



# Official Report (Hansard)

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Armstrong, Ms Kellie (Strangford)  
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# Northern Ireland Assembly

Tuesday 7 July 2020

*The Assembly met at 10.30 am (Mr Deputy Speaker [Mr Beggs] in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

### Standing Order 20A: Suspension

**Mr O'Dowd:** I beg to move

*That Standing Order 20A be suspended for 7 July 2020.*

**Mr Deputy Speaker (Mr Beggs):** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 20A be suspended for 7 July 2020.*

## Executive Committee Business

### Pension Schemes Bill: Second Stage

**Ms Ní Chuilín (The Minister for Communities):** I beg to move

*That the Second Stage of the Pension Schemes Bill [NIA Bill 07/17-22] be agreed.*

**Mr Deputy Speaker (Mr Beggs):** In accordance with convention, the Business Committee has not allocated any time limit to the debate.

**Ms Ní Chuilín:** The pensions landscape has changed significantly over recent years. As a result, the way in which people can save and access their pension savings has been transformed. Automatic enrolment has resulted in a significant increase in the number of people being enrolled in a workplace pension scheme. Master trusts have become a popular vehicle for employers, particularly small employers and

microemployers seeking to enrol employees in an occupational pension scheme.

A master trust is a form of multi-employer occupational pension scheme for unconnected employers, where, instead of the employer setting up its own pension scheme, the scheme is provided by an external organisation that runs a pension scheme for numerous employers.

Such schemes offer benefits to employers and members. They can spur competition in the market, allow for economies of scale and provide value for money. They are also an efficient solution for smaller employers for whom setting up an individual pension scheme would be difficult and prohibitively expensive. Currently, master trusts here are regulated in accordance with occupational pensions legislation. However, that legislation was developed with single-employer pension schemes in mind and, consequently, it does not take into consideration the different structures and dynamics of the master trusts that give rise to different risks.

The Bill is not a response to a fundamental problem with master trusts but to the exponential growth in membership. For example, in 2010, across Britain and here, there were 0.2 million members of master trusts. By November 2019, there were 16 million members in 37 master trust schemes, holding more than £36 billion in assets. The introduction of a new authorisation regime is designed to address the legislative gap and to try to prevent problems arising in the future. A similar provision was made for England, Scotland and Wales in the Pension Schemes Act 2017. The aim is to ensure that essential protections are put in place in a way that is appropriate to the risks experienced by master trusts.

Under the new regime, master trusts will be prohibited from operating unless authorised by the Pensions Regulator. The Bill sets out specific requirements that must be met for a scheme to be authorised. For example, the persons involved with a scheme must be fit and

proper, the scheme is financially sustainable, the scheme funder has met specific requirements, the systems and processes used for governance and administration are sufficient to ensure that the scheme runs effectively and that it has adequate continuity strategies in the event of something going wrong or the master trust otherwise seeking to exit the market.

In addition to this, the regulator will be given new powers to supervise master trusts, enabling it to intervene where schemes are at risk of falling below the required standards. The regulator must be notified in writing if significant events occur with an authorised master trust scheme. The intention is that the list of significant events will capture events that could affect the ability of a master trust to continue meeting the authorisation criteria. For example, the scheme may have a change of trustee and, as the fitness and propriety of a trustee is linked to the authorisation criteria, the regulator must be informed of such a change so that the new trustee may be assessed against the relevant standards.

The regulator will always seek to support and assist those involved in the running of a pension scheme. However, there needs to be clear consequences for schemes that fail to comply with their duties. Information gathering is an important part of the regulator's toolkit in the Pensions (Northern Ireland) Order 2005, which already makes it a criminal offence for individuals to fail to provide information requested by the regulator. The Bill extends these powers to include those involved in the running of master trusts. Ultimately, the regulator also has a power to withdraw a scheme's authorisation, essentially forcing it to leave the market. These powers are designed to ensure that those managing master trust schemes continue to work to protect the interests of members.

I now move to the remaining provisions of the Bill. Since the introduction of new pension freedoms in April 2015, many people aged 55 and over have been able to access their pension schemes or savings more flexibly. Previously, individuals faced a range of potential barriers, including incurring early exit charges when seeking to access their savings. Schedule 18 to the Pensions Act (Northern Ireland) 2015 allows the Department to make regulations that restrict charges or impose requirements on certain pension schemes. This Bill amends the 2015 Act to allow the Department to make regulations to provide that any term in a contract that is inconsistent with the regulations is overridden. For example, if a contract is in place between the trustees or

managers of the scheme and a person who provides services to the scheme permits an early exit charge that is higher than the level of the early exit charge cap when it is introduced, this would allow that term to be overridden. The Bill, therefore, supports the policy intention of capping early exit charges in occupational pension schemes and banning member-borne commission arising out of existing contracts that were entered into before 6 April 2016.

The pensions market is continually evolving and modernising, and there is clearly a need to ensure that there is adequate regulation of master trusts, given how they have developed since the introduction of automatic enrolment. I think that, by most standards, automatic enrolment can be considered a success. However, we cannot take that success for granted. I am sure that Members will agree that we must take action now to ensure that pension scheme members are enrolled only in high quality schemes that look after their interests. Well-managed schemes will help to secure pension income in retirement. The Pension Schemes Bill, therefore, is firmly centred on further safeguarding workers' pensions. I believe that we can all support that, and I commend the Bill to the Assembly.

**Ms P Bradley (The Chairperson of the Committee for Communities):** The Committee for Communities welcomes the Bill. Members were briefed by departmental officials at the Committee meeting on 17 June. We heard that the Bill seeks to introduce a new regulatory framework for master trusts in Northern Ireland.

Over the past few years, there have been sweeping changes in relation to pensions and how people can access them. Master trusts have become very popular as a result of the changes. As the Minister said, a master trust is a multi-employer occupational scheme for unconnected employers that is run on behalf of those organisations by an external organisation. The benefits of that type of scheme are particularly good for smaller employers, as they do not have to set up a scheme themselves; something which is not only costly but very difficult to do. That may explain why this type of scheme is so popular; membership has grown from 0.2 million in 2010 to 16 million in 2019. Whilst the growth in this type of scheme is to be welcomed, there is obviously a need to have appropriate measures in place to ensure that the risks are managed. Fundamentally, the Bill will do that. It will ensure that no master trust scheme can operate without authorisation from the Pensions Regulator and that specific requirements must be met. That is necessary and welcomed.

Another area that the Bill deals with is administration charges. With the pension changes that I referred to, people have been faced with early exit charges when trying to access their pension savings. Members were informed by departmental officials that the Bill will cap early exit charges in occupational pension schemes. Again, that has to be welcomed. It will enable people to get more from their hard-earned savings.

Overall, the Bill is designed to safeguard workers' pensions and to ensure good governance. The Committee is supportive of the Bill's principles and looks forward to considering it further during Committee Stage.

**Ms Ennis:** The pensions market continues to grow and evolve, particularly since the introduction of automatic enrolment; so too does the manner in which people manage and access their pensions. It is necessary, therefore, that the regulations keep pace. As I understand it, the Bill aims to put in place additional safeguards for people who are saving into master trust schemes. It increases the power of the regulator and allows for, amongst other things, the introduction of a cap on early exit charges in certain occupational pension schemes. It is vital that people can have confidence in the schemes, and that will be my focus as we continue to scrutinise the Bill at the next stage.

**Mr Durkan:** I thank the Minister for bringing the Bill and explaining its functions and I thank the Committee Chair for outlining its merits to the House.

As outlined, the Bill corresponds to the Westminster Pension Schemes Act 2017 and seeks to introduce a new regulatory framework for master trusts here.

That includes an authorisation and supervision regime for master trusts and, crucially, a cap on the early-exit charges and member-borne commission that arise under existing as well as new arrangements.

#### 10.45 am

We recognise and support the need to ensure that there is adequate regulation for master trusts as they have developed since the introduction of auto-enrolment. Master trusts operate on a massive scale, and most are run on a profit basis. Currently, however, they are not subject to the same regulation as contract-based workplace pensions. There is no requirement for a licence to operate, and there

are limited barriers to entry. There is also little guidance on who can become a trustee, and there is no infrastructure in place to support the wind-up of a failed trust. Given that the savings and pensions of hundreds of thousands of employees here and their employer contributions are at risk, we cannot allow that to continue.

The Bill is a narrow one, and that is certainly no criticism of the Minister or of the legislation. I am not sure whether the Minister intends to bring forward any other pensions Bills in the course of this mandate. Perhaps, she can address that later. However, one issue that the SDLP would love to see resolved is the one that has seen so many women born here in the 1950s left behind by the accelerated equalisation of the state pension age. Those women made their plans for retirement only to find their retirement age sneakily pushed back by a Tory-led coalition in Westminster, an unjust move that was endorsed and voted for by a majority including the Minister's party in the Assembly. I have raised the issue with the Minister Hargey, but I am keen to hear whether the current Minister has any plans to address the issue. I am also conscious, Mr Deputy Speaker, that I am straying from the narrow scope of the Bill, but that is a massive injustice.

The Bill should help to create trust in pensions savings. It is fair to say or, at least, I hope that it is fair to say that we all want workers to be able to attain a standard of living consistent with allowing them to save while in work in order to have dignity in retirement, secure in the knowledge that a regular income from a state pension and a workplace pension will allow them to enjoy their retirement without financial worry and without living in pensioner poverty. No one should have to live with the fear of not being able to afford to grow old.

We need to deliver the appropriate protection for savers, and the Bill is an important step forward in that regard. I support the Bill.

**Ms Armstrong:** As we know, pensions are a devolved matter. However, policy and legislation have acted in accordance with section 87 of the Northern Ireland Act 1998 to ensure that pension provision corresponds to the rest of the UK.

I will not go over the areas that have already been discussed by other Committee members. The Committee has supported the Bill, and the work on the master trust scheme is, of course, very important. To go back to what others said about the Pensions Regulator, it means that, through this legislation, the regulator can take

action earlier when employers put the viability of their pension schemes at risk. Specifically in relation to Northern Ireland, clause 117 introduces schedule 8, which makes provision for Northern Ireland corresponding to that made for England, Wales and Scotland.

Pensions can be complicated, and master trust schemes are certainly complicated, but one thing that I would like to draw everyone's attention to is the simplification for those of us who have pensions and who have jumped across different jobs over the years. The pensions dashboard will, thank goodness, enable people to see in one place where their money is, whether they have five pensions, one pension or 10 pensions. I certainly welcome that.

As others have said, we now head towards the Committee Stage. Having read through the Committee correspondence on the consultations, I know that political parties, unions and other employers have supported the Bill, and that goes to show how important it is that we move it through. We support the Minister in doing so.

**Ms Ní Chuilín:** I thank all the Members who contributed. I have to say that — no offence to Gerry, who is very good at all this — I had to read this a couple of times to try to get a sense of it. However, I understood clearly that it was a complete mess.

I will start with the point that you made. A lot of people, particularly those earning £30,000 or less, may have moved jobs, particularly if they work in the private sector or the community and voluntary sector. Given the precarious nature of funding, people move from one place to another and could have a lot of small pensions. By the time they try to consolidate them or cash them in, they are getting charged a small fortune, and it is not worth their while. I do not want to deny anybody a living in managing those pensions. They were operating within the guidelines and within the regulations, but we need to change the legislation to ensure that people know exactly where their money is and that their savings are protected. That is important.

This is the first Bill that we have done that has gone through the normal passage. That, too, is to be welcomed. We have all dealt with a lot of accelerated passage legislation, particularly from this Department, because of COVID-19 and everything else. I look forward to the Bill going through the Committee.

The answer to whether there will be any further Bills regarding pension age or pensions is that

a lot of that comes from Westminster. I hope to get this Bill as far as I can, so that Deirdre Hargey can come back and finish it all off. The good thing about it is that everyone sees the need to legislate to protect workers. I am pleased that trade unions and people working in the pensions business are supportive of the Bill. Clear legislation and regulations are better for people who are investing their life savings in pensions, and the Bill close many of those gaps.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Pension Schemes Bill [NIA Bill 07/17-22] be agreed.*

**Mr Deputy Speaker (Mr Beggs):** Members may take their ease for a few moments.

### **Sea Fish Industry (Coronavirus) (Fixed Costs) Scheme (Northern Ireland) 2020**

**Mr Deputy Speaker (Mr Beggs):** These two motions are to approve statutory rules. There will be a single debate on both motions. I will ask the Clerk to read the first motion and then call the Minister to move it. The Minister will then commence the debate on both motions. When all who wish to speak have done so, I will put the Question on the first motion. The second motion will then be read into the record, and again I will call the Minister to move it. The Question will then be put on that motion. If that is clear, we will proceed.

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** I beg to move

*That the Sea Fish Industry (Coronavirus) (Fixed Costs) Scheme (Northern Ireland) 2020 be approved.*

*The following motion stood in the Order Paper:*

*That the Sea Fish Industry (Coronavirus) (Fixed Costs) (Amendment) Scheme (Northern Ireland) 2020 be approved.*

**Mr Deputy Speaker (Mr Beggs):** The Business Committee has agreed that there should be no time limit on the debate. I call the Minister to open the debate.

**Mr Poots:** The scheme was developed in response to the unprecedented difficulties brought about by the COVID-19 pandemic. It had an immediate impact on the sea fishing industry after social-distancing measures and the collapse of the European and domestic fish markets had made trading virtually impossible. The Northern Ireland fishing industry faced extreme difficulties as a result of COVID-19 and was in urgent need of support to ensure that there was a profitable fishing industry to return to, once COVID-19 subsided. I am pleased to say that my Department responded promptly and engaged with representatives across the sea fishing industry to discuss the financial crisis that it faced. There was a clear need to deliver financial support within a reasonable time frame, and I subsequently brought a paper in relation to the sea fishing industry scheme to the Executive and secured their support.

On 3 April 2020, I announced a £1.5 million support package to ensure that the Northern Ireland fishing industry was supported through the COVID-19 pandemic until such times as market conditions improved. I thank the Agriculture, Environment and Rural Affairs Committee for its initial scrutiny of the scheme and its subsequent written engagement with my officials to seek clarification of some of the details. The statutory rules that are the subject of the motion give effect to that £1.5 million support scheme.

The statutory rules were made in exercise of the powers conferred by section 15(1) and (2) of the Fisheries Act 1981 as read with paragraph 2(1) of schedule 2 to the Sea Fisheries (Northern Ireland) Order 2002. Those provide the necessary powers to make schemes of financial assistance with the approval of the Department of Finance and to make grants or loans for the purpose of reorganising, developing or promoting the sea fishing industry or contributing to the expenses of those who are engaged in it. Paragraph 2(4) of schedule 2 to the Sea Fisheries (Northern Ireland) Order 2002 provides that the scheme:

*"(b) shall be laid before the Assembly after being made; and*

*(c) shall cease to have effect ... after the expiration of the period of three months beginning with the day on which it is made, unless within that period it has been approved by a resolution of the Assembly."*

It was therefore important that the motion be scheduled prior to the summer recess, and I thank the Business Committee for doing so.

The Sea Fish Industry (Coronavirus) (Fixed Costs) Scheme (Northern Ireland) 2020 — SR 2020 No. 76 — was made on 4 May 2020 and came into operation on 5 May 2020. The purpose of the scheme was to provide assistance to the sea fishing fleet towards the fixed cost of vessels for the three months from March to May. The assistance was delivered via monthly payments that were based on the length of the fishing vessel subject to qualifying conditions. Vessels less than 10 metres could apply for a grant of £1,050 per month; vessels greater than 10 metres and less than 12 metres could apply for a grant of £1,800 per month; vessels greater than 12 metres and less than 15 metres could apply for a grant of £3,550 per month; and vessels greater than 15 metres and up to 28 metres in length could apply for a grant of £4,550 per month. The maximum funding per undertaking was capped at around £104,000, but no vessels were near that.

With regard to eligibility for support under the scheme, a number of conditions applied to ensure that support was directed to vessels that were dependent on fishing and were normally active during the months in which the markets had collapsed. The vessel had to be a fishing vessel registered in Northern Ireland, and it must normally be active from March to May. The vessel must have had fish landings worth at least £10,000 in 2019, and it had to be less than 28 metres in length and be available to fish if there was a market for its product. The Department issued 172 letters of offer for support under the scheme, and, to date, grants totalling just over £1.3 million have been paid to 169 eligible applicants. I am pleased that we were able to quickly issue a single payment covering three months at once to the vast majority of applicants.

To sum up, when I announced the scheme in early April, it was the most far-reaching in the UK. Its aim was to provide prompt financial support to help the fishing fleet to cover its fixed costs for three months and to help it to survive what has been one of its most difficult periods. We have succeeded in delivering just over £1.3 million in much-needed support to the fishing fleet, and the feedback that my Department is getting from industry representatives is that the scheme has generally been well received by fishermen and that the aims of the scheme have, indeed, been met.

**Mr McAleer (The Chairperson of the Committee for Agriculture, Environment and Rural Affairs):** I welcome the opportunity to speak as Chairperson of the Agriculture, Environment and Rural Affairs Committee and outline the Committee's views.

The Committee first considered the original regulations at the SL1 stage on 9 April 2020 and was advised by the Department of the need for the policy due to the collapse in the European and domestic markets for fish as a result of the COVID-19 pandemic. The hospitality and catering sectors had closed down, along with fish counters in supermarkets and other retail outlets. The market for much of our seafood is overseas, and it had collapsed overnight. The sea fishing industry was experiencing a major slump in demand for its product, and the demand for fish and shellfish was non-existent.

### 11.00 am

The Department advised that, following consultation with industry representatives, the need for financial support for the sea fishing and fish-catching sector in the wake of COVID-19 was recognised as a genuine and urgent need, as many incomes had been affected significantly. The Committee heard that, under state aid rules, the scheme would focus on fixed costs, rather than the income generated, and that a number of conditions had to be met to be eligible for the scheme. One of those conditions was the overall length of a fishing vessel.

The Committee was content with the merits of the policy at SL1 stage and had no issues to raise. Members were supportive of the measures being taken by the Department to support the sea fish industry, which was experiencing severe financial hardship as a result of the ongoing pandemic.

At its meeting on 4 June the Committee was alerted to a minor technical amendment that was required following scrutiny of the technical aspects of the statutory rule by the Examiner of Statutory Rules. The amendment was to correct a reference to overall length of vessels in article 2 of the rule. Subsequently, the Department presented the amended SL1 to the Committee on 11 June, followed by the statutory rule at the meeting on 24 June. The Committee noted that the amendment was as highlighted by the Examiner of Statutory Rules and had no issues with the policy. Therefore, the Committee is content with the proposals from the Department and recommends that both statutory rules are confirmed by the Assembly.

**Mr Irwin:** This has been an important intervention of assistance, and I thank the Minister and his colleagues for their hard work on the matter. Significant effort over a short period has been put into the scheme, and it has

been welcomed by the sea fishing industry in Northern Ireland.

As we know, COVID-19 is the cause of the crisis, and, as time has gone on, we can see just how huge an impact the virus has had not only on the health of the individuals affected but on our way of life and economically on many businesses that operate in Northern Ireland. The sea fishing industry is no different in the economic impacts felt, and, with the closure of restaurants, seafood markets and many other outlets, it is easy to see why the industry found itself in such a parlous position. The impact of the crisis could not have been foreseen when we consider the huge downturn in demand, with restaurants and many outlets closed down. For fishermen, the costs continue for their trawlers, and this has been a concerning time for them all.

As with other sectors, it was recognised that something had to be done to ensure that there was a fishing industry to return to in Northern Ireland. Recognising its parlous position, our Agriculture Minister was successful in gaining support for financial assistance in the form of the fixed-cost scheme that is before the House today. It has been a welcome intervention for trawler owners at this time. The scheme, whilst not an answer to all the current difficulties, has certainly provided some relief and important assistance to our fishing fleets, which have been practically tied up since the commencement of the crisis. Uptake of the scheme has been encouraging, with scores of successful applications, as the Minister stated, meaning that assistance has been effectively administered with minimal delay.

The restrictions that were put in place were obviously important measures in those unique and concerning pandemic circumstances, and we all look forward to better days when our way of life can return to some sort of normality. I support the motion.

**Ms S Bradley:** I rise as a Member for South Down, the home of Kilkeel and Ardglass harbours. I thank the Minister for bringing this forward today, because it was clear to all that the obvious slump in the market for fish required urgent attention, and this is it. I also thank the Minister for clearly outlining the process that was followed in respect of the requirement for Executive colleagues to come on board, alongside the Minister of Finance, to make this work. It really highlights the need for collective responsibility to recognise where there is a problem and come together to fix it.

As a Member for South Down, I have sought and acquired assurances from the Department that the amendment that will come up next is merely technical, and I understand that there will be no change in the amount of payment due to those fishers. It was based, I believe, on misquoted legislation, so I am satisfied that that is the case and that fishermen and women across South Down and across the North will be paid in due course the amounts that are due to them. I welcome that and support the motion.

**Mrs Barton:** I too thank the Minister for moving today's motion to retrospectively put in place the provision of financial support to those from the sea fishing sector, which, I understand, is in the process of being administered, while the second motion serves to determine the length of the fishing vessels that would define the amount of financial support payable to those vessels.

As no one here needs to be reminded, those working in our sea fishing industry do so in challenging and dangerous conditions that are often weather-dependent. It is an industry that has suffered greatly in human loss over the years and an industry that makes a very valuable contribution to the economy of Northern Ireland, particularly in County Down. The industry, since the COVID-19-enforced lockdown, has seen its income plummet. The markets for shellfish, including that for prawns, which was one of the higher-value catches and was in high demand in the Far East, closed down virtually overnight. Then there was the collapse of the white fish market due to the closure of the hospitality and catering sectors, along with the carry-out food outlets here in the United Kingdom, which further compounded a difficult time for the sea fishing industry. However, meanwhile, cost to the fishermen continued. All of that together resulted in an industry that, if it were to survive, needed financial support. That financial support was determined on several conditions, including the length of the fishing vessel; thus the need for the second motion.

With the gradual opening up of restaurants and hotels again, hopefully the financial package claimed by approximately 109 vessels will be timely for the recovery of the sea fishing industry. I, therefore, support both motions.

**Ms Ennis:** Like so many other industries, our fishing communities have struggled to adapt to the severe and ongoing economic disruption caused by COVID-19, and, indeed, few industries have such deep or culturally important roots in their communities as in our coastal fishing villages and towns such as

Kilkeel and Ardglass in my constituency of South Down. With demand for fresh fish heavily reduced and suppressed at home and in European markets, local fishing vessels and their crews needed emergency support. To make matters worse, we know that fishing operations, especially smaller crews and vessels, often struggle to make ends meet. Sinn Féin recognises that many crews have wages that are insecure and often inadequate. In April, three months of support was secured to cover the fixed costs for operating the vessels, totalling some £1.5 million. By passing these technical legislative provisions today, we can ensure that that support continues to be administered to those who need it most and when they need it. As we return to more normality in society and further increased economic activity, the hope is that this support will have kept those vessels in a position where they can return to normal business safely and in a more financially secure position. I support the motions.

**Mr Harvey:** Thank you, Minister. It is vital that we continue to recognise the hard work not only of our farmers but of our fishermen, who have, throughout this difficult time, continued to provide local produce for our tables. The past months have affected every sector, and the fishing industry has been no exception. As a Strangford representative, I know too well how badly affected the industry has been due to COVID-19. The collapse of the domestic and European fish markets made trade virtually impossible throughout the pandemic. That, coupled with the loss of labour and cash flow problems, created major challenges for our small fishing businesses and our fishing communities the length of the Ards peninsula and elsewhere.

I am glad that the Department acted swiftly to announce financial assistance to our fishermen in the region of £1.5 million. The Minister has been proactive in ensuring that the Executive have assisted all of our food sectors, and I thank him and his Department for their work. Many fishermen are either self-employed as crew members or work as small businesses, and I know that a lot of the work that is normally available to them has not been there during the pandemic. Supply chains have been disrupted, buying prices of fish have been affected, and there have been challenges getting products to market. Whilst the £1.5 million grant scheme will greatly benefit the industry in weathering the present storm, it is vital that the fishing industry is assisted to enable a safe and sustainable return to full operational capacity. Social distancing measures will be problematic in their implementation on board fishing

vessels. With much of the processing workforce having left the UK or being unable to travel due to restrictions, there will be further hurdles to overcome in the weeks and months ahead.

The UK fishing industry faces an uncertain future, first disrupted by Brexit negotiations and now the impact of COVID-19. It is of note that the financial provision made thus far by the Executive is the most far-reaching scheme in the UK, covering fixed costs for three months. It represents a clear commitment to support our local fishing industry, and I know that that will continue.

**Mr Deputy Speaker (Mr Beggs):** I call Emma Rogan. This is Ms Rogan's maiden speech, and I remind Members that maiden speeches should be heard without interruption.

**Ms Rogan:** It is a huge honour for me to speak here today as a Sinn Féin MLA for South Down. I am honoured to continue the work of my party colleague, Chris Hazzard, our South Down MP. He was a fantastic representative for South Down as an MLA and as Minister for Infrastructure and continues to be a breath of fresh air as our South Down MP. I thank him for his guidance and support since taking over from him. I also acknowledge the 16 Sinn Féin councillors in my constituency who have offered their support to me and their hard work and dedication to our constituents. As one of two female Sinn Féin MLAs in South Down, I am extremely grateful to have ongoing support and guidance from my party colleague and friend, Sinéad Ennis.

For anyone who has the pleasure of working, living or visiting in South Down, you will know that it is a beautiful place on this island. It runs from Warrenpoint and Carlingford lough in the south, sweeping the Mountains of Mourne and running as far as the breathtaking Strangford lough and all the towns and villages in between. I am proud of the people whom I represent. It is an area steeped in culture, heritage and tradition.

I pledge to work hard to restore services to our local hospitals and to the community that they serve. That is the very least that my constituents deserve. I recognise the hard work and diligence of employees in the health and caring sector as they have battled to keep us safe in the strangest of times. I will continue to support small local businesses in our villages and towns. South Down also has many tourist attractions that the economy relies on, from the St John's Point lighthouse on the coast to the Saint Patrick Centre in Downpatrick. As MLA for

the area, I want to promote and support all that is positive about South Down.

We also have a constituency with many excellent schools. Teachers, pupils and parents will need help and support in the coming weeks to see our children back at school. Parents and their children deserve so much praise for completing their studies at home in recent weeks in the strangest of times, some with inadequate broadband and devices. To the parents of children with additional and special needs I say that I also hear your needs. I urge the Minister to secure more places in South Down.

I have witnessed at first hand in the last few months how the community that I live in and represent can work together and provide vital services and support to each other, and of that I am extremely proud.

As I represent a border constituency, it would be remiss of me not to mention Brexit. The clock is ticking towards a potentially disastrous no-deal crash-out. The Brexit deadline should now be extended to avoid what will be a devastating blow to our economy.

The purpose of both of the statutory rules is to provide financial support to those in the sea-fishing catching sector and the incomes that have been adversely impacted on by the COVID-19 pandemic. The Committee for Agriculture, Environment and Rural Affairs agreed to a minor amendment to SR 2020 No. 76 to define the overall length of a fishing vessel. There will be no impact on the administration of the scheme.

Markets in Europe and the Far East, where high-value shellfish would normally have been exported, have been negatively impacted by the COVID-19 pandemic. Furthermore, social distancing measures, the closing down of the food industry sector and the closure of many fish counters in retail outlets has resulted in reduced demand for white fish and prawn tails, practically wiping out the sector.

#### 11.15 am

The sea fishing industry is significant, particularly in the three main east coast villages: Ardglass and Kilkeel in my constituency of South Down, and Portavogie on the Ards peninsula. According to statistics, the sea fishing industry contributed £40 million of gross value to the economy in 2016 and employed 1,790 people in 2017, in catching, processing and marketing. These industries are key to rural communities like those in South

Down. It can be argued that there is a real need to ensure that they are profitable and sustainable in the long term, especially with the context of uncertainty around Brexit and the COVID-19 pandemic. In that regard, future fisheries policy in the North of Ireland, and indeed the island of Ireland, needs to be conscious of the specific needs of these local industries. I support the motion.

**Ms Bailey:** I, too, take the opportunity to recognise the devastating impact that COVID-19 has had on European and domestic fish markets, and therefore on the fishing industry in Northern Ireland. It is really good to see a package announced that so substantially addresses these issues. The package will enable fishing communities to survive and, hopefully, thrive after one of the biggest challenges that they have ever encountered. However, I do have concerns in relation to differential treatment between sectors and disparities in the levels of support that have been allocated. This is without doubt the most substantial package that has been announced for any sector within the Department's remit and, indeed, as the Minister himself stated, it is the most far-reaching in the UK.

While the package is undoubtedly welcome, questions must be asked as to why this sector is being treated differently to others. The recent separate £25 million support package that was announced for the agriculture and horticulture sectors was intended, in the Minister's own words, to be:

*"driven towards those ... who can clearly demonstrate tangible losses [sic] as a result of Covid-19."*

Beef and sheep farmers, like those in the fishing industry, have been affected by the falls and fluctuations in market demand for their product due to the pandemic. However, unlike fishermen, beef and sheep farmers must demonstrate proof of their losses in order to access support, and the amounts that they receive are dependent upon those losses. For the fishing industry, a lump sum has been allocated for distribution, with the only significant criterion being the size of the boat. Of course, the fishing industry differs from agriculture, and supports for the sector appear to have been treated differently, based on that justification. However, I draw attention to the ornamental horticulture sector, which has been lumped in with agriculture for the purposes of allocating a support package, without consideration being given to the fact that it differs totally from the agriculture and fisheries sectors.

Out of all the sectors, the horticulture sector has arguably been most affected, yet the level of support that it has received is nowhere near what has been accorded to the fishing industry. The sector has experienced catastrophic losses, yet the criteria for schemes such as the self-employed income support scheme, the coronavirus job retention scheme and the bounce back loan scheme all excluded growers from benefiting in many cases. According to the Horticulture Trades Association, fewer than one in five growers received help through the Government's business support measures; just 1% received financial support from the Government's coronavirus business interruption loan schemes; 48% of growers were ineligible for assistance loans, as they had no cash flow; over three fifths of UK growers said that they were not eligible for business support grants; and nearly four in five growers were not entitled to any kind of rates relief. No allowance has so far been made in the support package for horticulture to account for this or to allow for the fact that the industry does not receive an annual subsidy from public funds, which all other sectors do.

The perishability and seasonality of plants has meant that the sector has faced stock write-offs unlike any other industry. Growers have waited weeks and months with little or no cash flow and no indication of whether a package would be forthcoming until now. Many growers were not in a position to order plants that had to be ordered and paid for a year in advance, as they need to be propagated. Many were not in a position to buy stock for autumn or winter next year.

**Mr Deputy Speaker (Mr Beggs):** Can I bring the Member back to the legislation that is being discussed today?

**Ms Bailey:** The package for the sea fishing industry has set a precedent for supports to be made available that are not calculated based on the proportion of losses incurred. Given that the Department has been able to provide for the sea fishing industry with a lump-sum financial package, with the only criteria being the size of the boats, it is not unreasonable, then, to expect that similar standards should be applied to other sectors that have experienced more severe impacts because of COVID. While I support the motion, I call on the Minister to apply eligibility criteria for all applicants within his remit and to do it equitably.

**Mr Blair:** I support the sea fish industry scheme as announced today. The benefits and outworkings of the scheme have been well

rehearsed in the debate already and I do not intend to repeat them, but I should put on record that the Department has worked hard — I know this from the AERA Committee — to alleviate the detrimental impacts of COVID-19 on the fishing industry and the market for whitefish, shellfish and prawn tails. Of course, that has been further compounded by closures in the hospitality and retail sectors.

In addition to the points that have already been illustrated, it is probably worth mentioning that the scheme will benefit the economies of the towns and villages that are closest to the centres of our fishing industry. Of course, those benefits also relate to other livelihoods in those towns and villages. On behalf of the Alliance Party, I am very happy to support the scheme. I thank the Minister for his statement and the detail that he gave today. I also thank the departmental officials for what has been delivered by the scheme thus far.

**Mr Poots:** I thank Members for their contributions to the debate. Throughout the pandemic, my officials have continued to meet on a weekly basis with industry representatives from right across the areas that we cover to discuss the implementation of the support schemes. More recently, they have discussed what future support might be required for the fishing industry in the months ahead in order to assist its recovery. I can inform Ms Bailey that not only have we provided support for the fishing industry, but we will be looking to provide further support through the European Maritime and Fisheries Fund, and those discussions will continue.

