Sheerin:** Go raibh maith agat. I thank the Minister for his answer. Minister, as you will be aware, you are required to implement the articles of the EU single-use plastics directive that apply to the North and that are to be transposed in July of this year. The action plan that you have produced does not provide me with a lot of confidence as to your commitment to a reduction in single-use plastic usage. Will you commit to applying those articles as per the time frame? Will you go further and say that, owing to the innovative ideas contained within, you will look at implementing the directives to which you are not required to commit?

**Mr Poots:** You are the first person whom I have heard say that she does not have confidence in my commitment. That has not been expressed anywhere else. That suggests to me that your reason is more political than anything else. What I will say is that I do not need an EU directive to know the difference between right and wrong. I believe that we should be reducing the use of plastic, full stop. I do not need a bureaucrat in Brussels to tell me to do that.

### **Lough Neagh**

T4. **Mrs D Kelly** asked the Minister of Agriculture, Environment and Rural Affairs to outline his Department's obligations to and vision for Lough Neagh, given that he will be well aware of its increased usage during lockdown and its potential for staycation-type holidays. (AQT 1264/17-22)

**Mr Poots:** Lough Neagh is a huge asset and, I believe, an underutilised one. I have said that from my early days of visiting Lough Neagh at Antrim or Oxford Island. I would love to see Lough Neagh more utilised. It is the largest body of fresh water in the United Kingdom.

We have tremendous opportunities from the agri-environment side to reduce pollution in

Lough Neagh. It has faced problems with eutrophication in previous years, and that starving of oxygen in the water undermines what we are capable of doing on the Lough Neagh waterways. It is important that we do everything that we can to ensure that Lough Neagh has clean waterways and that the land around it is low in phosphates in particular.

There is much that we can do through my green growth strategy to ensure that we have a better management system for slurry so that a lot less slurry is spread in generations to come. That is my big aim. I want us to move to the anaerobic digestion of slurry materials and separation and then pelletise the phosphates as opposed to land-spreading it. We do our lidar assessments, and we do our checks of nutrients in the soil and ensure that what is applied is applied appropriately. That would be of great assistance to Lough Neagh.

**Mrs D Kelly:** I welcome the Minister's outline. Last week, Minister, you made an announcement about grants for Lough Neagh fishermen: will you confirm that the applications should come from licensed eel and scaled-fish fishermen?

**Mr Poots:** Yes. The applications are out there. The fishermen who fish in Lough Neagh are entitled to do so on the basis of the licence.

### Rural Development Policy: Update

T5. **Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the indicative timing for the publication of the new rural development policy. (AQT 1265/17-22)

**Mr Poots:** That policy has been completed and is with me at the minute, so I imagine that, over the next couple of weeks, we will be ready to move it ahead and get it launched.

**Mr McAleer:** The Minister will be aware that the UK Shared Prosperity Fund was the main means of financing a new rural development policy, given that we have lost EU funding for it. Does the Minister have any update on the status of the UK Shared Prosperity Fund and the likelihood of its being forthcoming?

**Mr Poots:** I have no recent updates on the Shared Prosperity Fund. Unlike some, I welcome it. It is good that we are getting that investment. I will take support from the UK Government as I took it from the European Union, and we will work with them to maximise

that support and dispense it fairly and equitably across rural communities where need is manifested.

### Mourne Mountains: Wildlife Population

T6. **Mr Buckley** asked the Minister of Agriculture, Environment and Rural Affairs, given that he looked on in horror at the devastation caused by the fires in the Mourne Mountains and responded quickly to them, to elaborate on actions that can be taken by his Department and others to help to rebuild the wildlife population in the Mournes. (AQT 1266/17-22)

**Mr Poots:** There needs to be a lot of engagement with the landowners there, including the National Trust, which is a large landowner, and we need to work closely with them. An example of a place that has worked extremely well is Glenwherry Hills, where there has been close engagement with the local farming community. As a result of the work between the farming community and NGOs, we have a lot more wildlife, including species of ground-nesting birds that were under threat. Tremendous work has been done there. Good work has been done in those areas on muirburn, which is strip-burning. Consequently, we do not have the devastating damage that is caused by huge fires.