Let me be very clear about this: if anybody wants to look at an industry that has been in decline over the course of the last 30 years, they just need to go for a drive around our fishing harbours. They will see that many boats are in very poor condition because those people have not been bringing in the amounts of income that would allow them to reinvest in the way that they should have been. As we go forward and face the challenges ahead of us, we are looking at substantial redundancies. We have already witnessed that with the likes of Thompson Aero Seating, Bombardier and others making announcements, for example, in the aeroplane sector.

One of the biggest employers in Kilkeel is a facility that makes aeroplane seats. There will be a real challenge for that town if there are job losses, because they are well-paid jobs in what has been a very good, sustainable industry to this point. If Kilkeel is affected, how will it respond? One of the areas in which it can do so

is by way of a recovery in the fishing sector. As we go forward, we need to support and sustain the fishing sector so that it can deliver investment into those communities and create offshore and onshore jobs in towns such as Kilkeel, Portavogie and Ardglass.

The horticulture sector is an entirely different sector, so there will not be a similar scheme for it. However, we are supporting that sector quite well with the funding that has been set aside. We have sought to assess the losses that have affected that industry and we will respond to that. I fought very hard to get garden centres open once again. The decision to open garden centres is one that people can now easily recognise as having been the right decision, because the R number did not go up as a consequence and many people who enjoy gardening had the opportunity to go and acquire plants grown by the ornamental horticulture sector, avail themselves of those products and help support those businesses. That was the single most important thing that we could have done to support that sector, but it is not the only thing, and we have identified funding for it and will support it.

I will go back to the motion because that is what today's debate is about, and Ms Bailey's intervention was really a little distraction. In recent weeks, a significant number of vessels, particularly those that catch nephrops and whitefish, have returned to their fishing operations on a managed basis. As more of the restrictions are eased across the hospitality sectors, some of the markets for fresh sea fish are beginning to reopen, but as things stand, they are at only about one quarter of the normal number. Therefore, a lot of the fish that is being caught is being frozen. That is fine. That is what happens in that industry, but it is not being frozen at a high price, and therefore support for the fishing industry is critical.

As I said in my opening remarks, the aim of the scheme was to provide prompt financial support to contribute to the vessels' fixed costs for three months and help the fleet to survive through one of the most difficult periods. I do not believe that the scheme has been providing more than the fishermen needed. We are looking at support that was reasonable, given the circumstances, and allows vessels to go out and catch fish at a point where the returns are lower but fishermen can sustain some of the fixed costs of the vessels. Therefore, I think that the scheme has delivered very well, and I welcome the support that it has received today from right across the House.

*Question put and agreed to.*

*Resolved:*

*That the Sea Fish Industry (Coronavirus) (Fixed Costs) Scheme (Northern Ireland) 2020 be approved.*

### **Sea Fish Industry (Coronavirus) (Fixed Costs) (Amendment) Scheme (Northern Ireland) 2020**

*Resolved:*

*That the Sea Fish Industry (Coronavirus) (Fixed Costs) (Amendment) Scheme (Northern Ireland) 2020 be approved. — [Mr Poots (The Minister of Agriculture, Environment and Rural Affairs).]*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments.

### **The Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2020**

**Mr Murphy (The Minister of Finance):** I beg to move

*That the Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2020 be affirmed.*

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

**11.30 am**

**Mr Murphy:** The order serves to re-implement the rural ATM rates exemption scheme, which lapsed in 2017 in the absence of a functioning Assembly. Prior to that, the scheme was a long-standing feature of the rates system, with the policy objective of encouraging and sustaining provision of ATMs in rural areas. I believe that the policy objectives behind the scheme remain worthy, particularly in the economic climate that we now face. Previous research and analysis, along with consultation with key stakeholders, have confirmed the value of the scheme.

The order, which follows Executive agreement to extend the scheme within the 2020-21 Budget, will aid continued provision of ATMs in rural areas. The relief will be provided for the full rating year. The legislation before the Assembly continues the operation of the scheme through to the end of March 2021. The scheme provides an exemption for standalone

ATMs that are individually valued in the valuation list, for example those located outside petrol stations or on main streets. It does not apply to ATMs that are located in banks or buildings societies, which tend to be valued as part of that property. As things stand, there are 84 ATMs eligible for the exemption. Although a modest measure given that scale, I think that the potential for the scheme to assist in the retention of eligible ATMs is a goal worth securing now that the Assembly has returned.

The current financial cost of the scheme is less than £200,000 in rates revenue foregone. In the context of the magnitude of Executive support provided elsewhere at present, I consider that to be an affordable sum, given the wider benefits that it can bring. Although the support is unlikely to incentivise many new ATMs, especially as we, as a society, transition towards contactless payments — a trend that is likely to be accelerated as a result of the pandemic — there remains a risk that a permanent removal of this measure could jeopardise the viability of some ATMs in rural areas. That would reduce the availability of cash in the rural communities that they serve. On that basis alone, the Executive consider that the exemption for ATMs in rural areas should be reinstated for the 2020-21 Budget period.

Turning to the statutory rule itself, article 1 of the order sets out the citation, commencement and interpretation provisions. Article 2, in turn, provides for the extension to 1 April 2021 of the date before which the scheme must end. Article 3 revokes the previous end date for the scheme.

I look forward to Members' comments and commend the rates order to the House.

**Mr McHugh:** Go raibh maith agat, a Leas-Cheann Comhairle, agus ba mhaith liom mo bhuíochas a ghlacadh leis an Aire fosta as an mholadh sin. I thank our Minister for taking forward the legislation, which is so important to rural communities. The scheme was first introduced in 2007. At that time, it was identified that 60% of the cash that people accessed through local ATMs was spent locally as well. It was introduced to facilitate what I would describe as the "rural, rural" communities and the likes of a petrol station or grocery shop in a very isolated area. However, it has taken on a very different dimension since then.

In 2013, I supported the people of Newtownstewart when they were faced with the closure of the last bank in that town. Little did I think that, five years later, the three local banks in my own town of Castleterragh would all close.

When banking abandoned the rural towns, it had such an impact on our communities in every respect. The facility where one could acquire cash as needed was completely gone. That exposed rural communities in so many ways as well. We had an increase in robberies in the more rural areas, as there was an expectation that people would be keeping money at home. Those robberies then extended to ATMs themselves, and we all know the history of that over the last number of years.

ATMs are undoubtedly a necessity not only in providing for the local community but for the local business community, which was finding itself exposed and at risk in providing that facility to locals. It will be a welcome development if rate relief is once again given to the business community. They are the people who have been providing for their communities since they were abandoned by the banks. I very much welcome the Minister's proposal.

Let us not forget that in having an ATM on your premises, you are putting yourself and your premises at risk. Rate relief is something that is not just required now at the time of COVID-19 when people are probably not travelling as far, even to other towns and the like in order to do their shopping or whatever. However, it is a requirement that needs to be there in the future, too, for the more rural of the rural communities, in every respect. Go raibh míle maith agat arís, a Aire as an ráiteas seo. Thank you, Minister, for the legislation.

**Dr Aiken (The Chairperson of the Committee for Finance):** I apologise to the Deputy Speaker, the Minister and to the rest of the MLAs in the House for not being present. I also pass on my apologies to my Deputy Chairperson and other members of the Committee. Our business seems to be moving ahead smoothly, so I apologise.

I rise as the Chairperson of the Committee for Finance. At present, businesses, not least those that are operating in rural areas, need all the support that they can get to help them survive. Rural businesses have many barriers to overcome at the best of times. Therefore, we should consider all options to support them and help them to survive and continue to serve the customers on whom they rely, and who also rely on those businesses.

The Committee for Finance welcomes the statutory rule to reinstate the previously applied rates exemption for ATMs in rural areas. The Committee considered the SL1 at its meeting on 10 June 2020 and was content with the policy proposal. The Committee formally

considered the statutory rule at its meeting on 1 July 2020 and agreed, subject to the SR's report, that the rule be affirmed by the Assembly.

**Mr Buckley:** I welcome the motion. I am very much in unison with what has been said across the Chamber about the importance of a rural ATM structure across Northern Ireland. Many people have realised that as the banks have slowly but surely left many of our rural settlements and towns, it has had a devastating impact on connectivity, conversations and even in access to cash. Although we are moving more towards a cashless society, there has to be a recognition that there is a urban to rural split in how people access their funding, so I welcome the order.

Will the Minister provide some more detail about the 84 ATMs that he said will be eligible? Will that be a published list? Will we be able to get access to that?

I have to put on record that my colleague William Irvin and I have dealt with numerous thefts in the rural shops and rural localities in our constituencies, so there is a considerable risk to having these ATMs on the premises. Business owners are getting it difficult enough at present, without having that added uncertainty of potentially having their premises damaged or destroyed in order to provide a service that is much-needed in the rural communities.

I welcome the legislation. It is an important step forward. It will obviously be kept under constant review, but some clarity about the list would be important for MLAs to have. Thank you.

**Mr O'Toole:** My Deputy Speaker, I, too, apologise to yourself and the Minister for being slightly delayed in arriving to the Chamber.

This is obviously a welcome statutory rule. We discussed it in the Committee, and I do not think that any rational person would be opposed to it. First of all, it is a welcome reminder of the fact that these institutions can do positive practical things for people and communities whenever we are actually here and doing our work, so that is good and it has to be welcomed.

The broader context is twofold. It is about the post-COVID-19 economy — well, we are not post-COVID-19 yet, but we will be emerging into a post-COVID-19 economy in which our small independent businesses, especially in rural areas and market towns, need absolutely all the help that they can get in order to be

sustainable. That includes having this relief, which will, in a very basic way, make it more likely that people are able to spend money, because they will have cash in their pockets, particularly in small rural villages where, as Members have said, banks may have left the high street and, as we know, not everyone, particularly older people in more isolated and rural areas, is likely to choose to make card payments.

The second component is, of course, the issue of fair banking. My colleague Pat Catney is setting up an all-party group (APG) on that subject and may talk about it in some detail. It is particularly important that we do everything that we possibly can to make our economy as financially inclusive as it possibly can be. This is a small step in that direction. It goes back to where we were before these institutions collapsed. Of course, we hope to see a broader package of support and a recovery strategy from the Executive in the weeks ahead, but, for what it is worth, this small measure is certainly welcome.

**Mr Catney:** I am having a problem; sorry about this. I thank the Minister. I am also a little late coming in, and I apologise for that.

As my colleague from South Belfast stated, we are, across the House, in the process of trying to set up an APG on fair banking. This represents everything that is fair for our rural community: that those in that community and in our market towns are able to have that facility.

I thank the Minister for his statement. It is a pity that, because of the collapse of Stormont, this measure was not introduced in 2017. However, today, I welcome it being brought in and thank the Minister for this move.

**Ms S Bradley:** I, too, welcome this. In and of itself, it is not, as the Minister said, an incentive to bring an ATM or cash machine to a rural area, but it certainly helps with the viability of retaining one there. Rightly, other Members pointed out the importance of such access in rural areas. The money goes to critical shops and supports industry in the local area. That is of absolute importance and should not be lost. However, it has occurred to me, Minister, that I am not absolutely certain about how the area around an ATM is rated. Is it by the square footage of where the ATM sits? If that is the case, I ask him to take a flexible approach. Given the recent spate of robberies, many rural ATMs have required additional bollards or space around them for protection. Therefore, I ask the Minister to look at how such areas are rated and how any exemptions that apply

could allow for the secure retention of ATMs in those critical areas.

**Mr Murphy:** I thank the Members who contributed to the discussion and debate on the order and wider issues. I will turn to some of those in the course of my remarks on the extension of the exemption for ATMs in designated rural areas.

I believe that the scheme is worth reinstating for those who live in isolated rural communities and still depend on ATMs being available. We can all appreciate the difficulties encountered in these communities through any measure that leads to a reduction in the availability of ATMs, and, especially at this time, the Executive wish to continue to do all that they can to support people in rural areas.

The long-term need for the scheme may change as people become more used to contactless payment during the pandemic. However, as things stand, it is worth preserving the measure, and, in doing that, we can help to ensure that eligible ATMs are retained in rural areas, providing greater access and support to those communities.

I thank the Committee for its work on this. Broadly, people have been very supportive of the extension and regret the fact that the exemption lapsed for a couple of years. People have welcomed the opportunity to reinstate it. Maolíosa McHugh's point about the percentage of money taken out of ATMs in rural areas that is spent in those areas was well made, and it lends itself to our ongoing efforts to support the rural economy and ensure that rural isolation does not lead to further deterioration in people's livelihoods.

I acknowledge the robbery risk that he and Sinéad Bradley referred to. That has been a factor in this.

While there will be a fixed area in relation to what would constitute an ATM — and the rates relief obviously applies to the end of the year — Land and Property Services has always tried to be as flexible as it can in relation to ensuring that. The purpose of the exemption is to try and provide support to rural businesses. That is the spirit in which it has been introduced.

#### 11.45 am

Jonathan Buckley asked about the list. I have a list of the 84 ATMs and their location, so I will ask the Department to make it available to him. I welcome Pat Catney's initiative in relation to

the all-party group on fair banking. I know that there is an interest among the parties in relation to that, and I hope that that has some success because fair banking is something that has ever been with us but particularly in relation to the ongoing support of businesses over the course of the pandemic — the loans issue and access to loans — the issue of fair banking has risen to the fore again. So, it is a timely initiative.

In closing, I ask Members to support this measure, and I commend the order to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That the Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2020 be affirmed.*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments while we change staff at the Table.

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

## **Business and Planning Bill: Legislative Consent Motion**

**Ms Mallon (The Minister for Infrastructure):** I beg to move

*That this Assembly endorses the principle of the inclusion in the Business and Planning Bill of provision for temporary reduction in the duration of certain Northern Ireland driving licences.*

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

**Ms Mallon:** At the outset, I acknowledge the fact that it has not been possible to adhere to normal Assembly timescales in progressing this legislative consent motion. That reflects the fact that the Business and Planning Bill is being fast-tracked through its legislative passage. The Bill was only introduced to Westminster on 25 June and completed its Commons stages in a single day on 29 June. It is in the House of Lords and is expected to become law later this month.

It is that fast-tracking process that has necessitated the very short timeline leading up to today's debate. I regret the need to shorten

normal Assembly timescales on this occasion, and I am very grateful to my Executive colleagues for reviewing my Executive paper at very short notice and agreeing to the LCM. I am also grateful to the Assembly, the Infrastructure Committee and Committee officials for their urgent consideration and processing of the LCM.

As Members will be aware, the legislative consent motion relates to a specific driver licensing clause — clause 15 — that is included in the Westminster Business and Planning Bill. The Business and Planning Bill contains a range of measures that are designed to support the transition from crisis response into recovery from COVID-19. Many of its measures relate only to England and Wales or to England alone.

Clause 15 makes provision for the temporary reduction in the duration of certain driving licences, and is specific to Northern Ireland. Clause 15 makes short-term statutory provision that would enable my Department, if required, to issue one-year licences to certain bus and lorry drivers. I will outline very briefly the policy background.

Full licences for those drivers, known as group 2 driving licences, normally last for five years. However, first-time applicants, drivers who are aged 45 years or over, or drivers who declare any medical conditions on their application form normally require a prior medical assessment. That is current policy. The outcome of that assessment determines whether applicants receive a full five-year licence, a licence of restricted duration, or, indeed, have their licence application refused.

During the current crisis, it has often been difficult for drivers to get appointments for medical assessments. In response, I have worked with the Department of Health and the British Medical Association to ask GPs to prioritise medical appointments. In turn, my Department has prioritised licence applications from key workers. More recently, the EU emergency transport regulation has provided for the extended validity of existing licences. Effectively, driving licences that expire during this time are extended for seven months beyond the expiry date that appears on the face of the licence. That has been very helpful in ensuring that drivers can remain on the roads at this time.

All that, perhaps, begs the question: do we need a new power that would allow us to issue one-year licences? The honest answer to that is that I do not know. None of us can predict with any certainty what the future holds. To date,

those other measures have been sufficient. However, I believe, particularly given the impact on critical supply chains, that it is prudent to keep other options open and have a further contingency plan if needed. The EU emergency transport regulation is a short-term measure that expires at the end of August. While there is provision for a further extension of up to six months, that requires an application to the EU Commission, and there is no guarantee that such an application would be granted. I, therefore, believe that we should take the opportunity to legislate for one-year licences; short-term licences that can be issued without a prior medical assessment in the event that they may be needed in the future.

I want to summarise very briefly what the clause would allow my Department to do. It contains discretionary provision that would allow one-year licences to be issued to drivers who are aged 45 years or over in circumstances where my Department decides to waive the normal requirement for a medical report. The clause is drafted so as to manage any road-safety risk. That is the thinking behind restricting the licence to one year and the provision that a one-year licence cannot be renewed for a further year. In addition, I do not propose to issue one-year licences to any first-time applicants. I believe that it is important that drivers should be medically assessed before being granted a first licence to drive a bus or lorry. In practice, my Department would waive the medical report requirement only in circumstances where drivers are aged 45 years or over, are applying for a licence renewal and do not declare a medical condition that prevents them from driving safely.

I should also point out that those licences can be granted only during the period commencing on 1 August 2020 and ending on 24 March 2022. Effectively, it is a sunset provision. In practice, however, normal licensing arrangements will be restored as soon as it is practical to do so.

Finally, since driver licensing is a devolved matter, I considered whether we could bring a Bill through the Assembly to legislate for one-year licences. On principle, I believe that all devolved matters should be legislated for in the Assembly, and I will always endeavour to make legal changes through the Assembly where possible. In this instance, however, legal advice indicated that, in order to avoid the risk of legal challenge, the best approach would be to include the necessary provision for one-year licensing in Westminster legislation.

In summary, the Driver and Vehicle Agency (DVA) is working to restore normal licensing arrangements as quickly as possible. However, I believe that it is appropriate to take powers that would permit the issue of one-year licences without prior medical assessments as a further mitigation should that prove necessary. I would, of course, think carefully before using that power.

I commend the motion to the Assembly and ask that it endorses the inclusion of clause 15 in the Business and Planning Bill.

**Mr Principal Deputy Speaker:** Thank you, Minister. The first person I have on my speaking list is the Chair of the Infrastructure Committee, Miss Michelle McIlveen.

**Miss McIlveen (The Chairperson of the Committee for Infrastructure):** I welcome the opportunity to speak as Chairman of the Committee for Infrastructure on today's legislative consent motion to temporarily enable one-year driver licence renewals for lorry and bus drivers.

In recent months during the COVID-19 crisis, the Committee for Infrastructure has considered its impact on a range of individuals and organisations. The Committee has worked with the Minister — supporting and challenging her — and her Department in making the required mitigations for those most affected by the lockdown. The matter of driver licence renewals for group 2 drivers in need of a medical certificate to continue driving, and to enable them to work, is just one of the many issues that have been impacted by the pandemic, and which need a quick and effective response to remedy. The COVID-19 crisis has meant that drivers who require a medical assessment are having difficulty in gaining access to a medical professional. That has been an issue in the rest of the United Kingdom and a solution has been found. Therefore, when the Minister wrote to the Committee for Infrastructure on 17 June advising that she had decided to take immediate action through the legislative consent motion, the Committee agreed to support her. Although very little time was afforded to the Committee for its consideration, members made every effort to scrutinise the motion and to report on it for today's debate. The Committee for Infrastructure considered the intention of the LCM by correspondence to ensure that members were well informed of its content ahead of consideration at Committee and to allow the Committee to agree a written report.

As the Minister outlined, the relevant clause of the Business and Planning Bill — clause 15 — would enable driver licences lasting one year to be granted to drivers aged 45 to 65 without them sending in a medical report with their licence applications. Those drivers would usually be able to get a five-year licence or a licence lasting until their 66th birthday, if shorter, but, because of restrictions on access to medical practitioners as a result of COVID-19, they cannot obtain the required medical report.

In its consideration, the Committee for Infrastructure sought clarification on a number of issues prior to giving its consent. A copy of the issues raised, and the answers received from the Department, can be found at appendix 5 of the Committee's LCM report. The LCM was formally considered by the Committee at its meeting on 1 July 2020. The Committee for Infrastructure is content with the legislative consent motion.

**Mr Boylan:** I certainly welcome the motion and thank the Minister for her work on it. One of the effects of COVID-19 is that drivers who need a medical assessment for their driver licences are having difficulty in accessing medical professionals to fulfil that requirement. That is affecting lorry and bus drivers particularly. They are classified as key workers and have been playing a key role during the pandemic. It has been talked about in Committee, but I put on record, now, my acknowledgement of the work that they have done and the role that they have played over the period. Lorry drivers have been making sure that supply chains have remained open during this period of uncertainty, while bus drivers have continued to provide key services and facilitate essential connectivity, such as allowing other key workers to get to work and letting people fulfil essential journeys.

The Department for Infrastructure has extended licences by using the EU emergency transport regulation that became law on 4 June. That has allowed driving licences that expire, or are due to expire, between February and August to be extended for seven months. That is a temporary provision, although there is scope to make a request to the European Commission for an extension. However, as an extension is not guaranteed, the Business and Planning Bill will allow a discretionary provision that will enable the Department to issue one-year licences, provided certain conditions are satisfied.

I agree with the Department's assessment that it is prudent to ensure that the option of issuing one-year licence renewals to key workers should be available. Thus, I welcome the

measure on the basis that that was a significant issue for the transport and freight sector during the pandemic and that the Bill gives the Department the statutory provision in the meantime.

Any decision to go ahead and grant the extension in the North will ultimately come down to the Department for Infrastructure. On that, I would like to ask the Minister whether an extension has been requested from the European Commission and whether we can have an update on that front. Furthermore, can the Minister assure Members that road safety will not be compromised by the measure? I support the motion.

## 12.00 noon

**Mr Beggs:** I support the legislative consent motion. It is vital that we ensure that drivers are able to work and carry out their key roles in our community in the months ahead.

As the Minister said, clause 15 will empower her to give extensions to licences. There has been a problem — I have seen it with drivers who have contacted me over the past number of problems — if a driver is required to have a medical assessment in order to renew their licence. There have been difficulties in accessing GPs, who have, obviously, been stressed and have had a heavy workload over the past few months. It is important that we ensure that there are no delays. Whilst drivers may be prioritised, extending for one year is reasonable.

If we do not extend, there is a risk that essential and key workers may not be able to drive, food supplies may not be delivered and buses may not be driven. There is also a calculated risk that something could go wrong if someone was driving and a medical condition materialised, but that has been assessed as being a limited risk. We all have to make choices, and I would view it as a much greater risk if we do not have food delivered to our homes or do not have transport arrangements in place.

One key worker who was in touch with me was an oil delivery driver. It is not easy to just lift the phone and get a driver who is experienced in delivering oil. We all think that they are just drivers, but, in many of the duties that our heavy goods vehicle drivers carry out, there are health and safety requirements and specialist training is necessary. It is vital that we do not leave gaps in the services that are provided. A one-year extension is reasonable, and I support the legislative consent motion to protect our community.

**Mr Muir:** I thank the Minister for tabling the motion. I declare an interest as former employee of Translink.

My party and I will support the motion. Lorry and bus drivers are key workers, and I once again formally put on the record my sincere gratitude to them and to all our transport workers who have worked throughout the crisis to keep food and medical supplies on our shelves.

We do not know how the pandemic will look on 31 August, which is when the seven-month extension ceases to apply. I sincerely hope that the number of COVID-19 cases will have continued to decrease and that we will have been able to move along the road to recovery, but we cannot know that for sure as we have seen from events across the world in recent days. It may be difficult for drivers to get the medical assessments that they require. That is why the motion is prudent and gives the Department for Infrastructure the ability to issue one-year extensions, where appropriate. However, it is also appropriate for the Department to lay out the specifics on how it will judge whether a medical assessment is feasible. The requirement for the medical assessments exists for good reason. We must ensure that exemptions are permitted only where medical assessments are not feasible. I support the motion.

**Ms Mallon:** I thank the Chair, the Deputy Chair and all the members of the Committee for their support and for the urgency that they gave the matter, given the speed at which the legislation is moving through Westminster. I add my voice to that of all Members who spoke by putting on record my appreciation of the critical role that our lorry and bus drivers play, particularly that which they have played during this crisis, in which they have worked hard to ensure that we can keep critical supply chains open.

Mr Boylan and Mr Beggs were right in referencing the difficulty that a number of lorry drivers and bus drivers have had in trying to get medical assessments. That is why my Department worked in partnership with the Department of Health, the British Medical Association and GPs to put in a place a framework to ensure the prioritisation of medical appointments and assessments for essential workers. Following that, we moved to tie ourselves in with the European Union regulation, which has granted a seven-month extension to all licences. As Members have rightly said, the regulation will run from 1 September through to the end of August. It is a practical solution.

Mr Boylan asked whether we were seeking a further extension: we are keeping that option open. The request would have to come from the Department for Transport, but we are continuously working with it and keeping abreast of the situation. As Mr Muir pointed out, however, we do not know where we will be in six or seven months' time. We can look at what is happening in Leicester or in Australia, where we have seen an increase in the spread of the virus and localised lockdowns. That is why I am taking what I believe to be a sensible, reasonable and prudent approach by having the one-year licence extension as a further mitigation measure on the shelf so that we can use it if required.

I add my voice to that of Mr Beggs and the others who spoke by saying that this is very much about balancing risk. It is what I do in this job daily, particularly in this area. It is very much about taking a prudent, sensible approach — a belt and braces approach — but it is also about balancing with road safety. Mr Beggs is absolutely right: part of the consideration is road safety while ensuring that we can maintain critical supply chains and get the essential goods and services that we very much need to shops and to homes.

I can assure Mr Muir about the road safety assessment. The one-year extension, if I choose to go down that path, will be issued only to those submitting renewal applications, not first-time applicants, and it will be issued to those over the age of 45 who do not have a medical condition to declare that could impact on road safety.

In concluding, I again put on my record my appreciation of the Committee's diligence and efficiency in dealing with the matter, for its support and for challenging me, as the Chair aptly put it. It is an important part of our scrutiny process and our democratic system to ensure accountability. I ask that the Assembly endorse the inclusion of the clause in the Business and Planning Bill.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the inclusion in the Business and Planning Bill of provision for temporary reduction in the duration of certain Northern Ireland driving licences.*

## Committee Business

### COVID-19 Guidance and Financial Support to Industry Sectors

**Miss McIlveen (The Chairperson of the Committee for Infrastructure):** I beg to move

*That this Assembly recognises the impact of the COVID-19 pandemic on the taxi, haulage, driving instruction and private hire bus and coach sectors; acknowledges that these industries have not been prioritised in terms of guidance and support packages; and calls on the Minister for Infrastructure to bring forward proposals for the formulation of guidance and financial support for these sectors as a matter of urgency.*

**Mr Principal Deputy Speaker:** The Business Committee has allowed one and a half hours for the debate. Miss McIlveen will have 10 minutes in which to propose the motion and 10 minutes in which to make a winding-up speech. One amendment has been selected and is published on the Marshalled List.

**Miss McIlveen:** As we are all acutely aware, the COVID-19 pandemic has had an adverse impact on almost all aspects of our lives. Over recent months, the Committee for Infrastructure has had a role in examining that impact on the individuals and organisations that fall within the remit of the Department for Infrastructure. The Committee has discussed and scrutinised the mitigations put in place for sectors hardest hit by the pandemic and has wholeheartedly supported the proposals brought forward to assist those sectors. However, the Committee is aware of industries that feel that they have been let down at this time. Those industries, in desperation and hope, have voiced their concerns to the Department for Infrastructure. However, adequate support has not been forthcoming or satisfactory. In the motion, the Committee wishes to add its voice to the frustrations of some of the sectors that have been so badly impacted by the pandemic and asks for Members support in calling on the Minister for Infrastructure to bring forward financial support and guidance to assist the individuals involved in the sectors outlined in the motion. I intend to outline my Committee's engagement with those sectors, the issues raised during that engagement and the insufficient response received from the Minister to date.

The Committee has considered correspondence from these sectors since the

beginning of the lockdown. For example, in correspondence of 9 April 2020, representatives of taxi drivers asked the Committee for help. While appreciating that these are unprecedented times and understanding the pressures facing Departments, they voiced their concern that the taxi industry, both public and private, has received little or no guidance and support while providing an essential service to some of our most vulnerable citizens. They told the Committee that they had raised their issues with government but still had questions about the availability of government grants to help the taxi industry. The Committee sought answers from the Minister, who responded advising that her Department's responsibility extended only to taxi industry regulation. The Minister acknowledged that the financial package announced by the Government in Westminster fell short of what was needed. The Minister advised that she was engaging with the Economy Minister and that she understood that the Department for the Economy was responsible and would issue guidance.

With the Minister's view that it is the responsibility of other Departments, the taxi industry continued to ask for the Committee's help and wrote to the Committee again on 17 and 29 June. They highlighted the serious impact that COVID-19 had been having and outlined how their industry had been decimated, with a majority having to stop work due to a lack of demand as a result of lockdown. They called again for urgent financial help and support. The taxi industry asked the Minister to issue grants to help taxi drivers under the Taxis Act (Northern Ireland) 2008. However, the Minister for Infrastructure, responding to the Committee, reiterated that her Department's responsibility was solely the regulation of the taxi industry, not financial assistance. In her opinion, the Taxis Act does not extend to providing general financial support grants to the taxi industry in times of hardship. However, the Economy Minister advised the Committee that, regarding a specific support package for the taxi industry, schedules 1 and 3 to the Budget Act (Northern Ireland) 2020 allocates funding to the Department for Infrastructure for:

*"transport licensing, enforcement and regulation;"*

as well as:

*"support for transport services including grants in respect of rail and road passenger services including fare concessions".*

The Economy Minister pointed out her belief that taxis are clearly regarded as transport services. Writing to the Committee on 29 June, the taxi industry once again outlined their concerns and called on the Minister for Infrastructure to put a specific proposal to the Finance Minister or refer the matter to the Executive so that the taxi industry could be supported by government through a hardship fund.

Many drivers have installed screens in their vehicles at their own expense but are concerned about whether their vehicles will pass the PSV test with the addition of the new equipment. It should be noted that a number of councils in England and Scotland have supplied funding for or provided personal protective equipment (PPE) kits to taxi drivers. On 28 May, the Committee for Infrastructure wrote three letters to the Finance Minister seeking financial support for the road haulage industry, the taxi industry and the transport sector in general. In his response, the Finance Minister advised that he had engaged with his Executive colleagues on those matters as well as with the Department for Transport, the Treasury and industry representatives. The Finance Minister noted that the British Government had taken the view that, given the range of measures already put in place, including the support package to maintain ferry routes, a road haulage-specific intervention was not needed at this time. The Finance Minister also noted that the Department for Infrastructure had not made any bids to his Department for support for the taxi industry and encouraged it to do so.

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

**Miss McIlveen:** Not at this time, thank you.

He outlined that £59.5 million of the funding set aside by the Executive for the transport sector had not yet been allocated. In response to a letter to DOF and DFE on the need for financial support for taxi drivers, the Finance Minister provided a list of COVID support schemes to which those in the taxi industry could apply. However, there was also an acknowledgement that many drivers had not been able to access the available schemes.

As for a financial support package for the road haulage and logistics sector, it was a similar story, with the Infrastructure Minister taking the view that her Department was responsible only for the regulation of the industry and, through that role, she had introduced regulatory measures to aid the transport and logistics sector.

The Minister also identified that the Department for Transport has been liaising with the Road Haulage Association (RHA) and Freight Transport Association (FTA) to ensure that the key objectives of maintaining critical supply routes and supporting economic recovery are achieved. Regarding a Northern Ireland package of support, the Minister advised that any request for financial support for the road freight sector should be made by the Department for the Economy.

### 12.15 pm

The RHA and FTA provided oral and written briefings to the Committee on the amendments to legal requirements that they have sought to enable them to continue to provide their vital role in keeping supply chains operating. Those changes include extending drivers' daily driving and delivery hours, vehicle MOTs, driving licences and medical examinations to ensure the continuation of vital supplies required by all in Northern Ireland.

In response to the Committee's concerns, the Department advised that the Department for Transport has been liaising with RHA and FTA to understand the up-to-date picture for road hauliers at a local and UK-wide level. The FTA weekly survey of the first week of April 2020 reported that businesses were experiencing the following: 82% general downturn in business, with work orders cancelled; 34% had gone out of business; 20% of HGV drivers and warehouse staff were not able to work due to the virus; and 32% were experiencing moderate to severe difficulties in finding fitters, mechanics and technicians.

The RHA and FTA detailed how some elements of the sector are surviving. However, there are operators in other sectors. For example, one operator has a mixed fleet of vehicles worth £6 million parked up. They are relatively new vehicles, and the depreciation on the vehicles alone is in the region of £100,000 a month. With the vehicles parked up for over three months, that is a loss of over £300,000 in value, and that does not take into consideration the lost income.

The Committee has also heard, as I am sure that many Members have, from driving instructors who are feeling forgotten and invisible during the pandemic. Some have tried to work out their own safety measures, with little to no guidance.

**Mrs D Kelly:** Will the Member give way?

**Miss McIlveen:** Sorry, let me continue, please.

They have no idea of when they should return to work, and they are in dire jeopardy of failing, with many job losses. In response, once again, the Minister and her Department have advised the Committee that it should look elsewhere for answers and that the Department has no remit for driving instructors and when they might return to work. That adds to the confusion that driving instruction was not specifically covered in the COVID-19 recovery plan, nor were driving instructors specifically listed in any of the schedules to the Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020 or in subsequent amendments. There is still no indication of when driving tests can resume; without testing, instruction is pointless. That needs to be addressed immediately.

In response to Committee questions about the coach and bus hire sector, the Minister offered little support other than continuing to take action in relation to its regulatory responsibilities and directing this sector to the general pandemic business support measures.

Other Committee members will give more specifics on the detail of the challenges, but I hope that I have given Members a sense of the abandonment felt by these sectors, which are so integral to the work and responsibilities of the Department for Infrastructure. Unfortunately, by attempting to pass her departmental responsibilities to others, the Minister has failed to be the champion the transport sector has needed during the pandemic.

I am disappointed that an amendment is proposed. Throughout the discussions in Committee, there was a unity of purpose in attempting to seek a solution to the various challenges facing these industries. These employers, breadwinners and vital cogs in our transport infrastructure feel genuine fear of debt and job loss. They are not interested in the politicking in the Chamber. They are looking for someone to lead. I hope that the House can support the motion to call on the Minister for Infrastructure to genuinely listen to the concerns and to be that person.

**Mrs D Kelly:** I beg to move the following amendment:

*Leave out from "these industries" to "Minister for Infrastructure" and insert:*

*"the powers of the Minister for Infrastructure are limited to regulation of the transport and transit*

*sectors; welcomes the work undertaken by sectoral bodies and the Minister for Infrastructure to ease burdensome regulation during the emergency period; further recognises that these industries have not been included in specific Executive support packages for private businesses; and calls on the Executive".*

**Mr Principal Deputy Speaker:** The Member has 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who speak will have five minutes.

**Mrs D Kelly:** I welcome the Minister's attendance for the debate. The Minister has led from the front. Regrettably, it is very clear to see that some people are politicising Statutory Committees. The fact that there is a proposed amendment to a Committee motion speaks to that. We have cross-party support on that basis. There is deliberate misdirection and confusion. For a start, in relation to all the sectors, every Member feels, I am sure, a great debt of gratitude to those who continue to work throughout the health pandemic. We all know that many people are worried about their health, their jobs and their livelihoods, and as we face into, potentially, the worst economic recession that we have ever known, many people's fears continue unabated.

From the outset, the Minister has led from the front, within the purview of her ministerial responsibilities. She has amended the regulations. She has listened to the haulage sector, to driving instructors and to the taxi industry. We talk about the "taxi industry", but who, exactly, are we speaking about? I have checked with all my colleagues across Northern Ireland, and, as I understand it, the majority of the taxi industry folk who have a problem with what the Minister has done are centred around north and west Belfast. My office in Lurgan is beside a taxi company, yet I have not received a single complaint.

The fact is that all those self-employed sectors have been able to avail themselves of the financial support offered by the Minister for the Economy. We were told, in answer to a ministerial question, that, to date, over 30 taxi firms have availed themselves of the financial support package. Others have availed themselves of the furlough schemes, across all the sectors mentioned. Indeed, others have and will continue to avail themselves of the rates holiday and the break in tax payment that has been announced.

There are sectors that have had specific financial packages made available to them. However, they have been made available by the Executive, by the Economy Minister, and, sometimes, by the Finance Minister working with one of his colleagues. On more than one occasion, the Committee was told that the Minister for Infrastructure had no vires to make financial supports available. None. Therefore, what the motion seeks, and what people fail to hear, is that the Minister for Infrastructure has no power to give financial support grants. The Committee has had sight of lengthy correspondence trails in which the Minister for Infrastructure wrote to her Executive colleagues asking for specific help.

If I can deal with the issue of guidance for driving instructors —.

**Ms Kimmins:** Will the Member take an intervention?

**Mrs D Kelly:** No, I will not. *[Laughter.]* You will have plenty to say later.

**Mr Boylan:** Will the Member give way

**Mrs D Kelly:** No, I will not.

At the Committee, I specifically asked the head of the DVA to tell me who has responsibility for driving instructors. They are self-employed. I have been approached by driving instructors. I have corresponded with them and given them the best advice available to me. However, I am very clear: driving instructors are self-employed, and their guidance was on the website of the Department for the Economy. The Minister for Infrastructure has responsibility for driving examiners, an entirely different kettle of fish, especially if you are the one doing the test.

In relation to the furlough scheme and the haulage sectors, you can see that the Infrastructure Minister has, alongside the Finance Minister, corresponded with the Department for Transport and put in place whatever measures and opportunities she could to protect ferry routes. Unfortunately, however, the ferry companies decided to keep the financial package for themselves and did not pass on a reduction to the haulage sector. That is regrettable. It is something, I am sure, that the Department for Transport and, individually, Ministers here have raised with the ferry companies. However, that is the fact of the matter.

I looked up the guidance for taxi drivers myself, as I had heard what driving instructors were

saying. I wanted to find out what the guidance was so that I could pass it on to driving instructors. Lo and behold, where was the guidance? It was on the Department for the Economy's website, because that is where the guidance comes from, as taxi drivers are a self-employed sector.

We have great difficulties with the motion because it leads to confusion and misdirects. It is not serving the people, whom they said they seek to serve and get the best for. If we are honest and truthful with all those sectors, we will give them the right information, at the right time and send them to the right Ministers to get the help that they need. We would not send them up the garden path for us to make our own political point-scoring available to them.

In the SDLP amendment, we want to recognise the fact that this matter is not simply for DFI, where there is very clear regulatory responsibility. I will give the House some indication of some of the decisions that the Minister took within her area of responsibility.

The Minister wrote to Ministers Murphy and Dodds, seeking information and advice as to whether there was specific support and financial assistance that the taxi industry could access. Again and again, Minister Mallon wrote to the Executive, stressing that there was a need to ascertain what financial support could be made available to the industry. She also wrote to the Minister for Communities, asking whether taxis could be redeployed to help support the fightback against COVID-19. In the responses from the Sinn Féin Ministers, Minister Mallon was assured that there was support for taxi drivers. She was assured that a Sinn Féin Minister was exploring options for redeployment. People should ask what happened: what redeployment opportunities were presented by that Sinn Féin Minister? Minister Dodds not only wrote to Minister Mallon but, in answers to MLAs, she clearly pointed out that she was providing guidance for the taxi industry. The taxi industry has availed itself of support.

I am mindful that I have to address the issue around the coach and private hire sectors. It is my understanding that the Minister for the Economy will be making that provision because the industry is part of the wider hospitality task force that has been asked to look at the options that might be available for them. I hope that good news will come to that particular sector, because we all know that, the drop-off in tourism, especially from outside Northern Ireland, has had an adverse impact on that sector.

It is most regrettable. In all my years, Committees have spoken with one voice. We have not generally created divisions, and it is very clear to see where the party political point-scoring is coming from. Some Members are looking for a greater focus on some industries and not on others. You have to ask why they seek to support some specific industries.

The message is that, if there are opportunities for the Executive to help in any way, in any particular loophole or gap that needs to be filled, I ask Members to support our amendment, so that we can act and speak with one voice.

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

**Mrs D Kelly:** Very briefly.

**Mr Allister:** I do not want to get involved in the ping-pong as to which Executive party is to blame, although I have my view about that. Surely, it is a collective failure of the Executive, because these may well be cross-cutting issues. The haulage sector, about which I am particularly concerned, has been hung out to dry by the failure of the Executive parties to apply for a pot of money, which is sitting in Finance — at present, it is £29 million — and there has been no collective decision to make an application for it. Is it not, therefore, an Executive failure, never mind individual Departments?

**Mrs D Kelly:** I want to be fair to all the Ministers around the table. This is a global pandemic, the like of which we have never seen before, and Ministers have had to step up very quickly, not only to their brief but to the challenges presented by the health emergency. By and large, many of them have worked well, but there is a lack of transparency in how some sectors get supported more quickly than others. I urge the Executive to fill the gaps in the haulage, coach and private hire and taxi sectors. Whatever the sector, we feel all workers deserve to be supported in these most challenging and trying of times.

I commend the amendment to the House.

**Mr Boylan:** Ba mhaith liom labhairt ar son an rúin seo. I am in favour of and welcome the motion.

This is like everything else: the Member will take an intervention from Members from other parties but will not take one from mine.

12.30 pm

The Member said that people should step up in a pandemic, and that is exactly what this is about. A lot of other Ministers across the board did not have the vires to do things but stepped up and came up with plans and ideas. The Member is engaging in a rearguard action to protect her Minister. This was discussed in Committee. A lot of Members who, funnily enough, will maybe support your amendment were content in the Committee system to speak out and were happy with some of the responses that we got. Still and all, today, when they get up to speak, they go against what they said in Committee. Mr Beggs supported Mr Murphy in Committee when he talked on this Floor about bringing forward proposals to the Executive — he mentioned the Committee — and other Members said other things, and they were content for that to happen.

The whole point of it was this: we were saying to the Minister, "Bring forward proposals, and we, as a Committee, will support you". We are not the ones who were ding-donging across Ministers. The Minister sits there with a database of taxi licences and all the licences across the board, but all that we were saying at the time was, "Put that on a bit of paper. Bring it to the Executive, and then we shall discuss it". The industry out there looks to the Infrastructure Minister; they do not look to the Economy or Finance Ministers or to the Executive. I appreciate what Mr Allister says about a certain package of money, but, if you talk to taxi drivers or bus operators, you will find that they look towards the Minister for Infrastructure as their Minister. All the Committee was saying to the Minister was this: "Bring forward a proposal. We will support you in working with other Ministers on a package".

I agree with Mrs Kelly that there are some people who have been —. *[Interruption.]* I apologise, Mr Principal Deputy Speaker. I agree that some sectors of the industry were facilitated in some of the schemes, but I asked the Finance Minister about this, and he said that proposals were not brought forward and that, if they were, the Executive would discuss them and make a decision. I asked the Infrastructure Minister to work with the Economy Minister to bring forward proposals, but they were ding-donging between them about whose responsibility it was. I have received two letters from the Economy Minister saying that the remit lies in DFI. That is not what the motion is about. The motion says that the majority on the Committee would support proposals being brought to the Executive, and that is still our position on it.

I had a whole speech prepared, but Members have already brought up a number of the issues. Mrs Kelly said that only certain sectors of the taxi industry got it hard, but I know people in my constituency got and are getting it very hard and applied for some scheme but did not get anything. The real discussion point in all this is that we are in a pandemic, and all that we are saying is that, if people are really going to step up, let them step up. I want to bring one thing to the Minister's attention, because Mrs Kelly was praising her glories. The Minister found the time for the airports — I need to find it in my notes — and to work on them. In her own words:

*"While my powers are limited on airports, working with colleagues and the Department for Transport, I have been able to secure this unique payment to support the airports at this difficult time. It is this type of collaborative working that will get us through this crisis and our recovery from it."*

I could not agree more, Minister. Sorry, I should speak through you, Mr Principal Deputy Speaker. All that we say is that the Minister should bring proposals and use the data on the database. It may be the case that working with data across Departments is needed — I cannot say that it is not a cross-cutting measure — and I do not disagree with that. The Minister should bring proposals. We in the Committee will support her, and it will be an Executive decision. That is what the motion is about. Mrs Kelly to say that past motions from Committees have been unanimously agreed, but the majority of people agreed this motion. Unfortunately, Mrs Kelly was not there for the discussions on it. I will support the motion and go against the amendment.

**Mr Beggs:** I support the amendment. I also support the main motion, but I am indicating a preference for the amendment. I will explain myself during the discussion.

Undoubtedly, those who have been involved in a variety of industries, such as coach tour operators, ordinary coach operators, taxi drivers, heavy goods vehicle (HGV) drivers and driving instructors have been severely adversely affected over the past months. Some have been affected to varying degrees, and I will come back to that.

As has been indicated, there are support schemes that are available to the self-employed. Putting together any scheme to provide additional support will need to be carefully worked out to avoid duplication. We do not want to double-fund someone and then not give funding to someone else. It is clear in my

mind that there will need to be close cooperation with the Economy Minister, who has brought forward the vast majority of schemes that have been assisting those who have been working in Northern Ireland, particularly the self-employed. They have been in that central position, and, because of that, I believe that they have a role going forward. In addition, I understand that detailed work is going on on how we can assist the tourism industry to recover from the epidemic, and I understand that a separate work stream is looking at tour coach operators. It is important that we do not create a double funding and a double support mechanism. That is why I have a preference for the Executive working together and the two Departments working together and bringing forward an Executive-led scheme. With the money on offer, there is no point in somebody bringing forward a scheme that will not be funded. Discussions with the Department of Finance are needed as well, to assist those in need.

There has been huge variation in how drivers have been affected. Those giving driving lessons have had no work; it was impossible to work. In the HGV industry, if you were working in the construction sector, you had virtually no work because many construction sites closed down. However —

**Mrs D Kelly:** I thank the Member for giving way. I am sure that he, like me, will acknowledge that the reason that that close working was prohibited was the nature of the virus.

**Mr Principal Deputy Speaker:** The Member has an additional minute.

**Mr Beggs:** I fully accept that, but I am just trying to demonstrate that some had no work. Others, for example hauliers involved in the food retailing industry — I understand that food retailing went up 30% — were probably busier than ever. There is a variety of workload with a range of results for those serving the economy in transport. Taxi drivers' work virtually dried up completely. Thankfully, some work is emerging again, and direction has been given to try and assist them to assist key workers and the general public.

I recognise that the Department for Infrastructure can play a significant role. It has access to tachographs and, if a scheme that showed the level of business that each operator had during the period was wanted, that would seem to be the obvious route. That is why the Department for Infrastructure has a significant

role to play. I would prefer an Executive-led scheme, involving all relevant Departments and ensuring that we avoid duplication and get best value from public funds to help those at the coalface who need support.

**Mr Muir:** The motion tabled by the Infrastructure Committee rightly refers to business sectors in need of support that have struggled to obtain grant assistance, in many instances, from the three schemes established to date by the Department for the Economy, namely the £10k, the £25k and the hardship fund coronavirus grant business support schemes, delivered, I note, under the Industrial Development (Northern Ireland) Order 1982. I have engaged with many businesses and people in those sectors over recent weeks and months. Many are desperate for support. They are crying out for assistance and looking to Stormont for help.

While some hauliers have managed to get through the pandemic without major financial stress, those without contracts with, for example, major supermarkets are teetering on collapse. Business virtually collapsed during the pandemic and is now only a fraction of what it was prior to March. With leases still to pay, furloughing being phased out from next month, loan payments due and utilities bills still arriving, the future is stark. News that a much-hoped-for joint package of support would not be forthcoming from the Department for Transport in London and the Executive in Northern Ireland felt like a kick in the teeth, especially for those who were waiting for the money to arrive and thought that the funding was already set aside. Just because DfT and HM Treasury do not want to proceed does not mean that we cannot act in Northern Ireland. We can and should deliver a tailored package of support for those hardest hit.

Most taxi drivers, like driving instructors, could not access the grant schemes set up by the Department for the Economy because of the relationship with the non-domestic rates system and the exclusion of sole traders from the hardship fund criteria, leaving them with recourse only to the self-employed income support scheme, if eligible, and no support for the overheads and bills that keep arriving. Guidance and support have been slow and lacking and must be addressed if we are to build back our economy, recognising the valuable role that both play in helping to get us about.

Like that for driving instructors and taxi drivers, trade for private bus and coach operators has also largely dried up in recent months. At this

point, I should declare that I was previously an employee of Translink.

**Mr Storey:** I thank the Member for giving way. He may be aware that there is a meeting today in Belfast of the coach operators. Obviously, I have had some discussion with some of the coach operators in my constituency. The issue of regulation falls within the remit of the Department for Infrastructure, and the plea that comes from the motion and from the House is for the Minister to recognise that there needs to be, as the proposer of the motion stated, leadership on the issue to make a recommendation so that, in particular, the coach operators get financial assistance.

**Mr Principal Deputy Speaker:** The Member has an additional minute

**Mr Muir:** Thank you very much, Mr Principal Deputy Speaker. I will refer to the point that the Member has just raised later in my speech.

As they often rely on tourism business in the spring, summer and autumn seasons, 2020 is viewed by many in the private bus and coach business as a complete write-off. With furloughing being phased out and payments still due for fleets locked up in yards across Northern Ireland, a financial bridge to 2021 is essential. Without it, I fear, rebuilding our tourism offer will be extra, extra hard next year.

The case for action in support for the sectors is, therefore, clear. That is not in dispute, but let me be crystal clear: taxi, haulage, driving instruction and private bus and coach sectors and many more have been excluded from the grant assistance necessary to get through the pandemic. That is wrong and must be addressed, but, by passing the motion as it is worded today, I fear that all that we would be doing is raising false hopes that the wrongs will be righted.

As, I suspect, the Minister will detail in her response, the Department for Infrastructure does not feel that it has the vires to distribute the grant assistance needed.

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

**Mr Muir:** Yes.

**Mr Boylan:** Besides the vires issue, which I agree with the Member on, is he saying that the Minister has not the capacity to bring forward proposals or any suggestions to address the issue?

**Mr Muir:** I think the vires issue is quite an important one. It is a legal issue about whether you can give out the money. I have asked the questions and have got the responses, and I have no reason to believe that I am being misled.

By passing the motion today unamended, you would, in essence, be asking a fish to climb a tree. I am reluctant to do that. To those who state that the Department in charge of regulation and to whom you pay your fees —.

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

**Mr Muir:** No. To those who state that the Department in charge of regulation and to whom you pay your fees and taxes should give the support, I say that I think that your logic is flawed. If followed through, you should abolish the Department for the Economy and use the Department of Finance to give out all of the grant support.

I urge Members to support the amendment as a real and practical way of getting the assistance to the sectors that need it. Saying that the Executive cannot come together and sort out the issue shows a real lack of confidence that Ministers can come together, develop solutions and govern together. In 2020, that is what I and others expect: New Decade, New Approach. It ought to be the norm, to be honest, where each Minister governs to support each other as equals, rather than passing people from pillar to post. "Get around the table and sort out the issues" should be the message today, not to point and pin blame on one Minister and one Department.

12.45 pm

**Mr K Buchanan:** It is important to say that anyone who is listening from outside does not care about the politics. If they are driving a bus or a lorry, they want financial support, and they do not want to get into the politics of it. It is important to say that for anybody who is listening to the debate.

I support the motion, which seeks guidance and financial support for the industry. I will not support the amendment. The COVID-19 crisis has massively impacted a varied range of ground transportation businesses, including coach operators, taxi companies, driving instructors and hauliers, to such an extent that, for many, their income is more or less non-existent. Public transport has received support, but many within the coach, taxi, driving instruction and haulage industries are either

self-employed or from small family-run businesses and have been left out.

Taxi drivers have been unable to obtain clear guidance about protective equipment. The taxi industry and its drivers have been left without adequate protection and guidance. Despite some having worked throughout the lockdown, many operators have reported a 70% to 80% downturn in business. Taxi drivers cannot do their job from home and their job makes it hard to socially distance. They are self-employed, so they need to work. While some drivers can claim the Government's self-employed income support scheme, which is worth 80% of their trading profits, many are not eligible. At the Committee for Infrastructure on 10 June, it was highlighted that the Minister of Finance was clear that his Department had not received any bids for support for the taxi industry. In response to this point, Mr McGrath from the Department for Infrastructure said:

*"There simply is not enough money to cover the current pressures, and there may well be other pressures. Not every need can be met. My Minister has a view that she has no responsibility for the financing of the taxi industry."*

Many owners and operators within the coach industry said that without financial support to withstand the current crisis, their industry in Northern Ireland will face severe financial hardship, with jobs placed at risk. With the cancellation of coach holidays within Northern Ireland, the UK, Ireland and further afield, many private coach companies will struggle to remain in business. Many cannot access the support directed at the leisure sector despite being an integral part of the tourism industry. Their business is highly seasonal, with March to September being the peak, meaning that their peak season will be non-existent this year. As they travel from 2020 to 2021, they will be in a vulnerable position as the winter months are always less profitable. Many operators had bookings throughout the summer season and have been obliged to offer cash refunds to those who have requested them. Operators have invested heavily in their operations to maintain a good fleet, reduce breakdowns and encourage people to use coaches. Each vehicle has a huge standing cost. Purchasing, insurance and maintenance costs still need to be covered during the pandemic. As with many within the service industry and leisure and tourism businesses, the coach industry seeks to provide the best service possible, including the upkeep of their fleet. Many businesses have purchased new coaches with finance on them. As payments on the finance continue,

depreciation on the vehicles is accelerating, with the second-hand coach market becoming flooded as operators' businesses collapse.

I have been contacted by numerous driving instructors who are incredibly frustrated with the lack of guidance that has been given to them by DVA. Unlike their counterparts on the mainland who were supported and advised throughout the lockdown period, rather than helping them, DVA caused more confusion with an email that was sent on Saturday 27 June that advised that they were not specifically mentioned in the list of businesses in the regulations that must close. To comply with social distancing, and the nature of the task, of course those businesses were going to close. Of course, they would look to DVA to advise how and when they could return to work. When I spoke to a number of them yesterday, I was told that they have around six to eight hours of instruction booked this week, but without a date for testing, which is in the gift of the Minister. Those businesses are not sustainable. It is not good enough, and those businesses need clarity.

The haulage industry is suffering because of the reduction in backloads from the mainland and lower levels of business, while still having to pay fixed-costs for the lorry fleet. Some of the aforementioned transport businesses have received payment holidays from the financial institutions, but that is only a stopgap and will not help the sector in the long term.

The Member to my right referred to a fish climbing a tree. Maybe if the fish was given some help or guidance, it could attempt to climb that tree. It is not impossible. *[Laughter.]* To conclude, I call on the Minister to look at the schemes to support the forgotten businesses within the sector.

**Mr Principal Deputy Speaker:** Fish climbing trees. *[Laughter.]*

**Ms Kimmins:** I had a prepared speech, but a lot of the points have been covered. I do not want to go over old ground when a majority of us are on the same page. It is important to clarify that — to follow on from Mr Muir's comments — we are not asking the Minister to hand out the money. With her responsibility for transport policy, we are asking her to lead on these issues, provide clear guidance and bring proposals to the right people.

I cannot go on without mentioning Mrs Kelly's comments. It is quite unfair to say that the only complaints from taxi drivers are from those in north and west Belfast. That is not the case in my constituency. I ask her to reflect on that

later. Why would that be an issue, if it were the case? What was the implication there? I am under the impression that all taxi drivers are entitled to raise their concerns. Whether they are from north Belfast, west Belfast, Newry, Strabane or wherever, they are all entitled to raise their concerns.

Others have mentioned taxi drivers and private bus operators. I want to focus on the hauliers and pick up some of the points about driving instructors. I have engaged locally with hauliers in my constituency, some of whom have vehicles haemorrhaging money — haemorrhaging money. Hundreds of vehicles parked up every week, and no support in place. These are some of the key providers for our economy, and they have been left very much to fend for themselves. I totally appreciate that not all hauliers are in the same position, and they recognise that themselves. That is why we need to look at this and develop a bespoke response to dealing with the issue.

It is important to realise that the Economy Minister has made it very, very clear that it is not up to her to lead any intervention for the road transport industry, as this is considered under the Department for Infrastructure. That is why we are here today as a Committee: because we have responsibility for these sectors. It was important that we came together to raise the concerns because there has been toing and froing for far too long. People are just frustrated; they are fed up and they cannot see a way out of this. We are hitting Brexit right in the face now. We are less than six months away from the deadline, which is another major challenge coming down the road.

**Mrs D Kelly:** Will the Member give way?

**Ms Kimmins:** No.

The last thing that I am going to raise is in relation to driving instructors. The issues that I have been hearing about, particularly since the announcement last week that they could go back to work, even though they had never been told that they could not work, are more around the confusion over how that can pan out in reality. They are seeking clear guidance from the Minister on that. That is the message that they have been giving. I have been contacted by people from Ballymena and Belfast as well as in my constituency, because it has not been clear. Although they have been signposted to guidance, they still feel very much that examiners are being told to do different things. What is the difference? Why are they being told that they can go back to work, but examiners

cannot? What is the difference, when they are working in the exact same environment?

Rather than going back over the same points, I just wanted to raise those key things. It is important that we recognise that the people are fed up. This is not politicking. This is ensuring that people get the right support and guidance that they deserve.

I support the motion.

**Mr Frew:** I have listened to the debate. Although I am outside the Committee for Infrastructure, I am, nonetheless, very supportive of any Committee that identifies a problem and tries to deal with it in a very constructive way. If that means bringing a motion to the House, so be it. We all can debate it, and I am very thankful to the proposer and to the Committee for highlighting the issue in the Chamber.

What I know, as an MLA for North Antrim, is that haulage companies have been dramatically and drastically let down. If haulage companies had had the same attitude as some of our Ministers — a can't-do attitude — where would we all be with regard to supplies of food and medicine? Those haulage companies have had to work through thick and thin, looking after their own staff and their own lorry drivers and their health and safety, trying to get from A to B, with all these drastic barriers put in place, and they still fulfil their orders and their commitment to the people of Northern Ireland. Would it not be great if we could say that about the Executive and some of our Ministers, who have been slow to react? In the middle of this crisis, when so much good has been done, we still have Ministers who have a can't-do attitude. That is not good enough.

I think it was Mrs Kelly who made a comment about Committees being of one voice. You cannot have it both ways. You either want a scrutiny Committee or you do not. You either want to get into the hard detail or you do not. The one thing that the House needs to ensure is that the scrutiny Committees in this place work efficiently and effectively.

**Mrs D Kelly:** Will the Member give way?

**Mr Frew:** No. There is an order and code in the House: when a Member does not give way to other Members, why, then, should she see fit for Members to give way to her? That is a very good principle that we should all remember in the House when giving way. I give way a lot in the House.

It is very bad when a party — any party — becomes a defence mechanism for its own Minister and a scrutiny Committee. That makes the Minister look bad. The Finance Minister has come to the House many times. When we have asked him about the £59 million that was sitting here — it is now down to £29 million — to support transport that cannot be unlocked to give support to the haulage companies, the Finance Minister says, "Where is the bid? I am waiting for a bid. That bid has not come". Why has that bid not come? The haulage companies see that money sitting there. It is not as if we have no money left or that the coffers are dry. The money is sitting there and it is so annoying.

Let us forget about "can't do" attitudes. I sit on the Finance Committee and I have chased the Finance Minister up and down the corridors. He has been hit by scandal after scandal but he is looking quite good now in relation to finance for the Minister for Infrastructure. He comes to the House to say that he would like to support those businesses but he is waiting for a bid. Mr Allister made a fundamental point about the way in which the Executive function and perform. That money is sitting here, dropped down from on high as a Barnett consequential, but we cannot even get together to unlock it. It is not as if we have to raise it or find some mechanism to raise taxes or rates. It is sitting there ready to be used and spent, which is what it is designed to do. Yet, there is a reluctance to support those industries.

Why is there a reluctance to do that? Those industries have kept going through thick and thin, providing food and medicines for us. They have looked after their staff, some of whom are very worried about going back to work or being in work because of the COVID-19 situation. Yet, we cannot find it in ourselves — the Executive and the Minister for Infrastructure — to bring forward a bid. Such a bid would not burden the Minister's current financial package — the money that she has at the moment — because that money is sitting here. It just needs to be moved from an unlocked position to her Department so that she can support those industries.

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

**Mr Frew:** Yes, of course.

**Mr Allister:** Unless, of course, there is another agenda, which is to keep that £29 million for something else. Translink has already had something of that order but needs more money. Does the Member think that there might be

prioritisation going on in which the haulage sector is the loser?

**Mr Principal Deputy Speaker:** The Member has an additional minute.

**Mr Frew:** The Member raises a very valid question that we should all be posing to the Minister today. What is the priority? If it is not the haulage companies, after all that they have done for this country and for Northern Ireland plc over the last number of months, what is the priority? Why will the Minister not bring forward a bid for financial support for taxi services, haulage companies and all the other companies that have been let down during the pandemic? That is a question that we have to pose. It is the right of the Assembly and the scrutiny Committee to ask those hard questions of our Ministers. I am glad that the debate is taking place today.

**Mr Principal Deputy Speaker:** The Business Committee has arranged to meet at 1.00 pm. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time. This item of business will continue after Question Time, when the next contribution will come from Ms Martina Anderson.

*The debate stood suspended.*

*The sitting was suspended at 12.59 pm.*

*On resuming (Mr Deputy Speaker [Mr Beggs] in the Chair) —*

**2.00 pm**

## Oral Answers to Questions

**Mr Deputy Speaker (Mr Beggs):** Members will be aware that, as part of our phased resumption of Question Time, only listed questions will be asked of Ministers. Topical questions have been suspended for today. Members who ask listed questions will be afforded an opportunity to ask a supplementary question. I will keep the time under review and may call other Members who rise in their place, should sufficient time remain.

## The Executive Office

### Victims' Payment Scheme

1. **Mr Buckley** asked the First Minister and deputy First Minister for an update on the

issues delaying payment to victims from the Troubles-related-incident victims' payment scheme. (AQO 520/17-22)

6. **Ms P Bradley** asked the First Minister and deputy First Minister when victims will be able to receive payment from the Troubles-related-incident victims' payment scheme. (AQO 525/17-22)

11. **Ms Flynn** asked the First Minister and deputy First Minister for an update on the Troubles-related-incident victims' payment scheme. (AQO 530/17-22)

**Mrs O'Neill (The deputy First Minister):** A LeasCheann Comhairle, with your permission, I will answer questions 1, 6 and 11 together.

Significant work has been undertaken by officials to date on the delivery structures for the victims' payment scheme. However, important issues remain to be resolved, including the designation of an Executive Department to exercise the administrative functions of the board on the board's behalf, the source of funding for the scheme and the clarity on how exceptions are to be interpreted. A series of discussions has taken place with officials in relevant Civil Service Departments in relation to the administration of the scheme. That work is ongoing, with further discussion to happen this week.

Security of funding of the scheme has not yet been confirmed. The Executive agreed to release an additional £2.5 million to advance necessary preparatory work for the scheme. There is a shared view that Westminster has an obligation and must deliver on its responsibility to support funding for the scheme, and efforts are continuing to resolve that issue as swiftly as possible.

The First Minister and I have made it clear that we are committed to addressing all of the outstanding issues. The Westminster regulations came into force on 29 May. Further time, however, is required to deal with each of the outstanding issues and establish the necessary arrangements for the operation of the scheme.

I know that this is deeply disappointing for many victims and survivors who need the support. We share that disappointment and will work to do all that we can to get the scheme delivered as soon as possible.

**Mr Buckley:** I welcome the additional allocation of £2.5 million from the Executive Office for the

victims' pension scheme. Despite that, many innocent victims and their families remain deeply concerned by the Finance Minister's comments on 30 June, in which he suggested that if, for some reason, it remained unspent, the money would be surrendered back in the monitoring round. Will the deputy First Minister assure those innocent victims and, indeed, the wider public, who are, rightly, cynical about her intentions at this time, that she will neither impede nor frustrate the roll-out of the victims' pension payment? Can she also provide an indication of timescale?

**Mrs O'Neill:** I can assure the Member and all the victims who have been anxiously waiting for the scheme for far too long that everything that can be done to have an appropriate scheme in place is being done. We are working our way through the detail. I am sure that the Member can accept the fact that there is a lot of ambiguity around the detail. We do not have confirmation of funding from Westminster, and that is extremely important because the scale of what is proposed is so significant that due diligence has to be done in terms of the Executive Office and its role. There is a lot of ambiguity around the detail of what has been proposed. As I said, we are working our way through the detail of all of that, but, for the record, let me be very clear: I want to see a victims' pension scheme being paid and in place for all those injured as a result of the conflict.