The other aspect is that, by working well with local farming communities, we can ensure that there is no overgrazing or undergrazing. Both of those lead to circumstances in which gorse gets out of hand, which leads to gorse fires.

### 3.30 pm

**Mr Buckley:** I thank the Minister for his answer. Minister, you will know that there was an intense reaction and, in fact, affection for the members of our fire service who took part in tackling the blaze. Can the Minister elaborate on whether there is any way that the community can get more involved in helping when situations such as this develop on our mountains?

**Mr Poots:** The community response was fantastic. They recognised that the fire personnel were working extremely hard up those mountains. The food did not come just from the Newcastle area. The people of Newcastle were absolutely fantastic, but people sent provisions for the fire personnel down from Belfast and from far beyond the immediate area.

In areas with that quality heathland and those beautiful landscapes, we need to work with communities and NGOs to create opportunities. I have just announced the environmental fund, which is some £2 million. I encourage the NGOs and councils that manage those sensitive areas to get in really good applications, get funding from elsewhere and maximise the support that they get from my Department by getting support from others as well and come forward with really good schemes, so that we can continue to develop, build and enhance our environment.

**Mr Speaker:** Time is up. Members, please take your ease for a moment or two.

*(Mr Deputy Speaker [Mr McGlone] in the Chair)*

### **Corporate Insolvency and Governance Act 2020 (Coronavirus) (Amendment of Certain Relevant Periods) Regulations (Northern Ireland) 2021**

**Mrs Dodds (The Minister for the Economy):** I beg to move

*That the Corporate Insolvency and Governance Act 2020 (Coronavirus) (Amendment of Certain Relevant Periods) Regulations (Northern Ireland) 2021 be approved.*

**Mr Deputy Speaker (Mr McGlone):** The Business Committee has agreed that there should be no time limit on the debate. Please open the debate on the motion.

**Mrs Dodds:** Thank you, Mr Deputy Speaker, for facilitating this. I am seeking the Assembly's approval of a statutory rule (SR) that has been made under powers contained in the Corporate Insolvency and Governance Act 2020. Members will recall that this Westminster Act includes temporary modifications to insolvency legislation that apply in both Northern Ireland and Great Britain.

It is recognised that the restrictions imposed to prevent the spread of coronavirus could seriously impact the finances of companies that previously had been viable and solvent. The temporary modifications are therefore aimed at assisting such companies and protecting them from the threat of winding-up proceedings from their creditors. At the time the Act was made, it was not known how long the crisis would last. As a result, I have sought extensions to a number of these temporary measures over the last months as the impact of the pandemic

continues to affect local businesses. The regulations that I am now asking the Assembly to approve extend until 30 June 2021 the periods during which three of the temporary modifications are to apply.

The first temporary modification is an exemption for small suppliers from a requirement to continue supplying goods and services to companies that have entered insolvency proceedings. The Act inserted provision into insolvency legislation to oblige suppliers to continue supplying companies that have entered insolvency proceedings. This requirement to maintain supplies overrides any contractual terms that would allow the contract to be cancelled and is to ensure that companies in financial difficulty continue to have access to the goods and services that they need to continue trading whilst their rescue or sale is being considered. However, it is recognised that the obligation to maintain supplies to companies that have entered insolvency proceedings does present some financial risk to suppliers. The impact of such a risk could be expected to be proportionately greater in the case of small suppliers. Therefore, with the heightened risk of customers becoming insolvent during the pandemic, it was decided to alleviate this risk by temporarily exempting small suppliers from the obligation to maintain supplies to companies that are subject to insolvency proceedings.