**Ms P Bradley:** In her original answer, the deputy First Minister stated that there were issues yet to be resolved, one of which was the designation. Given that the Justice Minister has said that she would step in to oversee it, why have we not yet seen a Department designated to roll the scheme out?

**Mrs O'Neill:** You are right: the Justice Minister wrote to the First Minister and me, advising that, should the Executive Office decide, her Department would be willing to administer the scheme and she would take the work forward. Whilst the designated Department has yet to be agreed, DOJ compensation services has agreed to assist TEO at official level with key tasks including key process requirements; potential staffing structures; data management, including the development of a data protection impact assessment and privacy notice; and a review of the draft application form. There is still an awful lot of work to be done in developing a scheme that looks after all those who need a payment.

**Mr Deputy Speaker (Mr Beggs):** Órlaithí Flynn is not in her place. I call Jemma Dolan.

## Hart Inquiry

2. **Ms Dolan** asked the First Minister and deputy First Minister what assurances they can give that the recommendations of the Hart inquiry will be implemented fully. (AQO 521/17-22)

**Mrs O'Neill:** I can assure the Assembly that the Hart recommendations will be implemented fully. The Historical Institutional Abuse (HIA) Redress Board has been established and opened to applications on 31 March. That is ahead of schedule. It has made awards of compensation, and I commend the dedicated work of the board and the staff, led by Mr Justice Colton, during the COVID-19 restrictions.

The competition to appoint the statutory Commissioner for Survivors of Institutional Childhood Abuse recently launched. The closing date was 3 July, and it is anticipated that the commissioner will be appointed in late summer. Work is progressing on the Hart recommendations not requiring legislation. They include an apology, a memorial, provision of services and engagement with the responsible institutions on contributions to the redress scheme.

**Ms Dolan:** Can the deputy First Minister provide an update on the quantum of applications to date to the redress scheme for victims and survivors of historical abuse?

**Mrs O'Neill:** Yes. The board opened for applications on 31 March. Some seven weeks later, the first compensation payments were made within the timescale that was set out by the president. That was a significant milestone for victims and survivors, who are now starting to receive the compensation that they are long overdue. As of 21 June, 199 applications had been received, 70 Hart applications and 129 non-Hart applications. Of those, 149 were online applications. We are grateful to the president of the HIA Redress Board for the continuing prompt assessment and payment of applications and to the solicitors and groups who support applicants. It is encouraging that, even at this difficult time with all the COVID-19 restrictions, applications are still being completed, submitted and assessed.

## Urban Villages: North Belfast

3. **Mr Humphrey** asked the First Minister and deputy First Minister for an update on the Urban Villages initiative in North Belfast. (AQO 522/17-22)

**Mrs O'Neill:** With your permission, a LeasCheann Comhairle, I will ask junior Minister Kearney to answer the question.

**Mr Kearney (Junior Minister, The Executive Office):** Since the launch of the strategic framework document in 2016 and with extensive community consultation, work has progressed to help create stronger communities and relationships, promote greater health and well-being and create safe, shared spaces and facilities. There is a very strong and vibrant integrated local reference group with broad community representation from across Ardoyne and Ballysillan. There are 11 community-led revenue projects in the north Belfast Urban Villages area. They demonstrate high degrees of cross-community partnership and good relations activities, with particular focus on important local themes, including mental health and well-being, pathways to employment, building local advocacy and capacity and nurturing youth aspiration and leadership. In addition, 13 primary schools and three post-primary schools in north Belfast have achieved School of Sanctuary status in recognition of their work in providing safe, welcoming and inclusive places for children and, in particular, newcomer pupils and their families.

There are also 19 capital projects. Eight of those projects have been completed, and a further three have moved to construction. Those are the Sacred Heart parochial hall and the GRACE Family Centre, while contractors are due to go on-site shortly to begin the public realm improvement scheme at the Crumlin Road and Ligoniel Road junction. The community response intervention work of local groups in Ardoyne and Ballysillan is very well regarded for its cross-community cooperation and partnership working.

**Mr Humphrey:** I commend Linsey Farrell and her Urban Villages team for the work that they are doing. I hope that that work will continue.

Given the deputy First Minister's reckless and arrogant behaviour in the last week, when she ignored her own advice and medical and scientific advice, broke COVID regulations and caused great hurt to bereaved families, should the Minister do what any self-respecting person and a Minister in any other jurisdiction would do: consider her position and resign?

**Mr Deputy Speaker (Mr Beggs):** The supplementary question should be connected to the original question. I will pass that to the Minister if she wishes to respond.

### **New Decade, New Approach: Update**

4. **Mr K Buchanan** asked the First Minister and deputy First Minister for an update on the implementation of New Decade, New Approach. (AQO 523/17-22)

**Mrs O'Neill:** The 'New Decade, New Approach' document contains a wide range of proposals that, taken together, constitute an ambitious and challenging package of measures to be taken forward. There are over 200 proposals, and they include major transformation programmes in education, health and social care, as well as significant infrastructure projects and cross-cutting recommendations, for example, in relation to housing provision, climate change and childcare. Whilst the management of the response to the COVID-19 pandemic has been the Executive's number-one priority over recent months, some of the NDNA proposals are already being progressed at a departmental level, such as the implementation of the redress scheme for victims and survivors of historical institutional abuse and work to legislate in respect of rights, language and identity matters, which are being advanced through our Department.

Looking forward, the Executive will soon have the opportunity to consider the totality of the NDNA proposals as they move to bring forward a new Programme for Government, which now also needs to incorporate robust COVID-19 recovery measures for key sectors in the context of the available resources for the new financial year.

**Mr K Buchanan:** I would like the Minister to give an update to the House on additional police numbers, which was talked about in that document, and where we are. With the lack of visibility of police on the streets, as we have seen recently, an update on that may be interesting.

**Mrs O'Neill:** I could not give the Member an update on police numbers. Obviously, all of the NDNA commitments, I think, have probably in some way been stalled because of the response to COVID-19 and the efforts there. However, with regard to the recruitment of additional police numbers, we can refer that to the relevant authority — if it is the policing authority or whoever — to make sure that you get that information.

## Commission on Flags, Identity, Culture and Tradition

5. **Ms Bailey** asked the First Minister and deputy First Minister for an update on the work of the Commission on Flags, Identity, Culture and Tradition. (AQO 524/17-22)

**Mr Kearney:** The work of the Commission on Flags, Identity, Culture and Tradition is being concluded. We anticipate that a final report will be submitted later this month, and we look forward to receiving that report and considering all of its findings and recommendations at that time.

**Ms Bailey:** The commission was established in an attempt to move forward on issues that could not garner political support, at the Executive level at least. Will the Minister provide assurances that, when the costly and long-overdue report is finally received, the political will to implement its recommendations exists?

**Mrs O'Neill:** I am a bit confused, because the last question asked me a supplementary. Is it for the junior Minister to answer that question?

**Mr Deputy Speaker (Mr Beggs):** It is for the junior Minister to answer.

**Mrs O'Neill:** OK, go ahead.

**Mr Kearney:** The Member is correct. That work was commissioned in 2016, and then, in December 2018, the commission decided to scale back its meetings, while awaiting a changed political context. We now have an indication from the commission that it is bringing forward all of its recommendations. The expectation is that that will be with the Executive Office before the end of this month, and it will be brought to the attention of the First and deputy First Ministers for consideration at that time.

You will be aware that there was extensive community engagement in relation to this work. Twelve public meetings were held across the region. It is believed that there were up to 1,000 people involved in sharing their views on all the issues. They are contentious issues and are very challenging. It is important that, when this work is brought forward, it is taken in context with the likely cross-cutting issues that will arise for other Departments, but, importantly, given the extensive remit of the commission, it is likely that the actions that flow from it will also dovetail with the Office of Identity and Cultural

Expression. Therefore, I hope that it will act as a platform to inform that piece of work, going forward. I hope that information is useful to the Member.

2.15 pm

## Protocol on Ireland/Northern Ireland: Update

7. **Ms C Kelly** asked the First Minister and deputy First Minister for an update on the negotiations on the Protocol on Ireland/Northern Ireland. (AQO 526/17-22)

**Mrs O'Neill:** The majority of the requirements for the implementation of the protocol are reserved matters. However, the agri-food requirements fall within the Executive's devolved competence, and the Department of Agriculture, Environment and Rural Affairs (DAERA) is working intensively to ensure that those obligations are met.

We remain committed to doing all that we can in relation to the protocol to secure the best possible outcome for our citizens and businesses and the least possible disruption to our economy and trade, North/South and east-west.

**Ms C Kelly:** In light of the Minister's answer, how strong is the possibility of a no-deal Brexit?

**Mrs O'Neill:** The Member is right to raise concerns about the possibility of a no-deal Brexit, which would, as we all know, represent a dramatic change of circumstances across these islands. The Good Friday Agreement must be upheld, and there cannot be a hard border on the island of Ireland. The Executive, for their part, considered operational readiness at their meeting on 15 June and agreed that a programme of readiness planning should be coordinated across all Departments. That will include planning for no agreement or a limited outcome from the future relationship negotiations with the EU. It will take into account the fact that the protocol will be implemented regardless of the outcome of the negotiations.

## Commissioner for Survivors of Institutional Childhood Abuse

8. **Mr T Buchanan** asked the First Minister and deputy First Minister for an update on the appointment of a Commissioner for Survivors of Institutional Childhood Abuse. (AQO 527/17-22)

**Mrs O'Neill:** The public appointment competition for the Commissioner for Survivors of Institutional Childhood Abuse was launched on Tuesday 9 June. The competition was publicised widely, with advertisements in local and national press as well as communication through various social media platforms. Victims and survivors' groups were also notified of the launch. The closing date for applications was noon on Friday 3 July, and it is anticipated that the commissioner will be appointed in late summer. The competition will be conducted in line with the principles and practices of the Commissioner for Public Appointments' code. Hopefully, that answers the question.

**Mr T Buchanan:** At this stage, can the Minister give any details of the powers that the commissioner will have? Will the commissioner have a legal background or any legal qualifications?

**Mrs O'Neill:** The powers have all been worked out and will be part of the job description and everything that has been set out in relation to the public appointments process. I am glad for the victims and survivors community that a permanent person will be in place, because that is important in moving us to the next stage. There are outstanding issues that the victims want to see addressed. I want to see that happen, so we need to move on from an interim advocate to a permanent advocate. I am happy to provide the Member with written details of the powers, remit and responsibilities of the advocate.

## Legacy Issues

9. **Mr McGrath** asked the First Minister and deputy First Minister what representations they have made to the Secretary of State on legacy issues following his statement of 18 March on addressing Northern Ireland legacy issues. (AQO 528/17-22)

**Mrs O'Neill:** 'New Decade, New Approach' contains significant and comprehensive commitments to legacy issues. The First Minister and I have not made any joint representations on legacy issues in our role as First Minister and deputy First Minister to the Secretary of State since he made his statement on 18 March. However, we intend to meet him this Thursday, and that is one of the issues that will be on the agenda.

**Mr McGrath:** The approach outlined by the Secretary of State is an appalling attempt to shut down justice for victims and survivors. Does the deputy First Minister agree that cases

must remain open so that advances in policing technology that could open new investigative and evidential opportunities can be explored to deliver justice for families?

**Mrs O'Neill:** It is so important that we deal with the past in a way in which we can command the support of the majority, and I think that the Stormont House Agreement was a way for us to do that. I certainly have a personal, political view of the Secretary of State's statement on 18 March, and I know that your party shares that view. In my opinion, the approach taken is an act of bad faith, and we need to deal with legacy issues in a way that is inclusive, respectful of what everybody wants and finds a way forward, because we do not want to burden the children of today with legacy issues.

## Minority Ethnic Communities: Good Relations Funding

10. **Dr Archibald** asked the First Minister and deputy First Minister for an update on the level and scope of departmental funding to promote good relations and support the needs of local minority ethnic communities. (AQO 529/17-22)

**Mrs O'Neill:** With your permission, a LeasCheann Comhairle, I will ask junior Minister Kearney to answer the question.

**Mr Kearney:** Funding from the minority ethnic development fund (MEDF), the crisis fund, good relations interventions and Urban Villages has been used to promote good relations and to address both the long-term and emerging needs of our local minority ethnic communities. Since its establishment in 2002, the MEDF has enabled hundreds of projects and groups to support minority ethnic people. It is worth around £1.2 million per annum. This year, to prevent any disruption to services during COVID-19, we extended that funding to current core-funded MEDF recipients for a further 12 months commencing on 1 April 2020. That was designed to give stability to the sector, and it has enabled organisations to continue to support minority ethnic people at a time when they need it most. We are ensuring that the crisis fund, currently totalling £100,000, continues to operate, particularly to help the most marginalised, including our refugees and our asylum seeker population.

There is a wide range of good relations funding that, depending on eligibility, may be accessed by minority ethnic groups and projects. They include the central good relations fund, which is worth £2.75 million; the district council good relations programme, worth £3 million; and the

Peace IV programme, for which the Executive Office is the accountable Department. The building positive relations actions have been allocated approximately €64 million. Through those programmes, we are able to help many groups and projects achieve their goals to the benefit of our flourishing minority ethnic community and to enrich our broader shared society.

**Dr Archibald:** They are really important projects and work streams. Over the past number of weeks, we have seen very public demonstrations against racism in the Black Lives Matter protests, but we also really need to see systemic and structural change to tackle division and discrimination. Can the Minister confirm that the Executive remain fully committed to tackling the scourges of sectarianism and racism in all their manifestations?

**Mr Kearney:** Yes, but the starting point is to reference our Together: Building a United Community strategy. For the Member's information, that outlines a vision of a united community that is based on equality of opportunity, the desirability of good relations and reconciliation but where everyone can live, learn, work and socialise together free from prejudice, hate and intolerance. I am sure that all Members in the Chamber this afternoon will agree that that is not the lived experience of so many in our society, where there is still far too much direct and indirect discrimination that citizens experience on the basis of their religious beliefs, their sexual orientation, their ethnicity or their colour. In this day and age, that is a reality that we need to try to eradicate.

Tackling and confronting the scourge of sectarianism and racism in our society in all its manifestations is a challenge facing us all. It will require a cross-cutting, collective, societal approach, so, in so many ways, it requires a whole-of-government and whole-of-society strategic response. That, in turn, underlines the importance of the NDNA commitment that will, in a very explicit way, see racism and sectarianism addressed in a legal expression, setting those issues into legislation as hate crime. It also provides us with the option of all our representatives committing to an anti-sectarian pledge. That is a very important, practical, political, concrete, symbolic position for us to take.

We need bold representation and leadership from everyone in civic and political life; it is not simply a matter for the Executive and for the Chamber to show that. We need to see strong positions taken against racism, sectarianism

and all forms of intolerance, regardless of the source. That needs to be reflected in school life, wider community life, the workplace and, of course, from political leaders. I am confident that I and colleagues in the Executive and in our power-sharing Government are absolutely committed to providing that type of leadership.

## Tattoo Parlours: Reopening Guidance

12. **Mr Hilditch** asked the First Minister and deputy First Minister to outline the proposed guidance tattoo parlours must follow when reopening. (AQO 531/17-22)

**Mrs O'Neill:** At its meeting on 25 June, the Executive announced a range of indicative relaxations that included the resumption of further close-contact services, such as tattoo parlours, from 6 July. I am pleased that that decision was ratified by the Executive on 2 July, and tattoo parlours are now permitted to open with effect from yesterday.

A range of guidance is available to help businesses to prepare for a return to operation, including guidance on making workplaces safer that has been prepared by the engagement forum: 'COVID-19: Working Through This Together'. In addition, the British Government have produced workplace guidance for close-contact services, and advice and guidance is available from trade and professional bodies.

**Mr Hilditch:** Over the past four months, the work of the Executive has been crucial, particularly the guidelines and legislation, which have been very helpful. However, the deputy First Minister and her party colleagues have driven a coach and horses through those guidelines and laws by their actions last Tuesday. Will the deputy First Minister do the right thing, give the public the apology that they are owed and stand aside or resign until a full investigation is conducted?

**Mrs O'Neill:** My position on that issue is clear and on the record. I spoke in the House yesterday; I will speak again later today. I have spoken in front of the Committee for the Executive Office. I have spoken to the media. I have spoken at the party leaders' forum. My position is well rehearsed. I am glad that we are in the position that we are in today with regard to lifting the restrictions. I am glad that we have been able to make continual rolling easements. I hope that we can continue to do that into the future. I will continue to lead us through that.

**Mr Deputy Speaker (Mr Beggs):** Members, as we are ahead of schedule, I propose to open up supplementary questions on the remaining three questions.

## Racial Equality Strategy 2015-2025

13. **Mr McNulty** asked the First Minister and deputy First Minister to outline their plans to review the racial equality strategy 2015-2025. (AQO 532/17-22)

**Mrs O'Neill:** The racial equality strategy provides a 10-year framework for action by Departments and others over the period 2015 to 2025. We continue to implement the key actions in the strategy, working closely with the racial equality champions in Departments and the racial equality subgroup, which officials meet regularly. At present, we have no plans for a formal review, but we will continue to monitor progress and emerging issues to inform successful implementation of the strategy.

**Mr McNulty:** Notwithstanding previous answers about the T:BUC strategy and 'New Decade, New Approach', which, surely, should be underpinned by a racial equality strategy, does the deputy First Minister appreciate that the failure to progress the review of the racial equality strategy does little to dispel the notion that equality is not a priority for the Executive Office and that, particularly given the over-zealous approach by police to the Black Lives Matter protest and the inconsistency of that with their approach to other recent mass gatherings, institutional racism exists here?

**Mrs O'Neill:** We all have a job to do to make sure that we stamp out racism in society. We all have a job to do everything that we can. That is the responsibility of us all as political representatives. The fact is that the racial equality strategy covers the period from 2015 to 2025, and, as is acknowledged in the strategy, we are under no illusion about the size of the challenge that is in front of us in tackling racial inequalities. That will require time, effort and resource.

The racial equality subgroup has been appointed, along with the racial equality champions in each Department. Obviously, that is good. We continue to work closely with them to implement the key actions in the strategy. In addition, a review of the Race Relations Order 1997 and relevant aspects of other legislation is under way. A review of the delivery model of the minority ethnic development fund is nearing completion. Work is ongoing again with the Department of Education to identify ways in

which we can tackle racist bullying in schools. In the coming months, we plan to consult on a draft refugee integration strategy. We are also considering proposals for ethnic monitoring to help to identify potential inequalities and any underlying causes.

I am happy to take on board any concerns that the Member has. I am happy to receive them at any time with regard to how we can improve things and do all that we can collectively to stamp out racial inequality.

**Mr Nesbitt:** Before the Assembly collapsed in 2017, the Executive were making great strides on a scheme for Syrian refugees. I believe that, proportionately, we were taking more than our fair share on a UK-wide basis. I would be grateful if the Minister could update us on what has happened to that scheme since 2017.

### 2.30 pm

**Mrs O'Neill:** I thank the Member for his question. He is right. In October 2015, we committed to welcoming, by December of that year, between 50 and 100 refugees under the Syrian vulnerable persons resettlement scheme, with the expectation that further groups would arrive on a phased basis. The twenty-fifth group of refugees arrived on 6 February, this year. That brings the total number to 1,815. A further group of 93 individuals was due to arrive on 16 April, but, obviously, that was postponed because of the current situation. The scheme was due to come to an end following the arrival of the twenty-sixth group and has been consolidated into a new global resettlement scheme that was announced by the British Home Secretary on 17 June, last year. It was also agreed that we would continue to participate in the new scheme for the next year, even though the current crisis places constraints on it, but it is important that we continue to do what we can. Our officials continue to liaise with the Home Office and the strategic migration partnership on the implications of the current crisis, and we will consider the potential for continued participation in due course. I am happy to keep the Member updated on all of that.

**Mr Allister:** How can the Minister talk about equality, racial or otherwise, when, just this day last week, she was demonstrating that she and her friends think that they are more equal than others and that they have the capacity and the right to break the laws that they themselves make? Would it not be a good start to equality to subject yourself equally under the law?

**Mrs O'Neill:** I breathe equality, every day. I believe in equality. I practise equality. I bring it into every aspect of my work, every day. Thank you.

## COVID-19: Executive Response

14. **Mr G Kelly** asked the First Minister and deputy First Minister for an update on the Executive's response to COVID-19. (AQO 533/17-22)

**Mrs O'Neill:** Since early March, the management of the response to the COVID-19 pandemic has been the Executive's number-one priority. Our objective has been to help keep people safe and to support those who have faced real hardship as a result of the pandemic. The extraordinary measures that we have had to put in place have worked well and, whilst we must not be complacent, we are now at a key point where attention can begin to shift from purely controlling the public health response towards planning for recovery.

Over recent weeks, it has been possible to ease many restrictions and, with the publication of an indicative timeline for further easements, people and businesses can begin to plan ahead. The Executive have started the process of developing a recovery framework that will have a particular focus on achieving effective health, economic and societal recovery. We expect to announce more details about that shortly.

**Mr G Kelly:** I presume that we are in a good place — we are going into the recovery phase — but has the possibility of a second wave been factored into the Executive's plans?

**Mrs O'Neill:** The risk from COVID-19 remains and none of us wants to see a second wave of this deadly virus or to be in a position in which restrictions have to be reinstated, as has been the case in Leicester, Galicia and Catalonia. We will be monitoring the impact of the relaxations closely, and we will be prepared to reintroduce restrictions if that is considered necessary to control the virus. A key tool in preventing a second wave is the test, trace and protect strategy. That will play a key role in containing transmission as more relaxations are introduced. If anyone is contacted by that service, they must act on the information provided and self-isolate or get tested as appropriate.

From 18 March, TEO established a COVID-19 operations room, or hub, to provide information and analysis, and to raise issues relating to

public health services across the North. The hub coordinates activities across Departments and reports to the Executive. It is important that the hub remains in readiness to deal with any potential further waves and any concurrent civil contingency emergencies that may arise. The COVID-19 hub has been scaled down since 15 June. A small number of volunteers have been retained to operate in a maintain-readiness mode.

Work will continue in the coming weeks to ensure preparedness for any future necessary stand-up, with full stand-up test runs provisionally scheduled for the autumn. The Chief Medical Officer has also commissioned a rapid review of the first phase of the COVID-19 pandemic to provide a clear understanding of the effectiveness of the initial and ongoing response, and to capture the lessons learned to improve our response to any future resurgence of the virus.

**Mr T Buchanan:** I have listened to you, deputy First Minister. How do you expect the public to have any confidence in the Executive's response to COVID-19 in the future, following the developments of last Tuesday when you and a number of your MLAs blatantly broke the legislation that you were involved in making? Is it time to do the honourable thing: apologise to the people for the wrongdoing and step aside until a full investigation is carried out?

**Mrs O'Neill:** I assure the Member that I take my responsibilities very seriously. I will continue to lead us into the recovery phase of the pandemic. We need to make sure that we are preparing for whatever comes at us and doing all that we can to make our recovery good for all our people.

**Mr Muir:** After the initial response to the COVID-19 pandemic, there is a risk of a resurgence and spikes in different parts of Northern Ireland. What preparations are being made to assist businesses in areas where localised lockdowns might be needed to ensure that they can continue throughout that period?

**Mrs O'Neill:** That is something that we have been looking at, considering and planning for, whether it is a second wave or a cluster effect, which we have witnessed in many areas across the world. Even today in County Down, there is a report of a cluster. The crucial element to us being able to deal with that is our having the test, trace and isolate policy in place. That is crucial to being able to quickly identify things. One of the things that the Chief Scientific Adviser said to us was that, as we lift all the

restrictions and free-up people to move around a lot more, the ability to be able to detect cases very quickly will be a tool to combat them as quickly as they happen.

The Member is right: when it came to lockdown in the first instance, supports were put in place to help businesses. We have to consider, as an Executive, how we can support businesses if they are in an area where there is a cluster and where closures need to be put in place. That is something that we need to continue to consider, and it will be part of our planning for what could come next.

**Mr Deputy Speaker (Mr Beggs):** I remind Members to continue rising in their place to indicate that they still wish to ask a supplementary question.

**Dr Aiken:** The deputy First Minister reads fairly widely and has taken a lot of advice and guidance, particularly on COVID. She has looked quite closely at the World Health Organization, which recently revised its guidance on gatherings and crowds. Would she care to reflect on that and give us some answers on what she did last week?

**Mrs O'Neill:** I do not see how that is relevant to the question that I have been asked, but I am happy to say that we have to do all that we can to lead ourselves through this period of recovery. We have lifted so many restrictions each day over the last number of weeks, and we have done so at breakneck speed, as I keep saying to people. We need to get normality back for people and give them freedom; we said that we would not keep any restriction in place for one day longer than necessary. I am very sure in my responsibilities and in what I need to do, and I am very sure that I will continue to lead us through this crisis.

## COVID-19: Economic Recovery

15. **Mr Sheehan** asked the First Minister and deputy First Minister for an update on the Executive's plans for economic recovery following the COVID-19 crisis. (AQO 534/17-22)

**Mrs O'Neill:** We have reached an important point in the COVID-19 pandemic, where we are beginning to look beyond the response phase towards the actions that will be needed to effect a robust and sustainable recovery, rebuild public services and restore more normal ways of living.

Our approach will be to build on sectoral plans, such as the economic recovery strategy, which

was published recently by the Economy Minister, and to bring forward an inclusive Programme for Government, which is based on collaboration and joined-up thinking to deliver good outcomes in the things that matter most to people.

We will continue to develop strong cross-sectoral working partnerships, such as that provided through the engagement forum, which is chaired by the LRA, and maintain a dialogue with stakeholders as a basis for strengthening and enhancing societal well-being, with our immediate priorities being to get our economy working again, strengthen our health and social care services and mitigate the immediate societal impacts of the crisis.

**Mr Sheehan:** Does the Minister agree that, as a society and an economy, we cannot go back to what was there before COVID-19? We must have a society that is just, equal, people-centred and inclusive.

**Mrs O'Neill:** It is clear that the COVID-19 pandemic will have lasting and profound impacts on society and the economy. An immediate priority for the Executive will be to help our local businesses get through the crisis and get the economy working again. However, that does not simply mean returning to the way that things were. The crisis has allowed us to view things in a different light, and it has shown us new ways of working and given us opportunities to explore different technologies and experiment with alternative working patterns. There is no doubt that the world that emerges out of the pandemic will be significantly different to what has gone before. We need to be ready to grasp emerging good practice and be able to learn quickly from others so that we can make this a good place to live, to work and to do business. We need to achieve economic growth in a balanced and sustainable way that puts social justice, workers' rights and equality at its centre. We need to be prepared to look forward rather than back when it comes to societal recovery. We must, however, acknowledge and help with the trauma that people have suffered, particularly those who have lost loved ones. Those are issues that will need to be explored with key stakeholders across all sectors as we start to plan for the recovery and as we bring forward our new Programme for Government.

**Mr O'Toole:** One of the most vital aspects of the economic recovery from COVID-19 will be dealing with the effects of Brexit later this year. The deputy First Minister said earlier that the Executive Office is doing all that it can to

protect Northern Ireland from the effects of Brexit. With respect, there is culture of silence from the Executive Office. Since the Assembly reformed, we have had no formal updates from the Executive Office on the delivery of the protocol or on the broader issues relating to Brexit. It is not enough, deputy First Minister —

**Mr Deputy Speaker (Mr Beggs):** May we have a question, please?

**Mr O'Toole:** — to defer to the ideologues in Whitehall. Can we have before recess a specific update on legislation that the Assembly will have to pass before the end of the year and also a plan for engaging with local businesses on what they need to do to deal with the effects of Brexit? First Ministers, we need that urgently.

**Mrs O'Neill:** I absolutely agree that Brexit is one of the biggest challenges that we face. As we rebuild the economy, what our businesses and our people are craving is certainty, and we need to get that certainty. As we move towards the end of the year, I would be very fearful if we were still in a space where we could have a crash-out Brexit, which would be catastrophic.

We have the protocol. That protocol must be implemented. It was hard-fought. The Executive continue to discuss all those things. As I said, the implementation of the protocol is the role and responsibility of the British Government, but the agri-food role falls to DAERA here, so a lot more work needs to be done to give our local ports, for example, the required clarity. We need to continue to engage with the sector to make sure that we answer questions, of which people have many, and that we give that clarity. We will continue to engage with the Assembly on all of that and, indeed, with our own TEO Committee.

The Executive themselves have now had a number of dedicated sessions on Brexit, because, over the past number of months, a lot of the focus was on COVID-19. We have been very conscious for some time now, however, that we had to get back to dealing head-on with the issue of Brexit.

**Ms Bradshaw:** I am just wondering what role our universities will play in the economic recovery and whether the Executive will support the lifting of the cap on student numbers.

**Mrs O'Neill:** I will say first that, just as it did to fight COVID-19, it is going to take all our effort to recover. That means working with all our stakeholders. If I could point to one of the positives in how we have dealt with the COVID-

19 crisis, I would point to the work that has been done with business organisations, with the trade union movement and right across the piece. That work has been crucial. I want us to continue with that partnership approach. A collaborative approach with society is one of the things that was written into the NDNA deal. If we are going to build, that means working with the universities, the further education colleges and all the other stakeholders, because we have a huge battle on our hands in the time ahead to build our economy, to make sure that there are employment prospects and to make sure that we tackle all the issues that need to be tackled.

**Mr Deputy Speaker (Mr Beggs):** That was the last of the questions —

**Mr K Buchanan:** On a point of order Mr Deputy Speaker.

**Mr Deputy Speaker (Mr Beggs):** — to the Executive Office. I ask Members to take their ease for a few moments. We will return at a quarter to three with questions to the Minister of Health.

Points of order are not normally taken during Question Time, so if someone has a point of order to raise, we will wait until after Question Time to take it. Members, take your ease for a few moments.

2.45 pm

## Health

**Mr Deputy Speaker (Mr Beggs):** Order, Members. Question Time has resumed. It is now time for questions to the Minister of Health.

### COVID-19: Test, Trace and Isolate Policy

1. **Ms Anderson** asked the Minister of Health what action he has taken to ensure that a robust policy of test, trace and isolate can be implemented fully in the event of a second wave of COVID-19. (AQO 535/17-22)

**Mr Swann (The Minister of Health):** My Department continues to take forward our test, trace and protect strategy, which was published on 27 May. It adopts a robust public health approach to minimise COVID-19 transmission in the community in Northern Ireland. It contains four key elements to test, trace and protect, which are: early identification and isolation of

possible cases, clusters and outbreaks; rapid testing of possible cases; tracing of close contacts of cases; and the early effective and supported isolation of close contacts to prevent onward transmission of infection.

Test, trace and protect is being led by the Public Health Agency (PHA) in conjunction with other key partners in Northern Ireland. The health protection team at the Public Health Agency has specialist skills and experience of communicable disease control. The development and implementation of our contact tracing service has been a priority for me over recent months. Test, trace and protect has a vital role to play in helping us move forward into recovery. This, along with other key public health measures, such as the maintenance of physical distancing and ensuring good hand and respiratory hygiene, will help us to reduce community transmission of COVID-19.

For test, trace and protect to work, each citizen of Northern Ireland has a very important role to play. We must all prepare for the possibility of having to self-isolate and be tested to protect ourselves, our families and our communities. I recognise that, in some cases, there may be financial disincentives to self-isolation, and further work is required to address those barriers. The approach that I have outlined is likely to become part of everyday life for the foreseeable future for the people of Northern Ireland until an effective vaccine is developed and a vaccination programme for COVID-19 has been delivered.

**Ms Anderson:** I thank the Minister for his answer. Minister, given the mass resignation of the RQIA board, because care home inspections were arbitrarily reduced by you or your Department, do you accept that that feeds into a genuine concern that care homes were abandoned and the most vulnerable and elderly were left exposed to this deadly virus? If the tracking and tracing system had been in place, might we be in a different place than we, unfortunately, are today?

**Mr Swann:** I thank the Member for her follow-up question. There are two points there about the support that we gave to care homes. We have been proactive in the approach that we have taken to our care homes, and that has been reciprocated and acknowledged by care home providers across the piece. Given what we know now, are there things that we would do differently, looking in hindsight at how the support was implemented and the speed at which it was implemented? With what we know now about the virus and how it interacts, I think that we would do things very differently.

On test, trace and track, it is not a system that is highly advantageous in the care home sector because care homes are closed isolated units. There is a piece of work to do about how to support care home staff if there is an outbreak, or a continuation of infection, coming from a care home into a staff member's home, or if staff are working across care homes, which is what we identified in the past. It is about learning from what we know now, compared with what we knew three or four months ago when we were working without a guide or a rule book on how to combat COVID-19 in the general population, but specifically in care homes.

## Antenatal Scans

2. **Mr Hilditch** asked the Minister of Health when restrictions will be eased to allow partners to attend antenatal scans. (AQO 536/17-22)

**Mr Swann:** I thank the Member for the question. On 30 June 2020, my Department published updated guidance, which applies from 6 July in all health and social care settings for the duration of the COVID-19 response. The revised guidance sets out the current position for pregnant women: so long as the surge level in the Northern Ireland Executive's five-step approach permits, when aligned with the pandemic surge levels and the R value, and based on the best scientific advice available at a given time, birth partners will be facilitated to accompany pregnant women to dating scans, early pregnancy clinics, anomaly scans, the foetal medicine department and for the induction of labour and the duration of labour and birth. They will also be permitted to visit antenatal and postnatal wards as appropriate. The full guidance is available on my Department's website at [health-ni.gov.uk/covid-visiting-guidance](https://health-ni.gov.uk/covid-visiting-guidance).

**Mr Hilditch:** I thank the Minister for his answer and for all the work that he done to date in the situation in which we find ourselves.

Constituents of mine were seeking clarification about the 34-week scan. They thought that it was not included in the new guidelines. The Minister might want to take that point away and find out the answer.

**Mr Swann:** I am prepared to look at that. Under definitions and scope, the guidance outlines the situations in which a woman can be accompanied by her partner or nominated other. The revised guidance is applicable to women for 12-week dating scans, early pregnancy clinics, anomaly scans, attendance

at the foetal medicine department and the duration of labour and birth. Under the key principles, it is stated that there may be occasions in individual trusts when visiting, for specific reasons, may be limited further than is outlined in the guidance. That will most likely be to reduce the number of people in any one area to comply with social-distancing rules. In that scenario, clear explanations will be given to women and their partners or nominated others.

I will take the question about the 34-week scan away and look at that for the Member.

## Influenza Immunisation Programme

3. **Mr Harvey** asked the Minister of Health whether eligibility for the forthcoming influenza immunisation programme will be impacted by COVID-19 restrictions. (AQO 537/17-22)

**Mr Swann:** I thank the Member for his question. Eligibility for the flu vaccine programme will not be adversely impacted by any of the COVID-19 restrictions. Indeed, I am extending eligibility this year to include all children in year 8 of secondary school. However, delivery of the programme may need to be adapted to accommodate any restrictions that apply at the time. Discussions are ongoing between my Department, the Public Health Agency, trusts, general practice, the Department of Education and the Education Authority to ensure that the programme is fully delivered while abiding by COVID-19 restrictions.

This year, the flu vaccination programme will be more important than ever in order to try to reduce the risk of the concurrent circulation of influenza and COVID-19. Early evidence suggests that co-infection is associated with increased mortality of over twofold compared with those with COVID-19 alone. It is important that we do all that we can to help to reduce flu-related pressures on the health service, and I encourage all who are eligible to receive the flu vaccine to take up the offer of vaccination when invited to do so.

**Mr Harvey:** Are sufficient vaccinations available for 2020-21 and will the programme start on time?

**Mr Swann:** I thank the Member for his supplementary question. I assure him that sufficient vaccine has been ordered to ensure that those eligible for vaccination will receive it, based on uptake rates in 2019-2020. However, I expect greater demand for the flu vaccine this year, and I am keen to increase the uptake

rates. To that end, I have approved the purchase of additional vaccine for children, and I am considering purchasing additional vaccine for those aged 65 and over, given that my Department has been informed that additional supplies for that age group may be available. We are trying to establish how much additional vaccine is available and how best it could be used, should we decide to purchase it.

For the 2020-21 flu programme, the Public Health Agency has procured the following vaccine doses: 260,000 doses for use in those aged 65 and over; 265,000 doses for use in the under-65s in any at-risk group; 198,000 doses of the nasal spray vaccine for children; and 10,000 doses of an injectable vaccine for children who cannot, for medical reasons, receive the nasal spray. Therefore, over 800,000 flu vaccines have already been ordered for use this winter in Northern Ireland. Based on previous uptake rates, that should be more than sufficient, but, given the need to try to maximise uptake rates and reduce the impact of flu on the health service, we are considering whether more is still required.

The flu programme is complicated in that different types of vaccine are recommended and licensed for different age groups. Therefore, it is not simply a matter of buying any flu vaccine. Ideally, we want to ensure that we purchase the best vaccine for any particular age group. I encourage anyone who is eligible to take up the flu vaccine to make sure that we can start on schedule and complete it in time for the winter flu season.

4. **Mr Allister** asked the Minister of Health what steps have been taken to review the need for, and operation of, COVID centres. (AQO 538/17-22)

**Mr Swann:** The COVID-19 pandemic created a challenge for primary care that is without parallel in our lifetime. The establishment of primary care COVID-19 centres was an urgent and immediate response to that challenge, ensuring that primary care services could be maintained throughout the first wave of infections by enabling patients with COVID-19 symptoms to be treated separately from those who had conditions requiring assessment or treatment in primary care.

The speed at which centres were established was exceptional and a testament to the commitment, professionalism and skill of all involved. I would like to take this opportunity to pay tribute to colleagues across the service for their work. A regional project board was established to oversee the development and

operation of COVID-19 centres. It is chaired by the Health and Social Care Board and includes representation from the GP federations, the out-of-hours providers, the Royal College of General Practitioners, and the British Medical Association. I make that point to emphasise that the work in this area has been done with GPs and not to GPs, as some would suggest.

The regional project board has continually reviewed the number, location and staffing of COVID-19 centres. Staffing levels for the centres are at 50% of what they were at the peak of the surge. As the number of cases continues to reduce, work is under way to review and, if appropriate, rationalise the service while retaining a capacity for re-escalation if necessary. The project board is also working with colleagues in the PHA to consider whether it is possible to put in place measures that can enable COVID-19 centres to be delivered from GP practices. We need to be very clear, however, that we cannot take risks with people's safety. This would be not be considered a simplistic opportunity to scale back COVID-19 centres in order to save money. They are an innovation designed to save lives, and staffing has been safely reduced in response to demand. Although the current wave of infections appears to be subsiding, health and social care services need to remain vigilant and be prepared to respond rapidly to further surges, should a new wave arise during the winter flu season. We need to be prepared, and closing COVID-19 centres prematurely would significantly undermine that preparedness.

**Mr Allister:** Whatever their use at the peak of the pandemic, and even that, I do not think, was huge, they are characterised at the moment by gross underuse. I have GPs telling me of doing four-hour shifts and seeing no patients, yet they are paid, out of hours, £100 an hour. Moreover, support staff have to be paid as well. Where is the medical and financial sense now in continuing with that?

Would the Minister care to comment on the fact that one GP reported to me that a representative of the BMA said to those GPs that the centres are being kept open purely for political reasons. Is there any truth in that?

**Mr Swann:** There is absolutely no truth in that last statement. I can assure the Member of that. There is no political advantage for me in keeping COVID-19 centres open. However, there is a significant health benefit to the people whom we have been supporting through them. The health service needs to be able to react flexibly should there be another upsurge or

outbreak of COVID-19. Until 17 June, 7,526 people had been seen through the COVID-19 centres.

The Member referred to a number of shifts during which no patients were seen. That is correct, and we are fortunate to be in that position in a number of areas. I can give the Member the details. From 9 April to 17 June, the COVID centre at the South West Acute Hospital recorded nine days when no patients were seen; three days were recorded in Dungannon; five days in Lisburn; nine days at Downe; one day in Newtownards; and three days in Coleraine. As I said in the initial answer to the Member, that is why we are scaling back the service of GPs, their attendance and the contracts that ask them to be in those centres and to be available.

Although COVID-19 is in retreat, we have not yet defeated it. I would be negligent in my duty if I did not make sure that we have the ability to respond should there be another outbreak in certain areas where the COVID-19 centres have proven to be beneficial. The centres have been supported by the BMA, the Royal College of General Practitioners, and the GP federations.

**3.00 pm**

### **Contact Tracing Programme: Update**

5. **Mr Allen** asked the Minister of Health for an update on the contact tracing programme. (AQO 539/17-22)

**Mr Swann:** Contact tracing is the central tenet of the test, trace and protect strategy that I launched on 27 May 2020. It is an established method of identifying and breaking the chains of infection and clusters of communicable disease. While the Public Health Agency and our colleagues in environmental health are well versed in the use of such an approach, there is a clear difference in the operation required to help the management of COVID-19, both in the scale of the pandemic and the fact that it is an unknown disease. Contact tracing works by testing people potentially infected with the disease, speaking to them to advise on isolation, identifying their close contacts, who may be at risk of contracting the disease, and then speaking to those contacts to give guidance on isolation and what to do if symptoms develop. Contact tracing, in itself, will not eradicate COVID-19. It can only work as part of an overall strategy of testing, adherence and support for the advice to isolate, as well as

maintaining measures such as hand hygiene and the appropriate social distancing.

On 27 April, the PHA began a pilot to test its capacity to respond, at scale, to the requirements for contact tracing during the pandemic. That involved tracing the contacts of a sample of cases who had tested positive. On 18 May, the agency began the transition to a programme of tracing contacts of all positive cases, and, on 25 May, that transition was completed. Northern Ireland was the first part of the United Kingdom to have that service operational. My Department is overseeing the scaling of the operation, which is likely to be required for the next two years until a vaccine is available and a mass vaccination programme is in place.

The service operates at a number of levels. There is a manual contact-tracing centre, where skilled clinical contact tracers will call all positive cases and their contacts to advise and guide on next steps. A cohort of public health consultants provide medical advice and clinical leadership to the centre, as well as dealing with complex cases and managing outbreaks or clusters of diseases. Other staff will be recruited to support the analysis of the information and intelligence gathered, in order to advise on the progression and management of the disease, along with administrative and managerial support for the centre. A call centre will provide Northern Ireland-centric advice on various aspects of checking symptoms, booking tests and providing signposts to sources of social and community support. There will be a suite of digital products that will support the progress of citizens who have the means and preference to work that way.

I can update the Member on the period from 25 May to 24 June. There have been 481 cases added to the contact-tracing database, and successful telephone encounters with the cases have resulted in 82% contacts, with 733 contacts identified.

**Mr Deputy Speaker (Mr Beggs):** I am conscious, Minister, that there was a lot of important information there. Answers should take two minutes, and you can request an additional minute, should you require it.

**Mr Allen:** I thank the Minister for his comprehensive answer. Minister, you have outlined that contact tracing is one important resource at the disposal of your Department, alongside others that include the wider Executive guidance and regulations. Recently, we have seen examples of mass gatherings that are perceived to have exceeded the limits

set out. Will the Minister outline whether he is confident that contact tracing will have the resources at its disposal, should an outbreak occur as a result of one of those mass gatherings?

**Mr Swann:** We have 92 contact tracers in place who work over a seven-day week rotation. The more contacts and positive cases we have, the more pressure they come under. On average, each contact tracer can trace five contacts in a day. Any mass gathering that breaches the guidance or the regulations where we have the potential for a mass outbreak puts that contact tracing system under pressure. I ask everyone to follow the advice, guidance and regulations that are clearly laid out and supported by the Executive to prevent any further contact or spread of COVID-19 that could put our contact-tracing system under further pressure.

## COVID-19: Second Wave

6. **Mr K Buchanan** asked the Minister of Health what plans he has in place to address a second wave of COVID-19. (AQO 540/17-22)

**Mr Swann:** While the timing and scale are clearly unpredictable, it is expected that there will be a second wave of COVID-19 later in the year. That will depend on a range of factors, including the Executive's future approach to minimising the spread of the virus and the public's adherence to those measures. While plans for the initial surge were carried out at a time when limited data was available, much learning has been drawn from the first wave, and work by my Department has made it possible to track and monitor the trajectory of the pandemic much more effectively. I will monitor closely the reproductive rate of infection and other key metrics and will provide regular advice to the Executive to ensure that we introduce the right measures at the right time. I have asked my officials to develop comprehensive surge plans for critical care, hospital beds and care homes for future waves of COVID-19.

With those plans taking account of the potential for the next surge to coincide with colder weather and the usual winter pressures, the work includes exploring whether the development of a further Nightingale facility will be necessary to help to lift pressures from the system. Belfast City Hospital's tower block was designated as Northern Ireland's Nightingale for the first wave, and it will maintain additional ICU capacity for future phases. However, we know that additional pressures may also need to be

lifted from the system, and we are considering that carefully.

**Mr K Buchanan:** Obviously, with any risk, probability and likelihood are a multiplication to give that risk rating. Have the actions of others in the past week or two increased the likelihood of that happening? I hope that the people who have been involved in that have something on their conscience if that is the case.

**Mr Swann:** I have been saying for the past number of months that our biggest risk now is complacency and disregarding the rules, regulations and recommendations that have been laid down by the entirety of the Executive. By following that joint lead and joint messaging that we had, we were able to get Northern Ireland into a very good place with the infection and the spread of COVID-19. I am concerned that any blatant breach or the outworkings of not following those rules and regulations will have an impact on the spread of COVID-19. All that I can say is that I ask the people of Northern Ireland to follow the guidance and regulations that have been laid down and supported by the entirety of the Northern Ireland Executive to maintain the place that we have in managing the spread of COVID-19 in Northern Ireland.

## **RQIA: Board Vacancies**

7. **Ms C Kelly** asked the Minister of Health to outline how he plans to fill the vacancies on the board of the Regulation and Quality Improvement Authority (RQIA), including a time frame for new appointments. (AQO 541/17-22)

**Mr Swann:** On 18 June, I appointed Christine Collins as the interim non-executive chair of the RQIA board. That interim appointment is intended to start the process of reconstructing the RQIA's board in order to ensure that it can continue to exercise effective oversight of the RQIA's work and statutory responsibilities. I fully recognise the need for permanent appointments to be made to the RQIA board as soon as it is possible to do so. I have instructed my officials to immediately put in place arrangements to initiate a public appointments competition that will seek to appoint a permanent non-executive chair and 10 permanent non-executive members. My Department values and promotes diversity and is committed to equality of opportunity for all, with appointments made on merit. In keeping with my Department's commitment to co-production and partnership working, I am keen to ensure that the permanent appointments made to the RQIA board will further strengthen

the voice of those who use the services in the field of regulation, quality and improvement.

To attract as much interest as possible, the RQIA board vacancies will be widely publicised. The Department's planned communications for the competition will encourage all individuals who wish to participate in public service and make a difference to the way in which health and social care services are delivered in Northern Ireland. I encourage them to submit an application form. The forthcoming public appointments competition will comply fully with the provisions outlined in the commissioner's 'Code of Practice for Ministerial Appointments in Northern Ireland'. It can take approximately nine months for a Department to administer a public appointments competition in line with the provisions set out in the code of practice. Therefore, in view of that timescale and until such times as it is possible to make the permanent appointments, I am proceeding to urgently appoint a number of interim non-executive members. Those interim non-executive member appointments are considered necessary to ensure that the RQIA's board is quorate without further delay. Given the unprecedented situation in RQIA, the interim non-executive member appointments will be made under the emergency procedure in line with the commissioner's code of practice. My officials are developing a plan that will set out a proportionate recruitment process to secure the interim appointments to the RQIA board. My officials will engage with the commissioner to obtain her approval of the content of the recruitment plan prior to its implementation.

**Ms C Kelly:** Minister, how do you intend to broaden the recruitment process to ensure a representative, inclusive and diverse RQIA board membership?

**Mr Swann:** I touched on that towards the end of my initial response. That is important. The RQIA board has to have representation that can speak on behalf of the service users. It must have experience of the care home sector as well as all the other sectors that it quality-inspects but also from the insurance point of view as well as progression in the delivery of the service, to make sure that those facilities deliver for the people who use them and the residents in them.

I will conduct the initial process of appointing the interim non-executive members under the commissioner's code of practice, but, as I said, in regard to the public advertisements, I encourage as many people as possible who have an interest in improving the quality and the

inspection side of our care home sector and all the other sectors that RQIA inspects and regulates to please apply for the full-time posts that will be advertised.

## Rebuilding Health and Social Care Services

8. **Mr McAleer** asked the Minister of Health for an update on the management board for Rebuilding Health and Social Care Services' most recent interaction with the Transformation Advisory Board and health trade unions regarding the Rebuilding Health and Social Care Services strategic framework. (AQO 542/17-22)

**Mr Swann:** My approach to rebuilding has been informed by engagement with trade unions at the development stage of the 'Rebuilding Health and Social Care Services' strategic framework. My officials sought views from a range of stakeholders, including trade unions, on the checklist, which outlines the key factors that should be considered in the development of service-rebuilding plans. I have also sought the view of trade unions on temporary amendments to the HSC framework, which provides a basis for the role of the Rebuilding HSC Services management board. I am giving consideration to those views, which will inform my approach to public consultation, going forward. I can confirm that it will be a 12-week consultation, providing ample opportunity for trade unions and other stakeholders to respond. In addition, my officials regularly meet trade unions, providing an opportunity for ongoing engagement. Furthermore, on 1 July, I chaired a very useful meeting of the strategic health and social care partnership forum. That group brings together senior executives across the system with trade union colleagues.

The Transformation Advisory Board was originally established to advise on the transformation programme, but, clearly, due to the COVID-19 pandemic, work on that front has been limited in recent months, and it has not been possible for the Transformation Advisory Board to meet on a formal basis. Meetings that were scheduled for 7 April and 1 June had to be postponed. The future role of the Transformation Advisory Board will be kept under review in the context of the governance changes, and I plan to consult on that later in the summer. I have directed my officials to have a meeting of the Transformation Advisory Board, as it currently stands, as soon as possible, and I am confident that, through the forthcoming period of consultation on temporary amendments to the HSC framework and local

engagement in the development and implementation of rebuilding plans, there are sufficient mechanisms to support meaningful and constructive engagement in the rebuilding programme.

**Mr McAleer:** Can the Minister give an indicative timescale for the reopening of the public consultation that he referred to?

**Mr Swann:** We are working at this minute in time on what that will look like over the 12-week period, because there was the 12-week consultation on the establishment of the management board and further to that is the step process of the rebuilding structure. We have already completed one for the month of June, and we are now looking at the plans for the next three months — July, August and September — and there will be a further three months after that. As soon as we have the detail of that consultation, it will be published and made available.

## Belfast City Hospital: Outpatient Services

9. **Mr Dunne** asked the Minister of Health when all outpatient services will reopen fully at Belfast City Hospital. (AQO 543/17-22)

**Mr Swann:** The Member will be aware that, on 9 June 2020, I published a strategic framework for rebuilding health and social care services, along with phase 1 rebuilding plans for each of the six health and social care trusts. They aim to incrementally increase HSC service capacity as quickly as possible across all programmes of care, including outpatient clinics, in the prevailing COVID-19 conditions. Subsequent phases will see those services' activity plans and targets updated in three-monthly cycles. Phase 2 — July to September — rebuilding plans will be published shortly.

It is important to emphasise that, as trusts work to deliver services for those most in need, the priority remains to keep patients, service users and staff safe, all of which requires the careful balancing of safety requirements, including the maintenance of social-distancing guidelines and the impact that that has on physical space, workforce availability and personal protective equipment (PPE) availability.

### 3.15 pm

Throughout the pandemic, Belfast City Hospital continued to deliver vital outpatient services, and the trust has indicated that those will

continue on the basis of clinical priority through telephone and video calls and only where required with face-to-face attendance at other Belfast Trust sites. Plans are in place to open Belfast City Hospital for outpatients in a phased approach. The priority clinics expected to return in the first instance are dermatology, gynaecology, ear, nose and throat (ENT), and breast and mammography.

It is critically important to emphasise that it will be neither possible nor desirable to return to business as usual. We must seek to improve services through the rebuilding process, but that will not happen overnight and will require a response that is both agile and adaptable to ensure that the system can respond to further potential COVID-19 surges.

**Mr Dunne:** I thank the Minister for all his efforts in the COVID crisis.

In early June, Minister, you highlighted that outpatient activity had dropped 40% to 50%. Will you give us an assurance today that red flag cancer referrals at the City Hospital and other services, including dermatology, will be fully restored across all our trusts?

**Mr Swann:** I thank the Member for his supportive comments.

The Belfast Trust recently submitted its stage 2 rebuilding plan for July, August and September, which has involved enhanced local system working, strong clinical leadership, flexible and remote working, where appropriate, and rapid scaling of technology-enabled service delivery. The trust engaged with front-line staff to reflect on lessons learned, and further work on that is crucial to inform plans. The phase 2 plan will be published by the Department of Health in due course, and, as I said, the priority clinics returning will be dermatology, gynaecology, ear, nose and throat (ENT), and breast and mammography, which is scheduled to return on 20 July.

The ongoing plan is that Belfast City Hospital outpatients will open in a phased approach from the week beginning 14 July onwards. Red flag and urgent cases are being prioritised because the trust is working on relocating administrative and medical staff who were placed in the City Hospital outpatients department in order to maintain services and social distance as a result of the opening of the Nightingale services.

### **Urgent and Emergency Care: Partnership Working**

10. **Ms Ennis** asked the Minister of Health what assurance he can give that partnership working with those who use and deliver urgent and emergency care will be central in any reconfiguration of services. (AQO 544/17-22)

**Mr Swann:** The principles of partnership working and co-production are at the heart of the ongoing review of urgent and emergency care and will remain so as we emerge from the first wave of COVID-19 to contemplate the long-term model that can best meet the needs of all citizens. The challenges facing our urgent and emergency services are complex, and the root causes are system-wide. Whilst the issues often manifest in the form of busy emergency departments and long delays in admitting patients to hospital, the solutions require a coordinated approach across all of Health and Social Care, one that is led by clinicians and informed by the experiences of those who use the services and their families and carers. That is why my Department initiated a clinical-led review of urgent and emergency care in November 2018 with a remit to examine all the areas that are crucial to the coordinated delivery of unscheduled care, including the care of older people, children and those requiring better and quicker access to mental health services, the role of the Ambulance Service and better coordination across primary, secondary and community care pathways, to ensure that people get the right care in the right place as soon as they need it. Service users and carers have had an important role in shaping the review to date through a co-production work stream that has undertaken research, designed surveys and made valuable recommendations to improve patient pathways and experiences. The work of the review was at an advanced stage prior to the outbreak of COVID-19, and I intend to complete the work and publish the review report later this summer.

In the context of the ongoing pandemic there may also be immediate actions that we require to ensure that our emergency departments (EDs) and hospitals do not reach the levels of overcrowding that we have seen in previous years. In the meantime, I assure the Member that the partnership and co-production approach has been at the core of what has been a transparent and inclusive review to date and will continue to play a central role as we move forward.

**Ms Ennis:** Is the Minister aware that, over the past weekend, the entire south Down, Newry and south Armagh area was without any ambulance cover? What does the Minister have to say to my constituents, who are rightly

aggrieved by that? Will he urgently address the issue?

**Mr Swann:** That was brought to my attention. I think that her party colleague highlighted it in the media. The Northern Ireland Ambulance Service has issued a statement on that, in which it says:

*"The normal level of cover in Newry station for Saturday dayshifts is two crews. However, on this occasion, NIAS had arranged an additional crew and the planned cover was enhanced by 50%, with three crews on duty. At the time of this call all three crews were engaged on other emergency calls and the nearest available Emergency Ambulance crew was despatched to the call, arriving at 17:45."*

The Ambulance Service apologised for the delay in responding to the call and wants to point that, no matter what was reported on social media about the response time being nearly an hour, it was actually 28 minutes.

NIAS staff are highly committed healthcare professionals who always give of their best, and it is demoralising for them to see inaccurate reports relating to response times and misleading references and inferences about patient conditions on social media. We respectfully ask that anyone, particularly public representatives, contact the Northern Ireland Ambulance Service in the first instance to ascertain the accuracy of response times. While being mindful of maintaining patient confidentiality, NIAS will be happy to engage in a manner that benefits patients and improves our services to local communities. Northern Ireland Ambulance Service is grateful to the staff on the front line and in ambulance control who continue to work tirelessly to ensure that an ambulance response is provided to those who have an immediate and life-threatening need. I place on record my full support for the Northern Ireland Ambulance Service. It is working in challenging and critical times, and I ask Members to be supportive of it rather than critical of it.

## **Mental Well-being: Rural Communities**

11. **Ms Hunter** asked the Minister of Health, given the complex nature of COVID-19 and the limited access to mental health facilities in rural areas, what consideration he has given to a pilot scheme employing mobile vans to support mental well-being in isolated rural communities. (AQO 545/17-22)

**Mr Swann:** There are no current plans to implement mobile vans in rural communities to support well-being. The focus has been on online provision to ensure equitable provision for all. The current support in place to support mental well-being in isolated rural communities is the COVIDWellbeingNorthern Ireland online hub and psychological first aid for all of those working or volunteering with local communities. Health and social care organisations have partnered with the organisation for the review of care and health apps to create a library of health and well-being apps for everyone who has been reviewed, and it has been rated as helpful, safe and secure. Helplines Northern Ireland is available to rural communities. The stress control programme that is normally delivered by the five health and social care trusts has been adapted to be delivered online since COVID, and rural supports are commissioned by the Public Health Agency to support rural communities.

**Ms Hunter:** Given the complexity of COVID-19 and the rural barriers to access, does the Minister have any strategies for tackling elderly loneliness specifically?

**Mr Swann:** In regard to older people specifically, there is nothing that I am aware of. I have worked with Community Pharmacy and spoken to them about their delivery services. They said that, when they were out delivering medicines, they were finding that that engagement with the older people who had been self-isolating and shielding was vital. There is a piece of work, and I think that we have been working with our community and voluntary sectors in supporting older people who have been self-isolating and shielding at this time. There have been a number of projects, and one that, I think, is worth mentioning, especially for rural areas, is that of Rural Support. We have seen that the number of calls to the Rural Support helpline has increased as a result of COVID-19. However, the ability to deliver one-to-one, face-to-face mentoring is limited due to social-distancing measures. Preparations are ongoing for the recruitment of additional mentors, even through Rural Support, who will be needed post-COVID-19 due to the increased demands for services.

## **Rebuilding Health and Social Care Services**

12. **Ms McLaughlin** asked the Minister of Health, given its lack of trade union or allied health professional representation, how he will ensure the new management board engages

with front-line workers in the rebuilding of health and social care services. (AQO 546/17-22)

**Mr Swann:** The interests of all Health and Social Care colleagues are represented through the current membership of the management board. In taking forward their ambitious work programme, the management board will take account of and represent all relevant expert advice. Regarding allied health profession representation, the Chief Nursing Officer represents the views of nurses, midwives and the allied health professionals on the management board and will be advised by the Chief Allied Health Professions Officer in my Department. In addition, the Chief Allied Health Professions Officer will attend meetings of the management board as necessary.

My approach to rebuilding has been informed by ongoing engagement with trade unions both in relation to the development of the checklist to be considered in the development of service rebuilding plans and on the temporary changes to the HSC framework. My officials regularly meet the trade unions, and I chaired a useful meeting with the strategic health and social care partnership forum on 1 July.

On engagement with front-line workers, the checklist outlined in the rebuilding strategic framework clearly states that service providers must ensure that there is a consistent approach to the meaningful involvement of staff in developing solutions and in the decisions that affect their working life. I expect the rebuilding management board to monitor that closely as plans are developed and to advise me accordingly.

**Ms McLaughlin:** Does the Minister agree that one of the things that COVID-19 has taught us is that working together brings better outcomes and that more expertise, integration, co-operation and cross-departmental working has led to better outcomes for our patients and our management? If that is true, the management board must reflect that. I ask the Minister to give greater consideration to having more expertise on that management board, particularly across the allied health experts.

**Mr Swann:** I thank the Member for her support and the acknowledgement that the board is made up of highly skilled professionals and is not the "cabal" that was referred to recently in the Health Committee.

In regard to representation on the management board, as I said in my earlier answer, the Chief Allied Health Professions Officer works through

the Chief Nursing Officer; that is the line of reporting. The Chief Dental Officer reports through the Chief Medical Officer. They are represented on the management board. When their input and expert advice is needed and required, they can attend the board. It is not that they are excluded from it. They are not permanent members of it, but there are avenues where their expert advice can be sought and engaged.

13. **Mr Middleton** asked the Minister of Health for an update on the implementation of the Western Trust reset plan. (AQO 547/17-22)

**Mr Swann:** As the Member will be aware, on 9 June the Western Trust published its plan for the month of June along with the rebuilding strategic framework that I announced on the same day. Along with other trusts, the Western Trust will shortly publish its rebuilding plan for the period of July to September, setting out planned activity for the next three months. The management board will monitor progress on the implementation of the plan.

**Mr Middleton:** The Minister will be aware that today the Western Trust has again issued guidance around Altnagelvin Hospital and its emergency department and an increase in numbers. At one point it was up to 60 in the emergency department. What advice can the Minister give to people coming to emergency departments? Can he give an update on when GP surgeries can reopen to take the pressure off emergency departments?

**Mr Swann:** The advice given was covered in the guidance, where we asked those who were visiting an emergency department to attend on their own, if possible, but, if they needed support from another, due to medical or support needs, to bring somebody with them. If they could, it would be preferable that they attended on their own to reduce the numbers coming into the emergency departments. It follows on from an answer to an earlier question about the ongoing review of emergency and urgent care services that we need to complete across Northern Ireland. We need to look seriously at how we manage how people approach our emergency departments and where else they can go to seek medical assistance and advice.

The Member's point on GP services and surgeries opening up for more face-to-face engagement is something that we are working on with the GP federations, so that we can move to that normalisation. There are changes that have been made over the last 14 to 15 weeks in regard to telephone triage and

telephone consultations that GPs have had to introduce that have been beneficial.

However, I always say that, if anybody does need to see a medical professional face-to-face, that avenue and opportunity is always there for them.

**3.30 pm**

**Mr Deputy Speaker (Mr Beggs):** That is the end of questions to the Minister of Health. I ask Members to take their ease for a few minutes.

**Mr K Buchanan:** On a point of order, Mr Deputy Speaker. In relation to other languages used in the Chamber, during Question Time, we heard languages in the Chamber that were not English. It leaves some Ministers and Members not understanding what the answers actually are. I pass to you, Mr Deputy Speaker, to ensure that answers are given in a language that the majority of people in the Chamber can understand.

**Mr Deputy Speaker (Mr Beggs):** The Member has raised a valid point, and his point is on the record. My understanding is that Members should provide a translation to ensure that everybody understands what is being said. I ask Members to take their ease now.

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

**Mr Principal Deputy Speaker:** I ask those Members who are exiting the Chamber to do so, to allow other Members to take their place.

## Committee Business

### COVID-19 Guidance and Financial Support to Industry Sectors

*Debate resumed on amendment to motion:*

*That this Assembly recognises the impact of the COVID-19 pandemic on the taxi, haulage, driving instruction and private hire bus and coach sectors; acknowledges that these industries have not been prioritised in terms of guidance and support packages; and calls on the Minister for Infrastructure to bring forward proposals for the formulation of guidance and financial support for these sectors as a matter of urgency. — [Miss McIlveen (The Chairperson of the Committee for Infrastructure).]*

*Which amendment was:*

*Leave out from "these industries" to "Minister for Infrastructure" and insert:*

*"the powers of the Minister for Infrastructure are limited to regulation of the transport and transit sectors; welcomes the work undertaken by sectoral bodies and the Minister for Infrastructure to ease burdensome regulation during the emergency period; further recognises that these industries have not been included in specific Executive support packages for private businesses; and calls on the Executive". — [Mrs D Kelly.]*

**Ms Anderson:** Go raibh maith agat, a Phríomh-Leas-Cheann Comhairle. Ba mhaith liom labhairt i bhfabhar an rúin seo agus tá mé i gcoinne an leasaithe. I am in favour of the motion and against the amendment.

It has been three months since we went into lockdown, and now that we are, hopefully, coming out of the other end of this phase and towards economic recovery, our taxi industry is on its knees. Not a single penny has been put aside for a dedicated scheme that could offer financial support to taxi drivers, who have fallen through the gaps of nearly every scheme on offer. Although some taxi drivers have been able to avail themselves of the self-support and self-employment scheme, many have been unable to do so. Those who have accessed some support have been burdened by heavy operational costs.