The remaining two modifications to be extended are aimed at helping businesses by temporarily removing the threat of winding-up proceedings where debts are due to the impact of coronavirus. The first of these is the suspension of the right to petition the High Court to have a company wound up on the basis of a statutory demand served during the relevant period. This will give businesses breathing space and an opportunity to reach realistic and fair agreements with all creditors. The final measure prohibits creditors from petitioning for the winding-up of a company unless they reasonably believe that the company's inability to pay its debts is not the result of coronavirus. If they do present a petition, the High Court will not make a winding-up order unless the creditor demonstrates that the pandemic is not the reason why the company cannot pay its debts. The aim of this temporary measure is to allow businesses that are otherwise profitable to continue to trade through the current difficult economic circumstances.

The regulations that I am asking the Assembly to approve were made on 25 March 2021 and must be approved by the Assembly within 40 days of that date. They have been agreed by

the Economy Committee, and the Executive were advised prior to this debate. The extensions to the temporary provisions made by the regulations will ensure that our insolvency legislation is kept in step with that which applies in Great Britain. This will ensure that local businesses will benefit from the same easements, for the same periods, as those in the rest of the United Kingdom.

**Dr Archibald (The Chairperson of the Committee for the Economy):** I rise briefly as Chair of the Economy Committee to support the motion on its behalf. As the Minister indicated, the amendment of certain relevant period regulations will further assist companies affected by the coronavirus pandemic. The regulations extend the duration of the temporary measures restricting the use of statutory demands and winding-up petitions introduced by the Act from the original date of the end of March 2021 until 30 June 2021. The Committee considered and approved the SL1 for the regulations at its meeting on 23 March. Members agreed the SR, subject to the Examiner's report, at the Committee's meeting on 14 April 2021. On behalf of the Committee, I support the motion to approve the regulation.

As Sinn Féin economy spokesperson, I note that, similar to previous SRs under the Corporate Insolvency and Governance Act, the extension of the date will give businesses some protection from the continued impact of the pandemic. It is sensible that we allow those provisions to be extended. Hopefully, we will continue on the positive trajectory that we are on. I pay tribute to all businesses and workers across the North for their efforts to reopen safely over the past couple of weeks. I have seen it in my constituency — in Coleraine, Portstewart and across Dungiven, where my constituency office is. The care and attention being taken is clear to see. It is recognised that we need to move forward carefully so that we do not end up going backwards again. It is important that we all remind ourselves to follow the public health advice and to support our local businesses. On behalf of Sinn Féin, I support the motion.

**Mr Stalford:** I will speak on behalf of the DUP to support the motion. I thank the Minister for bringing the statutory rule to the House. The rule will extend until 30 June 2021 the period during which some of the temporary modifications to corporate insolvency legislation that were included in the Corporate Insolvency and Governance Act will apply. Modifications are:

*"restrictions on the use of statutory demands and winding up petitions and the small supplier exemption from termination clause provisions."*

Clearly, COVID has had a longer and deeper effect than many originally anticipated. It is right, therefore, that we take account of that in providing breathing space to our businesses. I welcome, therefore, the provisions that the Minister has brought before us. I congratulate her on her ongoing work to help get our economy open and to help people get back to trading and generating wealth, which, ultimately, pays for all the public services that our people enjoy.

**Mr Deputy Speaker (Mr McGlone):** I call the Minister to make a winding-up speech.

**Mrs Dodds:** I thank the Chair of the Committee and my party colleague for their support for the measure. It is important that we allow businesses time and space to try to become profitable and to trade through these very difficult circumstances. Like the two Members who spoke previously, I am pleased at the way in which we have been able to continue to open our economy. I hope that that progress continues so that we can see a much freer and more open economy for the future. It is only then that we will really protect jobs and services.

**Mr Deputy Speaker (Mr McGlone):** Members, the House is inquorate. I will not put the Question until we have a quorum.

*Notice taken that 10 Members were not present.*

*House counted, and, there being fewer than 10 Members present, the Deputy Speaker ordered the Division Bells to be rung.*

*Upon 10 Members being present —*

*Question put and agreed to.*

*Resolved:*

*That the Corporate Insolvency and Governance Act 2020 (Coronavirus) (Amendment of Certain Relevant Periods) Regulations (Northern Ireland) 2021 be approved.*

*Adjourned at 3.45 pm.*

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