The Minister for Infrastructure, whose Department is responsible for transport policy in the North, states that her responsibility is only for the regulation of the sector. However, I believe that she has a wider responsibility to represent the interests of the transport sector during these unprecedented times and should not just leave these massive issues at the door of other Departments. Nichola says that it is Diane's responsibility; Diane says that it is Nichola's responsibility. The transport industry sees a bickering game of ministerial ping-pong. All the while, our taxi drivers — hard-working individuals — struggle to pay their bills, put food on the table and support their families. This is akin to firefighters arguing about who should operate the hose whilst the fire burns on and the building burns behind them.

I am proud to support the motion and, if Mrs Kelly is in the room, I am proud to support the taxi drivers in Derry. Despite what she said, it is not just about north and west Belfast and, even if it was, they deserve support. Taxi drivers across the North are looking for support. Other Departments have worked together to put financial support in place such as, for instance,

the £12 million package for the emergency childcare providers that came from the Health and Education Ministers. Education has the policy, but Health has the legal authority.

The taxi sector feels left behind during this darkest of times. Their issues have been kicked from pillar to post, and the Minister with responsibility has not advanced a cross-departmental scheme. She has not taken ownership, she has not championed the sector and she has not given a lead. That is what the taxi industry and many others are calling for. Behind the words of the motion, there is a reality that our taxi drivers face every morning when they wake up and every night, when many of them lie awake unable to sleep because of the extreme stress and anxiety that is caused by having absolutely no support. They have been pushed into a precarious financial position during a period of extreme uncertainty, which has severe repercussions for their mental and physical health. Taxi drivers are crying out for help. They came to Stormont last week to make their voice heard after months of frustration and passing the parcel. It is time that you, Minister, showed leadership.

I also support the motion because, since the beginning of May, I have been doing my utmost to fight for one of my constituents in Derry — a recently self-employed taxi driver — who has not had a single penny of support. I lobbied HMRC on the self-employment income support scheme, but it was unwilling to help. In May, I asked Minister Nichola Mallon to put a scheme in place for all taxi drivers but she said that it was not her responsibility. At the Infrastructure and TEO Committees, we discussed whether Minister Dodds should extend the hardship fund to those who were recently self-employed, such as my constituent but, as of yet, there is no clarity on that.

The Minister for Infrastructure, as the person who is responsible for transport policy, needs to take the lead. She needs to work on a cross-departmental basis, as other Ministers have done and have demonstrated. She needs to bring forward a costed proposal for the formation of guidance and financial support. She needs to roll up her sleeves, get active and seek the support and guidance that the taxi drivers, haulage companies, driving instructors and bus operators so desperately need and deserve.

**Mr Principal Deputy Speaker:** The next person on my list is Mr Daniel McCrossan, who will have four minutes because of the amount of time that is left. It might be an idea not to take an intervention.

**Mr McCrossan:** Thank you, Mr Principal Deputy Speaker. I was lining up for the interventions for this.

First, I welcome the opportunity to contribute to the debate, which is an important one. I agree with the substance of the motion, which is that there are substantial gaps in support for taxi drivers, driving instructors and bus companies. I want to put on record that the transport sectors have been very important in getting us through the pandemic. Many people who work in transport have been key workers in every sense in ensuring that vital medical supplies were delivered to vulnerable people, that supermarkets were appropriately stocked and that many elderly and sick people were able to attend appointments, scans and other medical procedures. They should be recognised in the Chamber for the vital work that they have done and continue to do. They should not be subject to a political point-scoring exercise, where the issue is clearly a cross-cutting one that needs to be dealt with by the Executive. There should be no pointing the finger at my colleague Minister Mallon, saying, "You must do this", when people in the Chamber and, in particular, on the Infrastructure Committee, rightly know that it is not her responsibility to address the issue of grant funding to bail out taxi drivers, haulage companies or others.

I am not sure why two parties in particular are perched up like two hummingbirds singing from the same hymn sheet —.

**A Member:** Will the Member give way?

**Mr McCrossan:** No, I will not.

Singing from the same hymn sheet about who is responsible for the grants being rolled out.

I note that although Mr Boylan jumped to his feet today to acknowledge that it is a cross-cutting exercise, in the same breath he said that he was not going to support the amendment — an amendment that provides a resolution to the issue and ensures that there is some delivery. I am, at least, pleased that his colleague Ms Anderson acknowledges that it is a cross-cutting issue and that it has to be resolved by the Executive.

Mr Frew, I have often listened to your interventions in debates, but, today, I am somewhat worried — actually, I am alarmed — about the intervention that you made because you said that there is plenty of money in the coffers; they have not dried up. Well, I am sure that I and other Members and those watching would like to think that, given RHI, that is a bit

of a loose statement to make. It would give Sam McBride much to write about when he looks at how money has been spent beyond COVID-19, if that is the attitude of certain parties as to how public money is to be rolled out. I would hope that lessons have been learned.

**A Member:** Will the Member take an intervention?

**Mr McCrossan:** I will not.

DUP and Sinn Féin logic would almost suggest that, because councils are responsible for granting licences for pubs, for example, we should expect councils to pay the grants for bailing out pubs and businesses.

We need to get to the facts, and the facts are that the Department for Infrastructure's statutory functions do not include the power to create grant support for hardship or loss of income to those sectors. You know that. So why are we standing in the House today pointing the finger and saying, "You need to resolve this, Minister Mallon. Your Department needs to resolve this", when, in actual fact, this could and should be resolved by the Executive, given that a significant amount of money has been returned because businesses have not availed themselves of the grants that were put out over the past months.

If we are serious about delivering for those in the haulage industry, taxi drivers and driving instructors, let us work together to do it, instead of pointing the finger across the Chamber at Ministers who have worked very hard to ensure that the voices of those who fell between the stools have been heard clearly throughout the entire pandemic.

**Ms Mallon (The Minister for Infrastructure):** I thank Members for their contribution to today's debate. This is an extremely important issue, and while there has been much confusion, today's debate has given me a welcomed opportunity to clarify my role, remit and powers and the actions that I have taken to date, within my responsibilities, to provide assistance to the industries highlighted in the motion. I hope that, in setting out the facts, those who have accused me and my Department of abandonment, of not stepping up or coming up with ideas, of a lack of leadership, of having a can't-do attitude will reflect and see it as unfair.

As the Committee Chair pointed out, I have introduced a number of measures to ease the regulatory burden on hauliers and taxi drivers to

assist them during the crisis. I will turn to those before addressing the issue of guidance and financial support. As regulator of the taxi industry, a priority for me during the current public health emergency has been two-way communication with the industry on regulatory issues that need to be addressed. My officials and I have been in regular and ongoing contact with the industry, including individual drivers and operators and through open letters to the industry to ensure maximum reach. I recently met with a delegation of drivers outside this Building, and I listened to their concerns.

I have put in place a number of measures to support the industry during the pandemic. I have brought forward coronavirus regulations to ensure the issue of a six-month taxi vehicle licence, automatically and free of charge, to vehicles for which the previous licence expired between 10 March 2020 and 9 October 2020. All licences have now been issued. Drivers' certificate of professional competence (CPC) training providers are also now authorised to deliver taxi periodic training remotely, via online video platforms. That enables drivers to continue to undertake some training online.

With regard to medicals, following discussions with the Department of Health and the British Medical Association, the BMA and GPs have agreed to support and prioritise the processing of medical forms for key workers who need them to renew their licences. In addition, and with effect from 26 May 2020, taxi drivers who do not have a medical condition to declare will have their taxi driver's licence renewed without a medical report.

### 3.45 pm

For the haulage industry, throughout the crisis, I have pressed for recognition that maintaining our transport network is essential to safeguarding food security and ensuring that critical goods continue to be delivered. I have put in place a range of measures to support the freight sector. This includes introducing a range of regulatory measures, suspension of all MOT tests for commercial vehicles and relaxation of other requirements in areas such as the CPC, tachographs, medical assessments and planning restrictions. An EU regulation came into effect on 4 June 2020 enabling the extension of the validity of certificates and licences to support those transport operators and individuals that, owing to the coronavirus restrictions, are having difficulties fulfilling certain administrative formalities before the expiry of the relevant deadlines. These measures supplement or supersede announcements that I have already made in

relation to Driver CPC, driving licences, tachographs and road transport operator financial standing. On 25 June 2020, the UK Government announced that they will suspend the heavy goods vehicle levy for a year, with effect from 1 August 2020, as it is recognised that the haulage industry is critical to restarting the economy as the pandemic begins to subside. That suspension applies here and will provide further much-needed assistance.

A number of Members, including Jim Allister and Cathal Boylan, referred to the financial package secured for ferry operators.

**Mr McNulty:** Will the Minister take an intervention?

**Ms Mallon:** In a second.

It is important to be aware of the facts as they are very relevant to the motion proposed by some of the Committee today. My Department did not devise or administer this package. I worked alongside ministerial colleagues to make the case to the Department for Transport and the UK Treasury. They devised the financial scheme that the Executive agreed to jointly fund. This is a pertinent point that I will return to.

To support private coach operators, my officials have held weekly meetings with industry representatives, while all permit holders were issued with a letter reassuring them that their permits would be safe in the event that their services were withdrawn temporarily. I have also met industry representatives and recognise the huge financial difficulties that they face as a result of the COVID crisis. Given their key role, not least to our tourism sector, it is right that private tour operators are a key work stream of focus in the Department for the Economy's COVID recovery work; I very much support that.

As Members have also highlighted, my Department is responsible for regulating the approved driving instructor (ADI) and approved motorcycle instructor (AMI) industry through the DVA. It does not, however, employ driving instructors or motorcycle instructors in the capacity of delivering driving instruction and, therefore, has no remit to suspend their services for public health reasons or determine when they might return to work.

Mr Buchanan highlighted that he felt that an email circulated by the DVA a few Saturdays ago had caused confusion among the sector. That email was important because, that weekend, a number of elected representatives had indicated to driving instructors that they

could recommence and resume services in line with close-contact services. I felt that it was important that I communicated the case with them clearly. The Executive Office confirmed that the regulations do not currently prevent driving lessons from taking place. If it is safe to do so for both instructors and their customers, they should; that is what the DVA communicated to the driving instructors whose data we held.

Throughout the crisis, the registrar for ADIs and AMIs in the DVA has provided regular updates to the industry and signposted them to the latest public health advice on social distancing and safe working practices and advice on financial support. I accept the point if Members feel that communication could have been better. I will always seek to improve things where I can, and I will take that back and feed it to my officials. On 23 June, however, the registrar met industry stakeholders and the Northern Ireland approved instructor council group to provide further updates, address their queries in relation to the planned reinstatement of services and listen to their concerns, including on dates for resumption of driving and vehicle tests, extension of theory test pass certificates and safe working practices. I understand that that meeting was welcomed by the industry. I appreciate the frustrations felt by our ADIs and AMIs in these uncertain times. The DVA will continue to provide regular updates to the industry to inform it of any relevant changes to service safety that may have an impact on their business. I assure them that my officials are working to resume car and lorry driving tests as quickly as possible because we recognise the importance of that to their industry and custom.

I will turn to the issue of financial support to the taxi, haulage, private bus, coach and driving instructor sectors. As with many Members in the House, regardless of our party political background, we are all very aware of the hardship and challenges that are facing these sectors. There are financial assistance schemes on offer but I, like you, remain concerned for those who fall outside their scope. In fact, since this crisis hit, more than any other Minister, I have been raising the issue of the impact of COVID-19 on these sectors with Executive colleagues. I have shared a number of my correspondences to Executive colleagues with the Committee. It has also been made clear that my statutory functions do not include the power to create grant support for hardship or loss of income for these sectors. DFI carries regulatory responsibility for these businesses and it could only make grants

available in relation to regulatory matters. This is defined in statute.

As I stated at the Committee meeting on 29 April 2020, existing taxi legislation — I am referring to section 51 of the Taxis Act (Northern Ireland) 2008 — does not extend to providing general financial support grants to the taxi industry in times of hardship and to cover lost income.

**A Member:** Will the Member give way?

**Ms Mallon:** In one minute.

That is not simply my opinion, as one Member put it. I sought legal advice from my officials to check this, and it has confirmed my limited vires in that regard.

However, the help push the issue of financial support for the taxi industry forward, I contacted Minister Murphy and Minister Dodds on 20 March 2020 to seek information and advice as to whether there was specific support and financial assistance that the industry could access. In my emails, I indicated that I was keen to discuss the issue with them. Follow-up emails to Minister Dodds on 14 April and 12 May sought an update to guidance on social distancing for the industry. I advise that in his response, which is dated 30 March, Minister Murphy indicated some of the measures that would directly assist the taxi industry, whether self-employed individuals or those who run taxi operations. These included the measures that were announced by the UK Chancellor to support the self-employed who were impacted by coronavirus through the coronavirus self-employment income support scheme. That scheme provides for a taxable grant being paid to the self-employed, or their partners, who have suffered a loss of income, with 80% of their profits up to a cap of £2,500 per month. For taxi operators, he advised of help that is available through zero rates bills for April, May and June, and the opportunity for small businesses to avail themselves of a grant under the small business rate relief scheme.

Furthermore, I wrote to the Executive on 26 March, and then again on 28 March, to stress that there was a need to ascertain what financial support could be made to the industry. In both memos, I also suggested that options should be explored as to how the industry could be repurposed during the COVID-19 crisis to help the vulnerable who were staying at home. In addition, in an email to the Executive Office on 28 March, I stated that I had been contacted by many in the industry and stressed the need to TEO for urgent redeployment and assistance

for the sector. I have also written to the Minister for Communities to explore the idea of how taxi drivers can play their part in taking the pressure off our vital services by helping the most vulnerable in our communities by, for example, delivering groceries, food parcels, medicines and other critical supplies to those who are shielding and vulnerable.

On financial support for the haulage industry, the Department for Transport has had regular engagement with the Road Haulage Association and the Freight Transport Association to understand the up-to-date picture for road hauliers at a local and UK-wide level. Work along these lines is being led by DAERA. Given its role in food security, it is the lead in identifying the evidential basis for specific financial interventions to the haulage industry. My officials continue to work with DAERA and other colleagues to support that work.

I understand that, at a time of stress, people need to know where to go for help, and it is very important that they are pointed to the right place. I have set out the steps that I have taken in my remit as a regulator, but also how I have reached out to Executive colleagues, given their roles and responsibilities, to provide support to the industries that we are very much focused on today. I was therefore very pleased to see the Minister for the Economy bring forward a paper to the Executive that included options to enhance support to the very industries that we are talking about today. The Economy Minister's paper outlines options to extend the hardship funds to include self-employed businesses with no employees. Her paper acknowledges that this would encompass the taxi industry and, possibly, the haulage, driving instruction and private bus and coach sectors. I have written to Minister Dodds to confirm that I am very supportive of this option because I recognise the hardship being felt by those who have not been able to avail themselves of the hardship schemes currently on offer.

A number of Members highlighted the fact that, as regulator, I hold data and information. Prior to and since this recent paper, I have reiterated my offer to provide whatever information or data I hold, as regulator, to ensure that we can communicate with those who need assistance. Surely, all of us in the House can support this.

As Mr Boylan, Mr Muir and Martina Anderson highlighted in their contributions — I thank them for that — this is a cross-cutting issue. As Minister for Infrastructure, I do not have the vires to provide financial hardship and assistance schemes, but I have been

determined to do what I can within my remit and by working with others.

Today, we have all been united on the need for a proposal to come before the Executive. That costed proposal was brought to the Executive recently by the Minister for the Economy, and it is in line with the other hardship schemes that her Department, the Department of Finance and the UK Treasury have announced to date. As Mr Beggs and Andrew Muir highlighted, to avoid double accounting — Mr Muir urged caution on this — careful work is required to ensure that any scheme that is devised provides assistance to those who have been unable to avail themselves of any such scheme to date.

There is no ping-pong here. I can speak for myself, and I have continuously tried to reach out because I want to ensure that all those who have fallen through the cracks can get the support that they deserve. An Executive effort is what is required: an Executive effort that is highlighted in the amendment. The best way, in my humble opinion, for the Assembly to show its support for these sectors is to show its support for the amendment ahead of the Executive's consideration of future hardship schemes. That is what I remain committed to doing.

**Mr Principal Deputy Speaker:** Ms Sinéad Bradley has five minutes to wind on the amendment.

**Ms S Bradley:** Dolores Kelly, in moving the amendment, repeated the fact that the Minister for Infrastructure does not have the legal vires to provide the financial assistance that the motion calls for. Roy Beggs and Andrew Muir referred, correctly, to another fact: across many sectors, many sole traders and self-employed people with no employees have, to date, remained outside the Executive's support schemes. It is, I believe, obvious to all Members that a body of work needs to be done to close the gap created by the schemes led by the Department for the Economy. Rightly, Mr Beggs warned of the need for such work to continue to be channelled through the Executive as an assurance that double accounting cannot happen as the funds are rolled out.

It is important to note, however, that this work does not rest exclusively with the Minister for the Economy; it will require a cross-cutting effort by all Ministers at the Executive table to ensure that all those sole traders and individuals who have yet to be supported by the Executive are included. This must, and I have no doubt will, include the taxi, haulage, driving

instruction and private hire bus and coach sectors, which are in urgent need of help. I say that I have no doubt because I know, as does every member of the Committee for Infrastructure, that Minister Mallon has ensured that their plight was heard by all her Executive colleagues. Mrs Kelly listed a catalogue of communications, which was repeated by the Minister, showing that all Executive Ministers are aware not only of the plight of transport workers but of the fact that the Department for Infrastructure does not have the legal vires to provide financial assistance.

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

**Ms S Bradley:** I apologise that I will not have time for an intervention.

I feel compelled to repeat that fact because it seems to be lost on some in the House. Sinn Féin contributors tied themselves in knots. In front of my eyes, they shredded the motion when Mr Boylan placed on record that he agreed with the limitations of the Department's vires. The Member for Newry and Armagh went on record to state that she recognises that the Executive have a role to play in reaching a solution. Yet, Sinn Féin then goes on to state that it cannot support the very amendment that recognises these two facts.

**Mr Boylan:** Will the Member take an intervention?

**4.00 pm**

**Ms S Bradley:** I will not. We set the tone earlier on that.

The amendment, as outlined by Daniel McCrossan, moves the debate closer to a resolution. It cuts through the "He said, she said" arguments. The amendment sets a course for a swifter resolution, but Sinn Féin cannot support it. The DUP has gone on record today to say that it wants to see a swift solution, and it does not want to play party politics, yet it fails to support the amendment.

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

**Ms S Bradley:** I will give you one moment. I know that you have been trying.

**Mr McNulty:** I thank the Member for allowing me to intervene. I apologise to Mr Boylan and Miss McIlveen for interrupting their team huddle in the canteen below earlier.

Will the Member take the opportunity to comment on Mr Boylan's apparent complete U-turn on this issue? For weeks now, he has been tabling questions for written answer to the Economy Minister on what her Department was doing for the coach and taxi sector. Just when did he decide that that was the responsibility of the Infrastructure Minister? Maybe someone told him to lay off the Economy Minister and turn his attention elsewhere. Is this just an example of the DUP/Sinn Féin ruling elite class absolving themselves of responsibility as usual? *[Interruption.]*

**Mr Principal Deputy Speaker:** Mr McNulty, you are consuming all of your colleague's time. *[Interruption.]*

**Ms S Bradley:** Thank you for that informative intervention. *[Interruption.]* The DUP has gone on record —.

**Mr Principal Deputy Speaker:** Ms Bradley.

**Ms S Bradley:** Apologies.

**Mr Principal Deputy Speaker:** We will not have shouting up the Benches. I enjoy a good heckle as much as the next person. Do not get me wrong on that. Mr McNulty, interventions should be brief. You consumed —.

**Mr McNulty:** That was brief.

**Mr Principal Deputy Speaker:** It might be brief in Armagh, but it is not brief here. You consumed an awful lot of your colleague's time. I call Ms Bradley. You have about a minute and a half left.

**Ms S Bradley:** The DUP will not support the amendment, which defuses the political point-scoring and offers a real solution. Let us be clear: the amendment sets out a clear course of finding a quicker solution. The DUP apparently has a pre-prepared position that it has declared and will continue to align with Sinn Féin on that regardless of the facts.

The DUP wants the Minister for Infrastructure to make a bid for funding that it knows she cannot spend. How would that make those who are in need feel today? It is a ridiculous proposal, which reveals a lot about the consideration that went behind the motion put before us today. Can you just imagine the prolonged kerfuffle and the process that would be required if such a bid was made, and it was not made in a cross-cutting way? Mr Muir, we might have time to watch that fish learn to climb a tree.

*[Laughter.]* A cheap political point-score. That is what the motion was. If anybody was sincere in doing anything else, they should have no problem supporting the amendment to the motion. In fact, I will go further. If you supported the need to bring the motion to the House today, there is a moral duty on you to support the amendment, which sets clarity on how to move this matter to a final resolution. If you are sincere —.

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

**Ms S Bradley:** I will just make a closing comment. I ask those to just step up and represent the people they claim to be representing today and support the amendment.

**Mr Principal Deputy Speaker:** I call the Deputy Chairperson of the Committee for Infrastructure, Mr David Hilditch, to conclude and make a winding-up speech on the motion.

**Mr Hilditch (The Deputy Chairperson of the Committee for Infrastructure):** I support the motion and thank the Members who took part in the debate for their contributions on what is, no doubt, a very important matter. This is an issue that has had a massive impact on the lives of individuals and businesses severely impacted by COVID-19. The Chair of the Committee and my party colleague Michelle McIlveen gave an overview of the Committee's consideration of the issues facing taxi, bus and coach hire, haulage and the driving instructor sectors. I will speak on a number of the issues that have come out of the debate before I summarise the views of other contributors.

The first thing to acknowledge is that, despite an amendment being laid to the Committee motion, it is clear that there is no disagreement about the dire situation facing these sectors. Everyone here today recognises the concerns of the individuals and organisations involved and the impact on their lives, their families and the businesses that they have invested time, money and effort into building. Therefore, it is a good starting point that we all recognise the problems, and we know that support is needed. That is a good place to be. I thank all contributors to the debate for their words to that effect.

Dolores Kelly, who tabled the amendment, outlined that the Department for Infrastructure has, indeed, brought in a number of measures to assist those who are suffering from the economic fallout of the pandemic. She added

that we all owe a debt of gratitude to the workers in those sectors, who have worked throughout the worst of the past few months. Mrs Kelly outlined that she believed that the impetus for the motion came from the taxi industry in north and west Belfast, a point that I do not recognise as, indeed, I have been lobbied by local taxi drivers in my constituency.

She outlined that schemes are available, some industries have availed themselves of them, and that those schemes have been made available by the Department for the Economy and the Department of Finance. She supports the view of her party colleague, the Minister for Infrastructure, that the Department has no support or power to provide that financial package. She cast blame on the ferry companies for not sharing their support down to the hauliers — again, that should be looked at — and directed taxi drivers and driving instructors to the Department for the Economy's website if they need help. Dolores Kelly noted that the Minister wrote to the Minister of Finance and the Minister for the Economy, and wrote to the Executive to ask that financial support be made available. She finished by urging the Executive to fill the obvious gap in funding, and accepted Jim Allister's point that it is a problem for the Executive in their totality.

Andrew Muir supported the amendment. He noted that there were disparities across those industries and cited hauliers as a sector in which some have remained busy during the crisis. He asked for better coordination across Departments. Andrew noted that there is concern about the furlough scheme coming to an end, and that something needs to be done in that regard. He said that the situation is stark and that the Department for Infrastructure and HMT need to provide support. He said that coach operators, often, rely on tourism, and that there needs to be coordinated help for the tourism sector. Hopefully, that is coming. He said that the motion would raise false hopes among those sectors. We do not see eye to eye on that. Mr Storey, in his intervention, made the observation that local coach operators to whom he has spoken are looking to DFI for regulation and, indeed, financial assistance.

Keith Buchanan supported the motion. He noted that the COVID-19 crisis has impacted massively on the activities of all those sectors. He said that there had been no clear guidance on PPE for taxi drivers, and that they had, very much, been left to their own devices. He said that it is difficult for taxi drivers to socially distance, they are self-employed and they need to work. He made the point that the Minister of Finance had not yet received any bids for

support for the taxi industry from the Department for Infrastructure. He highlighted that the cancellation of coach holidays would mean that it would be difficult for some operators to survive, that operators are investing heavily in their operations, and that costs still need to be covered. He said that some driving instructors have six to eight hours of instruction booked without knowing when testing will recommence. He also said that the haulage industry is suffering totally.

Liz Kimmins, in support of the motion, asked the Minister for Infrastructure to lead on those issues and provide clear guidance. She said that it was unfair to say that the complaints had come from taxi companies in north and west Belfast, a point that I have already made. She said that haulage is haemorrhaging money when hundreds of vehicles are parked up each week, and that not all hauliers are in the same position. Indeed, it is costing some hauliers tens of thousands of pounds weekly for lorries to be parked up. She said that it is important to realise that it is not just up to the Minister for the Economy but the Minister for Infrastructure, too, to champion the cause.

Paul Frew said that he supports any Committee that identifies a problem and brings it to the Chamber. North Antrim haulage companies that he has spoken to have been left out. He asked where we would get food and medical supplies if it were not for the few drivers who are still working. Mr Frew said that, in the middle of the crisis, Ministers just cannot have a "can't-do" attitude; that was his catchline. He said that the Finance Minister had £59 million for transport, which was now £29 million, that he could not unlock, and that he was waiting for a bid. He asked why a bid had not come. Mr Allister questioned the £29 million and asked whether it had already been earmarked for something else.

Cathal Boylan made the point that, at the Committee meeting when the motion was agreed, there was a unanimous decision, in the absence of Mrs Kelly, and that Mr Beggs had voted in support of the motion. Mr Boylan noted that the industries mentioned look to the Infrastructure Minister as their Minister. They look to her for answers and to bring forward proposals, and he said that the Committee for Infrastructure supports them in not just regulations. He called on the Minister to draw up proposals that might be discussed with the Executive and get the support of the Minister of Finance and the Minister for the Economy. He said that the Minister for Infrastructure had found time to work with airports. He noted that she had stated that her powers in respect of

airports were limited but that she had managed to secure funding by working with the DFT.

Roy Beggs supported the amendment. He made the point that some sectors had been affected to varying degrees and that, to avoid duplicating schemes, the Executive should introduce a well-coordinated scheme that will get the support of the Economy Minister and will be regulated correctly as it will impact on other parts of the economy.

Martina Anderson supported the motion. She pointed out that no scheme had been put in place for taxi drivers and that many had fallen through the cracks in the other schemes. She said that the Minister had a wider responsibility and that the Department for the Economy and the Department for Infrastructure were blaming each other. She also said that taxi drivers needed someone to take control and give leadership and that they were suffering, mentally and physically, due to the not knowing. She talked about a constituent who has not been able to get any support or work during this difficult time. She stated that the Minister needs to take the lead and bring forward costed proposals.

Daniel McCrossan agreed with the substance of the motion that the sectors need help. He said that they should not be subjected to a point-scoring exercise. Most of us believe that that is not what this is. He said that this is a matter for the Executive and pointed out that it is not the role of the DFI to develop grants. He said that money had been returned from grants and not been taken up.

The Minister wanted to clarify her powers, and some facts. She said that she had met with the sectors and had brought forward schemes. She outlined a range of schemes and mentioned those during her speech. They included the medical licences and the suspension of MOTs etc. She spoke of the financial challenges facing the sectors mentioned in the motion, but outlined that she can make grants only on a regulatory basis. She outlined her communications with the Executive and individual Ministers.

Members, it is time for the Government to show leadership, when actions of certain Ministers and Members have undermined the authority of the Executive. We must lead and recognise that each and every industry will need tailored help, support and guidance.

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Hilditch:** A one-size-fits-all approach is not suitable for moving forward. We have to do everything in our power to support these industries.

*Question put, That the amendment be made.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Principal Deputy Speaker:** Clear the Lobbies. The Question will be put in three minutes. I remind Members that they should continue to uphold social distancing and that Members who have proxy voting arrangements in place must not come to the Chamber.

**4.15 pm**

Before I put the Question again, I remind Members that, if possible, it would be preferable to avoid a Division.

*Question, that the amendment be made, put a second time.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Principal Deputy Speaker:** Order. Before the Assembly divides, I remind Members that, as per Standing Order 112, the Assembly has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies. It is important that, during any Division, social distancing in the Chamber continue to be observed. In order to facilitate that, I ask Members to do the following: any Members in the Chamber who are not due to vote in person should consider leaving the Chamber until the Division has concluded. Those Members who wish to vote in the Lobbies on the opposite side of the Chamber to which they are sitting should leave the Chamber via the nearest door and enter the relevant Lobby via the Rotunda. Those remaining Members who are sitting closest to the Lobby doors should enter the Lobbies first, and any Member who has voted may then wish to leave the Chamber until the Division has concluded. If a Member needs to vote in both Lobbies, however, he or she should not leave the Chamber.

I remind Members of the need to be patient at all times, to follow the instructions of the Lobby

Clerks and to respect the need for social distancing.

*The Assembly divided:*

*Ayes 30; Noes 53.*

## **AYES**

*Dr Aiken, Mr Allen, Mr Allister, Ms Armstrong, Ms Bailey, Mrs Barton, Mr Beggs, Mr Blair, Ms S Bradley, Ms Bradshaw, Mr Butler, Mr Catney, Mr Chambers, Mr Dickson, Mr Durkan, Ms Hunter, Mrs D Kelly, Mrs Long, Mr Lunn, Mr Lyttle, Mr McCrossan, Mr McGlone, Mr McGrath, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Muir, Mr O'Toole, Mr Stewart, Miss Woods.*

*Tellers for the Ayes: Ms S Bradley and Mr McCrossan*

## **NOES**

*Ms Anderson, Dr Archibald, Mr Boylan, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Clarke, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Easton, Ms Ennis, Ms Flynn, Mrs Foster, Mr Frew, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr Lyons, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Miss McIlveen, Mr Middleton, Ms Mullan, Mr Murphy, Mr Newton, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Storey, Ms Sugden, Mr Weir.*

*Tellers for the Noes: Mr Boylan and Mr Hilditch*

*The following Members' votes were cast by their notified proxy in this Division:*

*Ms Armstrong voted for Mr Blair, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch [Teller, Noes], Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Storey and Mr Weir.*

*Mr McGrath voted for Ms S Bradley [Teller, Ayes], Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan [Teller, Ayes], Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan [Teller, Noes], Ms Dillon, Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

*Question accordingly negatived.*

*Main Question put and agreed to.*

*Resolved:*

*That this Assembly recognises the impact of the COVID-19 pandemic on the taxi, haulage, driving instruction and private hire bus and coach sectors; acknowledges that these industries have not been prioritised in terms of guidance and support packages; and calls on the Minister for Infrastructure to bring forward proposals for the formulation of guidance and financial support for these sectors as a matter of urgency.*

**Mr Principal Deputy Speaker:** *Mrs Kelly aside, the Ayes have it.*

I ask Members to take their ease for a moment while we change the top Table.

## **Private Members' Business**

### **Disability Services and Family Carer Support**

**Ms Armstrong:** I beg to move

*That this Assembly recognises the significant impact of COVID-19 on children and adults with a disability and the exceptional contribution of family carers further to the cessation of many statutory and non-statutory services; and calls on the Minister of Health to produce a detailed plan for the resumption of services.*

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer, Ms Armstrong, will have 10 minutes to propose and 10 minutes to wind. All other Members will have five minutes.

**Ms Armstrong:** Thank you, Mr Principal Deputy Speaker. I promise that I will not take my full 10 minutes, as I know that a lot of Members will want to speak on the motion.

I propose the motion not just on behalf of the Alliance Party but on behalf of a cross-party group of MLAs. I thank all those who signed the motion. I also recognise the work of the many volunteers and carers who contributed to it. I recognise the work of Chris Lyttle MLA, who is not speaking on the motion today, in negotiating with quite a few Members in the background.

We have come together to recognise the significant impact that COVID-19 has had on children and adults with a disability and the exceptional, amazing contribution of family carers throughout lockdown. From the outset, I want to confirm that the motion has been created with Families Involved Northern Ireland (FINI), which represents a regional network of carers and family members who provide substantial unpaid care for disabled adults and children. Those carers are part of the rainbow of heroes who have protected and looked after some of our most vulnerable family members, who, thankfully, have not come into contact with COVID-19. They have kept their loved ones safe, irrespective of the exhaustion and ongoing anxiety throughout the past 16 weeks.

One of the key issues with lockdown was the almost immediate withdrawal of many statutory and non-statutory services. That showed how quickly COVID-19 forced changes on us. So many people with disabilities and their families rely on those services. In most cases, services were removed without warning or consultation with families. The services included day care, respite care, day opportunities and other social care support. Carers took over immediately, providing full-time care and support. When I say "full-time", I do not just mean full-time working hours; I mean 24 hours a day, seven days a week. How do I know that? I know it because my amazing brother needs such care. My dad, who is in his mid-70s — he will not like me saying that — has provided full-time care for my brother with only short periods of respite provided by me and other family members. I know exactly what it is like to live with the fear that carers have. What if their loved one catches COVID? How would they cope in hospital on their own, without us? What would happen if I or my dad got COVID? Who would look after the person then?

For many carers, having to deal with the fallout of services being removed so quickly has caused many problems. Breaking routine throws a carer's world into chaos. It is difficult to explain to a loved one why they are not allowed to go to work, day opportunities or day care, watch them become more insular, almost retreating into themselves, or see their

independence reduce, while providing all their care. Every day, that means that — I will explain what carers do — they wash the person, dress them, help them with their toileting, prepare their food and help to feed them. They are their entertainment; they protect the person; they do all the cleaning; and they wash all the clothes. They try to maintain good hand hygiene, but that is not easy when the person does not want you to touch their hands. That goes on day after day. The only thing that keeps the person going is that there is no one else to do it. The person whom you are looking after is your loved one. You will do anything to help, support and care for them, even if you are physically exhausted, emotionally drained and have not, perhaps, slept in days.

We also had school support provided, such as physiotherapy, occupational therapy and speech and language therapy. All that ceased to be available for children with special educational needs, which had a severe impact on the health and well-being of families. Not only had parents and carers to take over full-time care, they also had to act as teachers and provide the interventions that had to disappear. Families need to know when services will resume. They need to be part of that process. They will need to reintroduce their loved ones to a routine that once was and prepare them for the necessary changes, such as face masks, handwashing and social distancing. Some of their much-loved support staff will have gone, reallocated to other necessary services or, unfortunately, made unemployed. Minister, I am sure that you agree that carers and families should be recognised for their extraordinary efforts throughout the crisis. They have worked as hard as any of your medical staff for four months without a break.

There is a solution. I am not just saying how terrible everything is, and I hope that I can express the families' wishes in a way that honours their input to the motion. Carers need a detailed plan for the reintroduction of services for the person they care for. They need to be a part of creating that plan, and the planning needs to start now. Indications are that external services will not be restored to meet assessed need for a long time, and that needs to be clarified and shared with family carers. Carers need clarity, not rumours or suggestions. It would be really helpful if trusts could assess the long-term, night and day care and the impact that that has had on our carers. If carers go down, if they get sick, our health service cannot cope with taking over caring duties for the people with disabilities who are cared for and look after those carers. Carers need emotional support, and, while organisations like FINI have

enabled carers to talk to each other, many other carers have not been able to speak to anyone and remain in isolation. Just before I came in this evening, I spoke to the Royal National Institute of Blind People (RNIB), who recognise the social isolation and terrible loneliness that is happening. The isolation and the sometimes overbearing responsibility that carers feel needs to be recognised and supported. We need to care for our carers and ensure investment and local support for them.

Family carers have asked for and must be given discretion to use individual budgets immediately for family or for managing a family member's support needs in a way that gives flexibility, choice and control. I appreciate that that may be for the Department for Communities or the Department of Health, but, to be honest, a lot of the red tape — the barriers — is in place through the trusts. It is time for us to trust our carers and enable them to purchase support until Health is in a position to provide it for them or with them.

Carers who work outside the home also need to be protected. A partnership between Health, Economy and Communities could create employment and benefit protections to allow carers to continue to care for their loved ones and not face being sacked, made unemployed or pushed into poverty because the statutory and non-statutory services are not in place. It is not just all about Health; it is a partnership. Indeed, when considering partnerships, Health and Education must cooperate to deliver school services and support for children and young people with physical and learning disabilities.

#### 4.45 pm

We are here today to talk about our carers and with our Health Minister. Let us not leave carers behind. Let us not leave adults and children with disabilities behind. Being a carer is not all doom and gloom. It is a privilege to look after my family. There are days when there is a lot of laughter and you can see that the person you care for is happy and coping, and life is good. However, there are days when it is exhausting, frustrating and intolerable. Family carers have remained quietly behind closed doors in fear, desperation and despair. They have always called on their reserves of resilience to survive the most extreme circumstances, driven by the need to stay strong so that they can care for those who need them the most. After all, who else can they depend on? Mr Principal Deputy Speaker and Minister, I hope that today we can say that they can depend on us.

**Mrs Cameron:** I welcome the motion. There is no doubt that COVID-19 has had a huge impact on those with disabilities and their family. During the pandemic, many services that are normally accessed by adults and children with disabilities have been either suspended or disrupted as part of the public health response or health protection regulations. Some examples include the suspension of Disability Action's transport scheme; Shopmobility; charitable initiatives carried out in physical proximity, including counselling, overnight stays and group activities; restrictions on visiting learning disability units; the suspension of off-site visits to family or friends by those in supported living accommodation; and the closure of schools has had an impact on the social and educational outcomes for those with particular needs. I know that in my office we have been contacted by many families who are looking to us for help. These are very real concerns. To give one very brief example, if care has to be stopped for some reason and the family is able to manage in the very short term, will there be guarantees that the care will resume in the future? That is a big worry.

The nature of the COVID threat saw parents having to make emergency care plans for their disabled children in case they became incapacitated. Those are steps that no parent or guardian should ever have to take. This has obviously had a massive impact on mental health. Mental illness is the largest single cause of disability in Northern Ireland. Better awareness and acceptance of it is needed as a society as we chart the COVID-19 recovery. The measures that are proposed in the mental health action plan are a solid foundation. Some 70% of respondents to the Carers UK April survey in Northern Ireland said that they are providing more emotional support to those they care for, including keeping an eye on them and trying to motivate them. Those with disabilities should not be left behind in discussions on how to tackle the legacy of COVID-19 on mental health resilience. The recovery must be fair and equitable to everyone.

The pandemic has also put into sharp focus the disproportionate risk of mental ill health among unpaid carers. Eighty-one per cent of carers have experienced loneliness as a result of caring, and carers are up to seven times more likely to be lonely than the general population. We need to look differently at how we can better address the risk moving forward.

It is vital that COVID-19 recovery has a safe and central place for adults and children with disabilities, as well as those with caring responsibilities. The phased, or incremental,

basis on which health and social care, community services, leisure facilities or businesses reopen should not unfairly disadvantage those with existing health conditions or impairments. There should be impact assessments, whether they are done formally or indirectly, for those with disabilities when making onward decisions. Equal access must be at the heart of this process. That means proactive and substantive consultation with service users, carers and their advocates. It also means regular evaluation of adherence to the wider rights of those with disabilities. Many young people with disabilities are seizing education and training opportunities, some of which have been suspended for the duration of the crisis. Those opportunities must not be lost, and those young people's prospects should be prioritised.

Another key requirement as we look ahead is maybe something that goes without saying, but is often not the case. This is about valuing carers. Unpaid carers played an integral role in the first wave of COVID-19 in preventing our health service from being overwhelmed. That contribution may not have been public-facing, but it is as significant and deserves the same recognition and appreciation as other roles. We believe that there is merit in considering a plan to review and potentially raise the level of carer's allowance or to provide an alternative discretionary payment to take account of the additional care provided by family members during the pandemic. Advocates like Carers NI and Families Involved NI have been pressing for that, and we urge Ministers to examine the potential for a proportionate and fair system of compensation. We are also conscious that the sacrifice of many carers in assuming additional responsibilities during the crisis may have had implications for their employment status. Government need to look at more effective means of allowing people to stay in paid work, if they want to. Many charities have called for a plan for long-term social reform and for investment in care and support services to give unpaid carers respite.

In conclusion, even amidst the upheaval of COVID-19, there are opportunities to be identified and harnessed to improve outcomes moving forward. We want to see Executive Ministers commissioning thorough research into and evaluation of the experiences of carers and those with disabilities during this crisis, as well as the impact of suspended services on their standard of life. This is about effective risk mapping and informed learning for the future. I commend the motion to the House.

**Ms Sheerin:** No one in the Chamber would argue against an equal standard of living for those in society who live with a disability. However, it is not enough to simply state that we want to see people with disabilities treated equally; we have to act and we have to put in place the measures that will allow disabled people to live equally.

During lockdown, life changed for everyone, but the needs of those who require care remained the same, meaning that it was the carers, in most instances, who had to adapt. Caring for someone, particularly for a loved one with whom you share a home, is not a job that can be shrugged off and left at the back door in the evening; it is a vocation and something that not all of us are cut out to do.

It is worth remembering that care within the home is disproportionately the responsibility of women, and a study carried out by Carers UK in 2019 told us that 69% of female carers in the North of Ireland were unpaid. Of those claiming carer's allowance in the North in 2017, 68% were female. The same study demonstrated the financial and emotional impacts of the role, with respondents acknowledging what they miss out on and saying that they had suffered stress, anxiety and poor mental health as a result of their responsibilities, which are often in addition to work and relationship commitments.

Of course, there are also many challenges with direct payment care packages. Families are responsible for an employee, someone who is carrying out the care of their loved one, and so the usual stress of ensuring that their relative is being looked after appropriately can be compounded by worries about sick days or payslips. That has been magnified in recent times with concerns about the procurement of PPE or the securing of a COVID-19 test. I know from my experience of working with constituents on these matters that no two cases are ever identical, but the crux of the issue is the same: everyone wants the best for their loved one.

A recent report estimated that some 310,000 people in the North are caring for someone and that over 98,000 people became carers during lockdown. Those people are at the heart of today's debate. This pandemic, the consequent lockdown and everything that has gone with it are causes of significant anxiety for us all. For anyone suffering from an illness or living with a disability, the threat of COVID-19 is particularly sinister.

As the North went into lockdown, the impact of the sudden closure and the withdrawal of

services on those who depend upon them was extremely hard to imagine. So, too, must be the decision to ask a care provider not to come into the home or to decline parts of a care package because of concerns around COVID-19. I know of constituents for whom carers became part of the family. Relationships build between the carer and the individual, and, when the arrangement is successful, it becomes an organic, natural, supportive situation; a friendship as opposed to a work arrangement.

I know families that avoided submitting a request for a care package because of their fears around coronavirus, with furloughed sons, daughters and siblings stepping into the breach during lockdown. These people have not had a break. They were not logging on in their pyjamas to work from home or spending furloughed days catching up on Netflix but were providing a service that they, in most instances, have had no training for. As well as that, the change in routine for those with disabilities is often unsettling and upsetting. The loss of respite services during COVID-19 has been significant. Without respite, families are providing 24-hour, seven-days-a-week care, which is obviously a massive commitment that ultimately can have a hugely negative impact on a person's physical and mental health. Put simply, we all need a break.

From a departmental point of view, allowing people to cope unaided for sustained periods of time will lead to a greater draw on resources in the long term. It is vital that as the rebuilding plans for health and social care services are developed further, the trusts and Department do not follow the same bias that occurred with the onset of the lockdown, where social care and carers became second or third in the list of priorities. The plans for resumption need to add value to the lives of our disabled population and to consider the concerns of carers. Carers need certainty on the resumption of statutory and non-statutory services. I know that it has been asked of the Minister before, but it is important that the issue is given serious consideration. The current arrangements and restrictions on what is considered care need to be revisited.

Given the lockdown, family home carers should be given some space to be employed, and what is considered acceptable for care should be relaxed in order to meet the exceptional needs. I commend the motion to the House.

**Mr McGrath:** I rise to speak today, just two days on from Sunday, when we celebrated the 72nd birthday of the NHS, and I acknowledge the phenomenal work that goes on every day right across the health service. I also pay tribute

to the many individuals with a disability and their families across the North, who have made such sacrifices during the pandemic and, indeed, will have helped to save lives. I pay tribute to the many family carers, who have given tremendous support and assistance, and I pay tribute to all our healthcare staff, who have given up their time, energy and even, at times, their lives to ensure that the pandemic did not have the biblical impact that was predicted. We need, and needed, our carers. In the midst of the worst days of the pandemic, what was the response of those local heroes? They gave comfort, they lived and breathed compassion and they helped to save lives.

In March, we saw the pulling of the handbrake on social services for adults and children with disabilities. With little warning and no consultation or engagement with those who would be most affected, it was gone in the blink of an eye. Essential daycare facilities and respite services were shut. Support staff and daycare staff were repurposed and transferred along or furloughed. All the while, family carers stepped into the breach and not only ensured that those with a disability were supported and cared for, but that the further risk of infection of family members was prevented.

here we stand, on Tuesday 7 July, with the worst of the pandemic behind us, getting ready for a summer ahead, and what position have those local heroes been left in? In the worst days of the pandemic, we let them step up to the plate and protect some of the most vulnerable in our society, and what is their reward? Those heroes who worked unflinchingly, with no conditions attached, and regardless of the impact on their physical, mental and emotional health, who oftentimes had to leave their own families behind so that they could care for others. How are they being repaid for that? Well, they are not. We are now being told that the indications are such that these services will not be restored to meet assessed need for a very long time, and no information is being given directly or being shared with the families.

Forgive me, I know that sometimes we in south Down feel very isolated and alone when we see moves to repurpose our beloved Downe Hospital. It looks, though, that we are not alone in this, when we see the same tough, difficult treatment being handed out to family carers. In some ways, I fear for the aftermath of the COVID crisis. Lots of people are talking about a new normal. I hope that there is a new one, because we cannot go back to the old normal. If the old normal meant that you could pull essential staff from a local emergency department, send them to a hospital where they

were not needed and then tell them to go home and use their leave, I do want to see that normal. If the old normal meant that you can pull the handbrake on essential social services for adults and children with disabilities, it is not what we want to see. If the old normal meant that family carers had to put their physical, mental and emotional health on the line to care for others in the worst days of the crisis, and not be consulted on the future operation of the service, we do not want to be part of that new normal.

I know that our Health Minister likes to use the term "repurposing" and it has found a way into our new language, but, in this instance, I maybe actually agree with the Health Minister, although he may not believe it.

We need to repurpose our health service and find a new normal. What is the purpose of our health service? It is about the physical, emotional and mental well-being of everyone, whether you are a patient, a family member or a staff member.

#### 5.00 pm

As part of the repurposing, I urge the Health Minister to do three things that are entirely within his gift and to do so as quickly as we can. The first is to put in place flexible funding to be made available to family carers so that they can begin to plan alternative arrangements for care and support for the foreseeable future and so that they can get a break themselves and not be burnt out. Secondly, the Department must ensure that family carers are given the discretion to use individual budgets immediately for managing their family members' support needs in a way that gives flexibility, choice and control. Thirdly, family carers must be fully involved in any and all of the future long-term solutions. I do not think that that is asking too much, and, in case there is any ambiguity or confusion, I absolutely support the motion today and urge all Members to do so.

**Mr Butler:** I welcome the first cross-party motion since the resumption of the Assembly earlier this year, and I recognise the work of Chris Lyttle, the chair of the all-party group on learning disability, and the work that has gone into bringing the motion to the Floor of the House. It is good to be able to talk about a motion about some of the most vulnerable people in our communities and the people who provide the care for them, often in a hidden form. I also recognise the work of the all-party groups on learning disability and disability, which have, in my time over this past four

years, been relentless in trying to give a voice to those who are often unseen and unheard. In those two all-party groups, we have the advocates, the carers, the community and voluntary sector, the statutory sector and the service users represented, and it is one of the most refreshing platforms to be working on as a politician in these days.

Mr Principal Deputy Speaker, if you do not mind, I will read out the motion. It is a powerful motion, and it seeks:

*"That this Assembly recognises the significant impact of COVID-19".*

When we assess the impact of COVID-19 across our society, those who are most vulnerable must be at the top of our list, not at the bottom. The motion recognises the impact:

*"on children and adults with a disability and the exceptional contribution of family carers".*

I think that "exceptional" is an important word there, because it is often unseen and unheard what family members and close friends do in the provision of care in the unpaid sector. The motion goes on to talk about the temporary withdrawal of:

*"statutory and non-statutory services; and calls on the Minister of Health to produce a detailed plan for the resumption of services."*

I support the sentiment of the motion.

It is important that we recognise what a carer is. It would be a disservice to not peel it back a little. A carer today, in 2020, we now know, can be a child. It can be adult; it can be a family member; it can be a friend who gives care to somebody because of their frailty, their disability, their addiction or some other issue because that person cannot cope. That person provides the lifeline for the individual. The thing about being a carer is that, many times, they do not see themselves as carers; they see themselves as having to fulfil that function because there is no one else. Carers are champions, and we should not be afraid to put them on the pedestal where they deserve to be. Whether they fall into that role due to being a parent or a child or a sibling, we need to recognise what they do and the value of that for the person who needs that care. It is very likely that most of us may perform that function, as my colleague Kellie Armstrong has eloquently said today and so many times. That brings a real level of reality to what we are talking about.

I looked at a report about the four top things that carers have been exposed to over the COVID pandemic. Some of them existed before, but they have been compounded and magnified by COVID. One of them is visibility. The doors have been closed, and, perhaps, it has been even harder to get out and to interact with other people and certainly to avail themselves of services. The next was isolation, and there has been isolation across all facets of our society. For those who were already isolated, perhaps, it is even worse. Access is what we are talking about today, because, for the protection of the carer and those who needed the care, some of those services have been restricted or stopped, to prevent them from an even more insidious danger. Then, there is grief and loss. If you are a carer, especially for someone with complex needs, the fear of the loss of that person is a constant, dark companion. It is a burden that is hard to bear and has been exacerbated by COVID. I wrote to the Health Minister on 24 May on that topic and asked several questions in respect of the impact of COVID and the impact on carers. I was delighted to hear that the Department was committed to working closely with the carer representative bodies and was cognisant of the Carers UK report 'Caring Behind Closed Doors: Forgotten families in the Coronavirus Outbreak' and that guidance was published on 10 April and 22 May. It was also good to note that mental health got a significant mention and that there was information provided on that.

As I come to the end of my five minutes, Mr Principal Deputy Speaker, it is with delight that I speak on the subject and support the motion.

**Mr Easton:** It is estimated that up to 310,000 people in Northern Ireland may be providing unpaid care to a family member or loved one. Over 30% of those — 98,000 — have become carers since the COVID-19 outbreak began. Many of those carers will be supporting loved ones who have an incurable health condition or are at the end of their life. Because of COVID-19, social services for adults and children with disabilities were withdrawn in late March due to lockdown without warning or consultation with family carers. Paid support staff, including day-care workers, were reallocated to other services or furloughed. Facilities for day care, respite and other services were shut down. Family carers stepped in 16 weeks ago to provide all support and care and have kept family members free from infection.

Sadly, some terminally ill people have died since the COVID-19 outbreak began. The Northern Ireland Statistics and Research

Agency (NISRA) has recorded 716 excess deaths in the year to 19 June. That means that there have been an estimated 3,580 more people affected by bereavement than at the same point in 2019, many of whom are likely to have been providing care to loved ones before they died. Before the outbreak began, capacity issues meant that demand for bereavement support was significantly outstripping supply. That pressure is only likely to have grown as a result of the increase in deaths and disruption in services due to social distancing and other lockdown measures. Providing care for a dying loved one can be an all-consuming role. It leaves carers with little or no time to recharge their batteries, spend time with friends and family or even to do the basic things that most take for granted, like getting a proper night's sleep or enjoying a meal. More than ever, in the context of COVID-19, access to respite and other support services provide a lifeline for carers of terminally ill people.

The reduction and closure of care and support services and the disruption to services from paid care workers will only have exacerbated these issues. Survey data shows that 44% of carers in Northern Ireland are providing more care than before the outbreak began because of the reduction or closure of support services. For many carers, the outbreak will be an even lonelier and more isolating experience, as they are cut off from wider social support networks and relevant services. Access to regular respite is critical in allowing carers to take a break from their caring roles, recharge their batteries and look after their own health and well-being.

It must be recognised that, while COVID-19 has served to intensify the burden on local carers, the pressures on the services that support them long predate the outbreak. For instance, the widely acknowledged financial pressures facing adult social care have often meant a reduction in the services available to patients and the carers who support them. A significant increase in funding will be needed to allow health and social care trusts to rebuild after the crisis as well as bringing forward plans for the long-term reform of adult social care. Identifying carers as a priority group requires emotional support services and the development of an agreed pathway for them to access interventions such as psychological talking therapies; work in partnership with third-sector organisations; and providing advocacy and other key support services to carers. Family carers need flexible funding made available to them urgently so that they can begin to plan alternative arrangements for care and support for the foreseeable future and get a break themselves. Carers must be given the discretion to use individual budgets

immediately for managing their family member's support needs in a way that gives flexibility, choice and control. Indications are that external services will not be restored to meet excess need for a very long time, although no information about that is being directly shared with family carers. Family carers must also be fully involved in all future long-term solutions.

The Minister has published the strategic framework for rebuilding health and social care services, which I welcome and support. As part of the rebuilding programme, trusts have also produced and published plans for scaling up services. Those plans are now essential. They must be escalated, and we must ramp up service delivery, especially for children and adults with a disability, and fully recognise and support the exceptional contribution of family carers into the future. We owe them a debt of gratitude that must be paid by supporting them now.

**Ms Bradshaw:** I fully support the motion and welcome the opportunity to speak. I hope that the cross-party nature of the motion will send a strong message to the parents and family members watching or hearing reports of our discussion today so that they know how much we care about the subject matter.

I start off by acknowledging how difficult the lockdown has been for families where one of their loved ones lives with a learning difficulty or physical disability. I have said many times in the Chamber that the lockdown measures introduced to minimise the spread of coronavirus have been and continue to be felt disproportionately by certain sections of society, not least this one. We have all been contacted over the last four months by people raising concerns about aspects of accessing healthcare, social care and education. One of the earliest contacts I received was from a worker in a day-care centre for adults in Belfast who was very concerned about the close proximity of attendees on the buses and in the activity rooms, as well as the lack of hygiene control measures and, probably from this person's perspective, the apparent lack of urgency to close operations and stop the spread of infection. Very quickly thereafter, they were all closed. However, we all need to recognise now that that decision, like many others at the very start, was not taken lightly and was reached with consideration of the full ramifications of ceasing such services. Let us not forget that, back in February and March, we were facing into the unknown. Figures for potential projected deaths were in the thousands, and none of us had a crystal ball to know how the virus would spread. From the

start, one group of people who were acutely focused on the news and the latest information about the virus were the parents and partners of people who live with health vulnerabilities. Their principal job in life is to care for their loved ones and protect them from harm. Therefore, when the non-statutory services were closed, it was done without much dispute but with a sense of apprehension about how life would be for them as 24-hour carers without outside help and without the interventions of allied health professionals and other support staff who play such a vital role in working with people on mental and physical health and development.

At this point, I pick up on the huge efforts of the teaching staff in the special needs schools and the physiotherapists, speech and language therapists, classroom assistants and so on who have come up with inventive ways of continuing contact with the children and adults to encourage them to keep doing their activities, their exercises and their learning at home during these periods of isolation. I am sure that the parents and carers have really appreciated their ongoing support. However, I express some disappointment that it took so long for the guidance for social workers working with such families to be reviewed and updated by the Department of Health. I think it was about 12 weeks into the pandemic when that updated guidance came out. I had been contacted by parents who were acutely aware that, because outside carers were no longer coming into homes due to their legitimate fears about bringing in the infection, they were becoming reliant on their other children for support, essentially making them unpaid carers. Many told me of their acute stress and guilt at that, especially as the children were also feeling the pressure of their own absence from school and homework coming through, as well as their isolation from their friends and outside activities. I raised that issue on two occasions with the Minister at the Health Committee, and he came back to me with the answers I was looking for.

#### 5.15 pm

I was asking him principally about the potential for parents to use their direct payments flexibly, as is the case in England. When the long-awaited guidance came out, there was provision in it that social workers could work with families on a case-by-case basis. The guidance also required that the recipient of the money would have to pay tax and insurance and become, effectively, their parents' employee. All of that smacks of extra work and stress at a time when there was already a

bucketload of both for the parent and the social worker.

In preparation for the debate, I had a quick look at the comments on posts that I created on my Facebook page during the pandemic to provide updates for carers. One comment jumped out at me, because it said:

*"No shock there, we are always at the bottom of the agenda".*

Ministers and fellow MLAs have talked much over the last few weeks about resetting our health and social care sector and better recognising the unnamed yet diligent members of our society who played a vital role in holding the country together during the lockdown. We owe it to the carers and their loved ones that disability services are better resourced and better meet the needs of children and adults. In so doing, we have to ensure that we listen, engage and do better, going forward.

**Miss Woods:** Thank you, Mr Principal Deputy Speaker, for the opportunity to sign and speak on the motion.

As other Members have said, it is estimated that up to 310,000 people in Northern Ireland may be providing unpaid care to a family member or loved one and a significant number of people have become carers since the outbreak of COVID. Because of COVID, many families have had to make hard decisions about whether they wish to continue with some of the care that they had coming into the house. They have had to consider their safety and keep family members free from infection and face the closure of community, domiciliary and statutory support services. The effect on children and adults with a disability and the impact on family carers should not, therefore, be underestimated. The Assembly must recognise that and do something to help ease the pressure and burden that exists.

Local care and support services were closed, and health regulations have meant that key supports that some were able to access have been removed, including day opportunities and short breaks for respite, which are crucial for health and well-being. Members will have received briefings from FINI, the RNIB and the Coalition of Carers Organisations in response to the motion, giving their support for it and further recommendations. I hope that the Health Minister and other Ministers will take their points on board and commit to meeting all the groups that have come forward with ideas. I also implore the Minister to continue to engage with the sector, commit to co-design, truly listen

to the voices of those who are supporting our most vulnerable and build back a better system that is supportive of our carers and those whom they care for.

The organisations that have contacted us are clear: they wish to be fully involved in long-term future solutions and to work in actual partnership and not just as part of a tick-box consultation. Additional funding and flexible finances must also be looked at in the short term for those who need to plan alternative arrangements for care and support to alleviate the pressures that are faced and for trusts to rebuild and deal with the long-term issues that face the social care sector and that predate COVID. I spoke to FINI yesterday and heard the stories and experiences of those women from before COVID and during this time. It was an emotional conversation, in which the realities of their lives were discussed. I thank them for their honesty and openness in engaging with me. What was loud and clear is that they need to be heard. They have ideas and solutions to problems, but many feel that they are not being listened to. They need support, but it must meet the needs of their family members and their needs as carers. They talked about the support that they have received through this time. Some said that they had had none — one or maybe two phone calls in 14 weeks from the statutory bodies. That is not good enough. They tell of day centres being used as storage units, with no firm reopening date, and of the day-care hours that they need being reassessed and reduced. They talk of inconsistencies between trusts and the inflexibility of individual budgets. They talk of the reassessment process for day care being redone and not on a needs basis. I want the Minister to confirm how assessment for future access to day centres and day care is being done and how the people who need it most and who need more care will be able to avail themselves of it. Any future detailed plan should include investing in advancing plans for the upgrade of day centres, for example, to ensure that our buildings are suitable, such as at Ravara Training and Resource Centre in Bangor in my constituency, where parents and carers have been lobbying for years for upgrades and a new centre. Despite business cases being submitted as far back as 2012, they still wait.

Unpaid carers are vital to keeping vulnerable people safe, yet many fear that continuing 24/7 care will lead them to burnout. Many people in Northern Ireland were performing a caring role in difficult circumstances during and before COVID-19, alongside trying to hold down full-time jobs, take care of family responsibilities and look after their own mental and physical

health. We know that, before the outbreak of COVID-19, social care services were already in short supply and families with support met a high threshold to get any sort of care outside the home. Now, some of those services have disappeared, and unpaid carers have to cope alone, which adds to the burden and pressure. The Minister recently rightly stated that Northern Ireland faces a massive challenge in rebuilding health and social care in the wake of the first COVID-19 wave. We had a challenge before COVID, and we face an even bigger one now. Part of that is facing and dealing with the issues that existed, but we have an opportunity to build back better, to refocus and to do things differently, better than we did before. I commend the motion to the House.

**Mr Carroll:** I thank the Members for tabling the motion. I am happy to have signed it and supported it. I thank all the carers in my constituency and across the North who have been working extra hard throughout the pandemic. I thank the organisations — a lot of them — that contacted me and other Members ahead of the debate.

The necessity to implement lockdown exposed how reliant we are on care workers, those who work in a broad range of environments to support people with disabilities and care needs and those who provide care in general, including family members. It was obviously not just that trust services were withdrawn; a broad range of community settings and services were no longer open due to lockdown. The current arrangement highlights the need for respite care, as we have heard, for the families of loved ones with care needs. The truth is that unpaid carers took up the mantle. Family members stepped in and stepped up to provide care when it was required. We should recognise that fact and the fact that, as we have heard, it is mostly women who carry out that work. They deserve not only praise and thanks but some sort of financial assistance or payment in recognition of that. There is a call for a family carers grant, which is something that, in my view, should be welcomed broadly by the House.

Family carers must be given the discretion to use individual budgets immediately for managing family members' support needs in a way that gives flexibility, choice and control. While it is, no doubt, the case that care workers employed by the trusts or whomever work hard and provide essential support, there was a gap in care before the crisis. The unpaid carers whom we are talking and thinking about today were often the ones who stepped in. Families Involved NI mentioned that, in a week of 168

hours, the state provides only 30 hours of support. That is far too low. We have also heard that more than 310,000 people provide unpaid care. That is a staggeringly massive figure that needs to be tackled. People need support.

The mantra of "No return to normal" has echoed loud and clear throughout the pandemic. We cannot return to a situation where the state fails to provide enough hours to families of people with care needs. We have heard in our correspondence about carers in their 70s and 80s who have had to provide round-the-clock care. I can only imagine how difficult and tough it has been for them to provide care for the people they love on a consistent, 24/7 basis, often without any respite at all. We have to recognise the role played by such people. They were integral in providing care when services were withdrawn. Family carers stepped in 16 weeks ago to provide support and care, and they have done essential work throughout that period.

We also have to recognise that people with disabilities have generally been overlooked by society when decisions were being made. One group in particular that is often overlooked is people who are blind or have visual impairment, and there are an estimated 55,600 of them in our society today. Obviously, social distancing is difficult for them to do, so, when we make plans for moving forward, we need to bear in mind those people. People who are blind or partially sighted have been shouted at on the street because they are not abiding by social-distancing measures. We need to bear that in mind.

We have to remember that many family carers face burnout. We need to act accordingly to support them. Many people have clapped for the NHS in the last few weeks. As we face economic ruin and recession, what better way to pre-empt that than by starting to employ and recruit more carers? That would, obviously, provide jobs, but it would also provide extra hours, as needed, to carers throughout the crisis and afterwards.

**Mr Principal Deputy Speaker:** I call the Minister of Health, Mr Robin Swann, to respond to the comments that have been made. The Minister will have 15 minutes.

**Mr Swann (The Minister of Health):** I thank everyone who commented and those who tabled the motion. The motion provides an opportunity to highlight and debate an important subject: the impact that the COVID-19 pandemic has had on our children and adults who have a disability, as well as those who care

for them. I will begin with a simple but heartfelt "Thank you". It would be remiss of me to do anything other than express my sincere gratitude to the many families who have played such a significant part in keeping their loved ones safe during these difficult last few months. It would be difficult to overstate the debt that we owe to them.

Controlling the spread of the virus has, rightly, been our collective top priority and will remain so as we continue the process of easing restrictions. However, I am aware of the real challenges and difficulties that lockdown has presented for the families and carers of those with disabilities and complex medical conditions, many of which have been echoed here today. I publicly thank every one of those families and assure them that they and their loved ones have not been forgotten.

There is, however, much that we need to consider, as is evident from our debate. As I have said on many occasions, the pandemic has changed all our lives. That is particularly so for families including those with disabilities. I am acutely aware that many have faced either long separation from loved ones who are being cared for in a setting outside the family home or the taking on of caring duties on a full-time basis because of the scaling back of services or the closure of schools. According to a recent report that a number of Members have mentioned, nearly 100,000 new carers were added to the list in Northern Ireland as a result of the COVID-19 pandemic. That means that there are potentially well in excess of 300,000 carers in Northern Ireland now. That is a significant number of people whom we rely on to help the people whom they care for to live at home. In turn, carers rely on our health sector to support them in their caring roles. As some have said, it is a partnership. One of many lessons of the pandemic, however, is that we, as an Executive, need to work on strengthening that partnership. My Department, the board and the HSC trusts have worked tirelessly to provide what help and support they can in extreme circumstances, and I thank them for their efforts.

Recently, during Carers Week, we all had the opportunity to celebrate the role that carers undertake. This year's theme was making care visible. Mr Butler referred to that as one of the four main challenges. A report on the state of caring was launched by Carers Week, and it makes for sobering reading. The challenges and anxieties faced by carers are very real. They impact on their relationships and finances and create feelings of isolation and being overwhelmed and undervalued. I have asked

my officials to reflect on the findings in the report and report to me. There is no doubt that the toll that the pandemic has taken on our carers is tangible, going by what has come across my desk and the desks of other Members and what has been articulated today by Members advocating on behalf of those families and themselves. In particular, I have been struck by the real sense of what can only be described as fear that is being experienced by some of the families as they struggle to cope with the circumstances that they have found themselves in. They feel deep anxiety about their own health and well-being and that of their children at this difficult time and into the future.

I know that there is a deep concern among Assembly Member colleagues about this, and I share it and I am fully committed to addressing it by building on the detailed work that is well under way around the resumption of services.

### 5.30 pm

On the closure of HSC day centres and schools, as many of you have already said, we saw the early standing down of most of our centre-based day services, along with some short break facilities across all trusts, in response to the COVID-19 pandemic. While we are cognisant of the degree to which many families rely on those supports on a daily basis, it is important to note that the action was considered necessary at that time to minimise the transmission of the virus among adults with learning disabilities and to ensure adherence to public health guidelines. We also saw the closure of schools, including our special schools.

In response to those closures, Members will be aware that, across Northern Ireland, as anxiety increased among families and carers who were struggling to cope at home, all the trusts put in place measures to redeploy their day-centre staff to provide alternative day, short break supports to families on a risk-assessed basis, and in accordance with COVID-19 guidelines. In many cases, that involved bespoke arrangements being put in place to meet the individual needs of those families, with some very laudable effort made to reach out to service users and their families and to provide in-reach services in day centres on an exceptional basis, while adhering to public health guidance. I know that that support provided much-needed respite for some families and it is worth acknowledging.

I will also take this opportunity to commend those working in the voluntary and community

sector for the huge efforts that they made, and continue to make, to support their clients and families. The work that is being done at the grassroots by many organisations that have gone the extra mile and beyond is truly humbling. Organisations such as the Compass Advocacy Network in my constituency reached out to give us an update as to the steps that it had taken to support its service users. It also provides hope for us all that many organisations stood up and supported those families when they needed it. It also provides hope for us all that some good might come out of the pandemic through learning that can be applied as we plan for and seek to rebuild services for the future.

Many Members referred to the importance of cross-departmental, inter-agency working, and I believe that that is particularly true for our disability sector. I say that because one of the positive things to have emerged from the many challenges that the pandemic has presented has been the even closer working that we are witnessing between Health, Education and Communities. That can only be a good thing, and it has come about through the establishment of a joint Health and Education oversight group and local multi-disciplinary panels in trusts to help deliver an integrated support group programme for children with complex needs and the families who are in the greatest need.

Through Health and Education working together, children who rely on the routine and familiarity of school as a vital coping mechanism have been identified and placed in our special schools during this period. That was as a result of guidance that was developed and training that was provided by our health professionals. The collaborative working between Health and Education is continuing, and it will inform the planning of the Education Restart programme, including the health supports that are required for children in line with their statement of special educational needs.

Collaboration with colleagues in the Department for Communities and the Housing Executive has increased to ensure that supported living services can continue to reach the most vulnerable in our society during the pandemic.

During the pandemic, we have collated and produced a range of guidance products in formats that are accessible to those with sensory and learning disabilities. These resources include material from a variety of sources, targeted at helping people with learning disabilities and autism, and their family, express how they have coped with lockdown.

The guidance products are available on the PHA website.

I have made additional funding available to Carers NI so that it can extend the operating hours of its advice line service, and, in response to a request from carers, a carers ID card has been developed and distributed to assist them with their in-store supermarket shopping. Officials are working with carers in the health and social care sector to develop guidance that will bring much-needed clarity to the complex subject of direct payments, which Members mentioned today. The trusts have been contacting carers and, where possible, offering additional support. Online stress management classes, carer support groups and health and well-being sessions have been organised to support carers through these difficult times.

My Department co-produced advice for unpaid and family carers, including young carers. That was published initially on 10 April and has been updated regularly since. This advice brings together a breadth of help and advice from across government, health and social care and other verified sources, making it an essential one-stop shop for busy carers. My Department has amended and produced updated guidance on other issues, including the course of the pandemic, to reflect the specific needs of people with disabilities and their families as our awareness of the impacts of the restrictions has increased. Travel for exercise and visiting guidance are two examples of this. Many organisations contacted us seeking clarification of the rules around exercise where there is an agreed need, perhaps requiring travel to a particular place outside a person's local area more than once a day. We looked into this immediately, and updated guidance was subsequently published and implemented across all trusts.

Following direct engagement with carers from a range of trusts, facilitated by Families Involved NI, we were able to ensure that their concerns about being able to accompany their loved ones into hospital were addressed in the latest regional visiting guidance, which I published last week. I very much hope that, moving forward, this example of co-production in action can be built upon.

Members referred to the recovery and reset plans. This is a good point at which to address the second part of the motion, which is the call for me:

*"to produce a detailed plan for the resumption of services."*

I am pleased to report to Members that detailed planning is under way across Northern Ireland for the resumption of services. Let me make it clear: I have made it clear that I want services to be recommenced as quickly as it is safe to do so. At the beginning of June, I published an overarching strategic framework for the mammoth task that we now face: the task of rebuilding our health and social care services as we emerge from this initial peak of the first COVID-19 surge. In doing so, I have made clear that we cannot look too far ahead or ignore the huge strategic challenges that faced the system pre-COVID and which have been further compounded by the pandemic.

As I said previously, the process of rebuilding will be incremental. In this context, under the auspices of the strategic framework, plans have been developed for a regionally consistent approach to the resetting and recovery of the disability services that, across Northern Ireland, were scaled back during the first surge. All trusts, in partnership with the independent sector providers, are developing detailed service-specific action plans informed by a range of factors. These include COVID-19-related staff absences; the ability to implement social-distancing measures in current facilities; the ability to return staff from redeployment; and local variation in infection rates and practicalities. Engagement with carers and independent sector providers on these plans is under way across all trusts. It is important to recognise that there have been practical barriers to consultation with service users during the pandemic. However, we must ensure that their views shape how services are reset and scaled up.

Initial feedback suggests that flexibility will be essential as we enter the recovery phase. Reflecting the demand for increased creativity in the approach to service delivery, and in the light of experiences during the first surge, incorporating the learning and new approaches developed in response to the pandemic will be central to our approach to restarting services and, indeed, to the future shape of learning disability services in Northern Ireland. To that end, the lessons learned from COVID-19 must inform the ongoing development of the learning disability service model for Northern Ireland.

In conclusion, it is important to emphasise that our understanding of the impact of COVID-19 on our population is a developing picture. Although the anecdotal evidence is clear and backed up by much of what has been said here today, we still have a lot to learn, particularly about its impact on various groups here in

Northern Ireland, including those with a disability and their families and carers.

While I am confident that the detailed planning already under way reflects what we currently know, I am also fully committed to increasing our understanding of the impacts on children and adults with a disability and their families in order to inform our plans for rebuilding as they continue to evolve in line with the strategic framework that I have already published on the principles of co-production, which I am fully committed to as we move forward.

We will also continue to work in partnership with our partners across all Departments to ensure that the holistic needs of those with a disability and their families are met. On that basis, I support the motion today and thank the Members once again for bringing this important issue to the Assembly.

The last word must go to families: I assure you that your contribution to our response to the pandemic to date is much valued by me and my Department. I salute your resilience and your incredible efforts to advocate on behalf of your loved ones.

While we must recognise that the road ahead will be challenging and the service capacity will likely continue to be significantly impacted, it should not have to be a struggle for those who play such an important role in our system. We must keep striving to improve how we do things. As a system, I know that we will rise to that challenge, and I look forward to doing that with everyone who has a stake in making it better for all. I support the motion.

**Mr Principal Deputy Speaker:** Thank you, Minister. The Minister went a minute over, but, given the content of that minute, I think that I did the right thing in not interrupting him.

I call Mr Colm Gildernew to conclude and wind up the debate on the motion.

**Mr Gildernew (The Chairperson of the Committee for Health):** I am very pleased to be associated with the motion today. I also acknowledge the work that Chris Lyttle has done in bringing us all together on such an important issue.

Members across the board have largely recognised many of the groups who have engaged in the debate outside this Chamber, and families involved, who I did a significant Zoom meeting with a number of weeks ago, have been instrumental, as have a range of other groups. In the run-up to the debate, there

was an issue raised in relation to whether or not this would be tokenistic. I recognised that concern from that group of people.

We all know that, in the best of times, carers are faced with very difficult situations and that the COVID-19 crisis has indeed accelerated many of those issues. It has left them further isolated and left them with further difficulties in relation to holding down a job and trying to manage their caring role at the same time. That is something that we need to be very conscious of.

I would also have been delighted had this motion included an element of financial recognition for the additional costs that carers have had because of PPE and having to pick up extra care. That is something that we need to look at very realistically, and I acknowledge the Minister's remarks about looking at that issue very specifically. It is important that we address that as a priority in the time ahead.

Members here today also indicated the unfair, if you like, impact of caring on particular groups. Women obviously are the first group that come to mind in relation to that, but I have concerns about carers of children who have had to deal with the issue of their schools being closed and all those additional supports or respite disappearing from them.

When I first came into the Assembly, I became Sinn Féin spokesperson for carers and well-being. I asked for that role to be created because I think that there is a wide recognition that, too often, we treat carers as an afterthought in many ways. We cannot see that continue because, as has been acknowledged by the Minister and by other Members who spoke today, there is a huge amount of people who are providing care in our society, and the entire health and social care system relies heavily on the input of those carers.

As Kellie Armstrong said, if we do not support them and they get burnt out, we are in serious trouble. There is absolutely no question about that. We need to engage with them in a realistic way. I acknowledge the Minister's point that there have been additional difficulties with COVID-19. However, additional opportunities have opened up. Many of us have seen all-party group meetings. I attended one Zoom meeting, in particular, at which there were 80 people. Therefore, other ways of engagement are being opened up that should be explored proactively.

**5.45 pm**

I also want to address the issue of trusts' responsibility, which is central. In the first instance, they have a responsibility to identify carers. A number of months ago, I did a piece of work with the trusts on their register of carers. It is patchy and incomplete. They understand that they do not know fully who is providing care in the community. The Minister has acknowledged the additional carers who have come forward at this time. That is a significant and welcome piece of work, but there is much more to be done in that respect. We need to find out who out there is providing care and what we need to do to support them.

Almost every Member who has spoken in the debate has acknowledged the fact that caring, in itself and before COVID-19, has a huge impact on physical and mental health. Everyone has also acknowledged the impact of loneliness on carers across the board and the further difficulties with that at this time. There are also significant issues around poverty and the impact that being a carer has on career progression. In the longer term, we need to reinforce the rights of carers in legislation. At this time, the only legal right that a carer has is the right to an assessment. They do not even have the right to have any needs identified in that assessment met. At least, it is a start that unmet need is being captured. We also need to look at that issue.

Many Members mentioned the need to provide flexibility around direct payments and individual budgets where that suits a particular situation. We cannot overlook the essential need for the core services that have been stopped, including schooling, day care and respite services. Carers have been stressed out for weeks now, as was mentioned by a number of Members. In many cases, they are truly at the end of their tether. We need to reflect on that. I believe that the Minister understands that, and I welcome the moves that he has taken. However, as a matter of urgency, we need to see what practical steps we can take for the rebuilding of services. The Minister has mentioned difficulties with that. We need to engage with those difficulties robustly in order to try to prioritise that. It is one of the key issues that we are looking at now.

I commend Members for the debate. It is an important message to send out. While I recognise that people out there will be concerned that the motion is somehow tokenistic, it is important that we, at least, start to have that debate and move the practical situation forward. I commend the motion to the House.

Question put and agreed to.

Resolved:

*That this Assembly recognises the significant impact of COVID-19 on children and adults with a disability and the exceptional contribution of family carers further to the cessation of many statutory and non-statutory services; and calls on the Minister of Health to produce a detailed plan for the resumption of services.*

**Mr Principal Deputy Speaker:** Members, as I am moving the next motion, I am, obviously, unable to chair the debate on it, although some might think that I would maybe try. I have been advised that Deputy Speaker Beggs is unavailable and is, therefore, also unable to chair the debate. Standing Order 9A(1) provides for those circumstances by requiring the sitting to be chaired by a temporary Speaker. The temporary Speaker is defined as:

*"the member, present at the sitting, who has served the Assembly the longest number of days, and in the case of a tie, the oldest".*

In accordance with Standing Order 9A(1), I have, therefore, asked Mr Jim Wells to take the Chair.

I invite Members to take their ease. I propose, by leave of the Assembly, to suspend the sitting — *[Interruption.]* Members, one moment. I propose to suspend the sitting until 6.00 pm in order to allow for change at the top Table. The next motion will be on ministerial breaches of the COVID-19 guidelines.

*The sitting was suspended at 5.50 pm and resumed at 6.00 pm.*

*(The Temporary Speaker [Mr Wells] in the Chair)*

### **Ministerial Breaches of COVID-19 Regulations and Guidelines and the Associated Damage to Executive Messaging on COVID-19**

**The Temporary Speaker (Mr Wells):** I ask Members to take their seats. As the Principal Deputy Speaker has outlined, it falls to me, as temporary Speaker, to chair the debate. I remind all Members that, in my role of temporary Speaker, I will, of course, discharge my duties during the debate impartially.

**Mr O'Dowd:** On a point of order, Mr Temporary Speaker. Can you clarify something for the

House? The motion is titled "Ministerial Breaches of COVID-19 Regulations and Guidelines", yet in the text of the motion there is no mention of a ministerial breach of the COVID-19 regulations. I just want clarity on what Members are debating today and what they will be voting on.

**The Temporary Speaker (Mr Wells):** I thank the honourable Member for Upper Bann for his intervention. The titles of motions are determined by Members when they table their motion. There are admissibility criteria for motions, but the wording of the motion is a separate matter. You have a concern about the title. The issue has been considered, however, and the title and the motion are in order under Standing Orders.

**Mr Stalford:** I beg to move

*That this Assembly acknowledges the immense sacrifices that people, families and communities have made during the COVID-19 emergency; pays tribute to those who selflessly prioritised the need to keep each other safe above their own personal needs, particularly during times of trauma, loss and grief; expresses disappointment in the actions of those in ministerial office who breached public guidance and failed to share in the sacrifice that we have asked of others; implores members of the public to stay with us and to continue acting in accordance with the regulations in order to keep each other safe and prevent further deaths; recommits to upholding the spirit and the letter of the COVID-19 regulations and the related public health guidance; and calls on the deputy First Minister and the Minister of Finance to apologise for their actions, which have caused immense hurt.*

Over recent days, Members of the House have been asked by senior Government Ministers not only to suspend their critical faculties but to suspend their physical senses. In a fashion that would shame Kellyanne Conway, the deputy First Minister asks us —.

**The Temporary Speaker (Mr Wells):** Order, Mr Stalford. I am sorry. I should have given Members an indication of the timing for the debate. You will have your full 10 minutes.

**Mr Stalford:** That was a good line too *[Laughter.]*

**The Temporary Speaker (Mr Wells):** The Business Committee has allowed up to one hour and 30 minutes for the debate. The proposer of the motion will indeed have his full

10 minutes in which to propose and 10 minutes in which to wind. All other Members who are called to speak will have five minutes.

**Mr Allister:** On a point of order, Mr Temporary Speaker. Does it follow that there is no ministerial response in the debate, as you have indicated that all other Members who are called to speak will have five minutes?

**The Temporary Speaker (Mr Wells):** I understand that Mrs O'Neill is responding in her capacity as deputy First Minister. In that role, she is entitled to 15 minutes rather than the normal five minutes allocated to Members.

**Mr Allister:** Further to that point of order, Mr Temporary Speaker, how can it be that Mrs O'Neill is responding as deputy First Minister, speaking on behalf of the Executive Office? Should we infer from that that the First Minister has assented to that and that, when she rises, Mrs O'Neill is speaking on behalf of the Executive Office, which means that she is also speaking on behalf of the First Minister?

**The Temporary Speaker (Mr Wells):** That is a valid point of order, Mr Allister. I am simply relaying the information received by the Business Office and the Clerk. It will be up to the deputy First Minister, Mrs O'Neill, to address that point during her 15-minute address to the Assembly.

**Mr Allister:** On a point of order, Mr Temporary Speaker.

**The Temporary Speaker (Mr Wells):** Mr Allister.

**Mr Allister:** With respect, it is not for Mrs O'Neill to address that point. If Mrs O'Neill is appearing in the House on behalf of the Executive Office, custom and practice dictate that she can appear in that role only with the assent of the First Minister. Is she appearing on behalf of the Executive Office to speak for 15 minutes on behalf of that office? If she is speaking only on her own behalf, she should be restricted to 5 minutes and speak from the Back Benches, I would have thought.

**The Temporary Speaker (Mr Wells):** The Member has been around this Building almost as long as I have, and he knows the protocol that, when someone responds in their capacity as an Executive Minister, they have 15 minutes. I have no doubt that, when Mrs O'Neill is speaking, you will be quick to your feet to ask her about that very point, and I am sure that

she will address it. However, at the moment, I am simply relaying the information that has been received by the Business Office. It is not for the Business Office or me to decide anything beyond that, and I can confirm that she is addressing the Assembly at the end of the debate in her capacity as deputy First Minister.

**Mr Lyons:** On a point of order, Mr Temporary Speaker.

**The Temporary Speaker (Mr Wells):** Mr Lyons.

**Mr Lyons:** I will just make it clear on behalf of the First Minister that this is not a joint statement on behalf of the Executive Office.

**Mr Allister:** On a further point of order, Mr Temporary Speaker.

**The Temporary Speaker (Mr Wells):** Mr Allister.

**Mr Allister:** Given the joint nature of the office, how can Mrs O'Neill address the House as deputy First Minister, on behalf of that office, if she does not have the consent of the First Minister? Mrs O'Neill, in the House, has no power as deputy First Minister. Any power she has is solely the power of the joint office. If the joint office is not consenting to her speaking as deputy First Minister, she cannot speak as deputy First Minister. Is that not correct?

**Mrs O'Neill:** On a point of order, Mr Temporary Speaker.

**The Temporary Speaker (Mr Wells):** Mrs O'Neill.

**Mrs O'Neill:** I confirm that I intend to speak as an MLA this evening and respond to the debate. I do not know where the confusion has come from, but it is certainly not of my making.

**The Temporary Speaker (Mr Wells):** Well, that raises an interesting point. Normally, a Minister is automatically entitled to 15 minutes in their capacity as a member of the Executive, if they are responding to a debate. Individual Members, even if they are Ministers, who are speaking as private individuals are allocated only five minutes. The difficulty is that the Business Office was informed that Mrs O'Neill was responding to the debate in that capacity. Therefore, we allocated her 15 minutes, and that is quite normal and the right thing to do. The difficulty is that we have allocated the time

accordingly. Mrs O'Neill is telling us that she is speaking as an ordinary MLA, so she would be restricted to five minutes rather than 15.

**Mr Allister:** I respectfully suggest that there is no difficulty: if she is speaking as an MLA, she has five minutes. End of.

**The Temporary Speaker (Mr Wells):** Yes, your interpretation is right, Mr Allister. I am grateful to Mrs O'Neill for confirming her status for the debate and to Mr Lyons for his intervention. I do not know whether you have prepared a 15-minute speech or a five-minute speech, Mrs O'Neill. I have no doubt that there will be references to you during the debate and you may have an opportunity to intervene. I am, therefore, ruling that, on this occasion, it is five minutes for the speech. That still means there are 10 minutes for either Mr Stalford or his nominee at the end of his contribution.

Sorry, Mr Stalford: you still have ten minutes.

**Mr Stalford:** Thank you, Mr Temporary Speaker. In a fashion that would shame the Trump Administration, the deputy First Minister asks us to shut our eyes to what we all can see and stuff our ears to drown out what we all can hear. We are urged to rely on alternative facts. Her assertion that she abided by the guidelines that she wrote and imposed on every other citizen in this country has been repeated ad nauseam. That pretence cannot be sustained unless we close off all reason and judgement.

Let us examine the facts. What do the regulations that the deputy First Minister had a hand in drafting say? They are very clear:

*"These Regulations further amend the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 in order to allow for gatherings of up to 30 people in public places and outdoors."*

Thus far, the lamentable defence of her actions that the deputy First Minister has provided hinges on a spurious premise: that the crowd following the cortège at Mr Storey's funeral constitutes the funeral, whilst the parade walking behind does not. We are asked to divorce one from the other. However, we cannot. Our eyes will not allow us to do that, for we can see, leaving aside the fact that there were clearly more than 30 people walking in the cortège, there were hundreds more walking behind them and in close proximity and there were thousands in Milltown cemetery. I will come to Milltown later. That clearly and openly constitutes a breach of the regulations.

Furthermore, given the images that have emerged showing a mass procession, I would be grateful if the deputy First Minister could confirm whether Sinn Féin, who, I am given to understand, organised the event, submitted the requisite 11/1 form to the Parades Commission. If not, that constitutes a further breach of the law, one that, I suspect, the deputy First Minister's party would be quick to seize on if others were guilty of it.

There are other reasons. The other reason why the defence of 30 in the cortège constituting the funeral breaks down is what happened in Milltown. Regulations state that gatherings should be up to 30. The deputy First Minister wrote them. She knows both the letter and the spirit of those regulations. Why, then, was a public address system set up in Milltown cemetery? You do not need a public address system, if you intend to address 30 people. Is the deputy First Minister seriously contending that what occurred in Milltown cemetery was separate from Mr Storey's funeral? If it was, it did not constitute part of his funeral; it constituted a Sinn Féin rally in a cemetery. If you are abiding by the letter and spirit of the regulations, you do not advertise public gatherings. Yet that is precisely what Sinn Féin did. Republican activists were recruited from all over the country to attend the event; indeed, some enjoyed the occasion so much that they were posing for selfies with the deputy First Minister in yet another breach of the regulations that she authored.

There you have it, sir: more than 30 in attendance; hundreds more behind them in a procession; widespread advertising of an event; installing a public address system in a cemetery; a mass rally in a cemetery; and posing for selfies. Yet the deputy First Minister continues to insist that her actions were within the regulations. That is for the birds.

All this is most regrettable, because the Northern Ireland Executive had been doing well in dealing with the pandemic that we are in the middle of. After a period of three years without devolution and these institutions and those of us who occupy them being held in contempt by the wider community, we were making progress in how people feel about the Assembly. I regret to say that the deputy First Minister's credibility is now shot to bits. I do not say that to be cruel or unpleasant; it is simply a statement of fact. What credibility there was is now gone.

At the recent meeting of the Executive Office Committee, the deputy First Minister told me that it was not for me to adjudicate on what funerals she could or could not attend.

Yet, sir, that is precisely the power that she has assumed for herself, which we gave her, over the last four months. Not only did the deputy First Minister take on those powers but she was zealous in telling us all how necessary they were. As a consequence, many people in this country lost out on giving their loved ones the funeral that they would like. Seemingly, those rules do not apply if a senior member of Sinn Féin is the person who is being buried. That is what really sticks in people's craw. That is what is at the core of this issue: "Do as I say, not as I do".

### 6.15 pm

I have no doubt that an attempt will be made to brazen it out in the hope that, once we have all had our say, that will be the end of the matter. That is not my intention. I am asking the Executive Office Committee Chairman, Mr McGrath, to consider initiating a Committee-led inquiry into these events in order to establish on the record of the House the scale of the breaches that occurred. We cannot have a situation where a senior Government Minister, week after week, fronts up a press conference, urging our people to sacrifice, sacrifice, sacrifice, only to then apply different standards when the person who is being buried is a colleague. No matter how much Mr Storey may have meant to the deputy First Minister — I accept what she said at the Executive Office Committee, which was that he meant a great deal to her — there are others who did not have the chance to give a send-off to people who meant a great deal to them.

On 4 June, the deputy First Minister said:

*"We have to send a message very clearly that by gathering in such a big crowds we're actually spreading the virus, and ultimately that's killing people".*

That was on 4 June, and it was said about the Black Lives Matter protests that occurred at the front of Belfast City Hall and other places. The events at Milltown made those look tiny by comparison, so why does the principle apply to people taking part in a Black Lives Matter event but does not apply to the people participating in a republican event?

In conclusion, I am sad that we have come to this juncture, but, like many other people in this country, I am outraged and disgusted at the persistent denial of that which we can see for ourselves. The longer that that persistent denial

goes on, the more the credibility of the deputy First Minister melts away like snow off a ditch.

**Ms Flynn:** Tonight I will oppose the motion. With the entire Sinn Féin team, I recognise how difficult and challenging these past few months have been for everyone but particularly for those who lost loved ones to COVID-19 or those who had to endure the heartache of losing someone during the pandemic. I recognise those Members who lost close relatives during this time, and I recognise their heartbreak. I take this opportunity to offer my sincere condolences to every single family that has lost a loved one at this time and to every family out there that is going through the difficult and heart-wrenching process of grief. That includes the family and friends of Bobby Storey.

Bobby Storey, who tragically passed away on 21 June, was a very dear friend of mine. He was a person of huge influence and inspiration not just to me but to many hundreds of thousands of republicans across this island and further afield. Bobby was a mentor, a champion, always in my corner, and he did his very best to support me and many other younger republicans in our party. He was loved by so many from the constituency of West Belfast. He earned the respect of the community of West Belfast, republican or otherwise, and it will always be with a smile that I will think of Bobby, including here tonight.

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

**Ms Flynn:** I would rather not, thank you.

In discussing the motion, I am mindful of the grief and the sorrow that his family is experiencing, and my heart is sore for my friend and my colleague, Bobby's heartbroken partner, Teresa. My heart is sore for their children, some of them my very good friends. My heart is sore for their young grandchildren, some of them still trying to make sense of what has happened and some who still do not understand what has happened at all. My heart is sore for Bobby's nearest and dearest lifelong friends.

In two days of discussion in the Chamber, there has been little consideration of the pain being experienced by the family of Bobby Storey. There has been very little or no expression of sympathy and no condolences. How many Members here, in the midst of this week's incessant media coverage, the tweets, the Facebook statuses and the interviews, have genuinely given any thought to the grieving family of Bobby Storey? It seems that, for many

in the Chamber, the family of a republican activist is worthy of less respect and less consideration. I have thought constantly about the family of Bobby Storey, the Pickering family, the Storey family and about his young grandchildren, who have lost their Granda Bobby, and Teresa, who has lost her partner and the love of her life. Every day since Bobby has passed, their pain has been real and heartfelt.

We can all have our own very different perspectives on the life and contribution of Bobby Storey and also on the events of his funeral, but I urge Members who rise to speak on the motion tonight to please also accept and remember that his family are grieving and that their grief is as deep and as difficult as the pain of anyone else. Whatever issues we are discussing here tonight, we should all recognise that diminishing the dead diminishes us all.

**The Temporary Speaker (Mr Wells):** Thank you, Ms Flynn. Members, this is an issue that I am sure everyone has a strong opinion on, but I thank Mr Stalford and Ms Flynn for the tone of their contribution in the two opening speeches. I am absolutely certain that that will be perpetuated by Mr Daniel McCrossan.

**Mr McCrossan:** Thank you, Mr Temporary Speaker. I absolutely acknowledge that there is a grieving family, but I also acknowledge that there are many grieving families whose grief has been compounded by their inability to have a traditional wake and funeral, which are so important to the fabric of our society. The SDLP recognises the grief of the Storey family and we do extend our thoughts and prayers to them at this time, but this debate is not about the Storey family. It is about us, as an institution, practising what we preach to ensure confidence in the House, in our Executive and in those who lead our Executive.

The lockdown restrictions have not been easy for many people, but the vast majority of people across the North have heeded the advice that we, as an institution, gave. Only this week, the US special envoy Mick Mulvaney praised our efforts in curtailing the deadly virus on these shores. I am proud, as an MLA for West Tyrone, of that fact that the actions taken by the Executive and in the Chamber have had, and continue to have, life-saving consequences for the public and have saved countless lives.

We have made a massive impact on stopping COVID-19 here, and that is due to the many sacrifices that people have made during lockdown, as instructed by our Executive continually, week in and week out. Those

personal sacrifices will continue to have a massive toll on people, and that is especially the case with funerals. Many families have had to say goodbye to loved ones, with no wake, no physical mass and no funeral burial at all. We have all become accustomed to that during COVID-19. The sacrifices that those families have had to make are immeasurable and will stay with them for the rest of their life. I have seen this at first hand across my constituency in West Tyrone, where grandsons, granddaughters, nieces, nephews, cousins, sons, daughters, brothers, sisters, neighbours and friends were unable to attend the funerals of loved ones and friends. They are doing that on the advice given to them by our Executive every week.

The motion is about recognising the immense pain and hurt that has been caused to people in all our communities, who were asked to make significant sacrifices in the interests of protecting friends and families. I think that we should reflect on the scale of the sacrifice that every single Member present here today has asked the people in our respective communities and constituencies to make on a daily basis.

I think today of my colleagues in the SDLP who were lifelong friends of our dear friend John Dallat, a former Deputy Speaker of this House. We were denied the opportunity to say goodbye and honour his contribution to our island, to our peace and to his people in East Derry. We made the decision that our pain, our needs and our grief had to come second to the public health advice that we have all committed to, and asked others to do the same.

I think of colleagues in other parties in this Chamber, such as Edwin, who have experienced the loss of a loved one and were not able to share their pain with family members in the way that we normally would, and the sacrifice that he and his party colleagues have also made, in terms of attending the funeral of his late father.

It is a matter of profound regret that, having asked so many to selflessly put their personal paid aside and to act to keep each other safe, members of our Executive, including the joint head of Government, could not share in that sacrifice, and that is what is at the heart of today's issue. It just seems to many out there that there is a hierarchy of pain that Ministers in Sinn Féin have created.

For a party that claims ownership of the idea of republicanism, the principle that all citizens are equal and that everyone be afforded the same opportunities and treatment under the law, the

actions of those Ministers are a great betrayal of that ideology. That is what has annoyed so many. There cannot be one rule for those who govern, and another for the rest of us.

The motion is an opportunity for those who breached the public health advice to acknowledge the additional hurt and pain that has been caused to those who have already endured hardship throughout the COVID crisis. It is a further opportunity to apologise for the actions that have damaged the credibility of the Executive's public health messaging. I am not sure that the deputy First Minister or her party fully understand the depth of damage that has been caused to the credibility of these institutions.

I appeal to the vast majority of people who have abided by the regulations to please continue doing so to ensure that each of us is kept safe. Do not allow this to derail your commitment to fighting the virus and looking out for each other. In spite of the breach of trust that has taken place, please stay with us.

I ask the deputy First Minister, and I know and acknowledge that she and her party colleagues have had a great loss as well, to please acknowledge the loss that the rest of us have also endured and suffered, and that we could not attend those funerals, and please apologise.

**The Temporary Speaker (Mr Wells):** Would the Member —.

**Mr McCrossan:** When a wrong has been made, the best way to make that wrong right is to apologise and admit that a mistake has been made.

**Dr Aiken:** Members of the Assembly, I rise in regret to bring the motion to the Assembly and to the people of Northern Ireland. As I said directly to the deputy First Minister, this is not a matter of orange and green. This is a matter that goes to the core of how we deal with this crisis. It is a regret that, despite the biggest health challenge that our citizens have faced in decades, two Ministers who purport to show leadership in the Executive have flagrantly chosen to flout the rules and guidelines that they themselves set and imposed.

Until last Tuesday, our Executive's decisions had the hard-won acceptance and support of the people of Northern Ireland. Thanks to the abject failure of the deputy First Minister, the Finance Minister and some MLAs to abide by the very rules that we set, that support is now

gone. It is you who made the rules, sold those rules and now have indisputably broken those rules. In any other democracy, both of you would have done the decent thing and resigned, but this is Northern Ireland: we do not have a normal democracy. We do, however, have a Pledge of Office. In affirming the Pledge of Office, you both stated that you will:

*"uphold the rule of law based as it is on the fundamental principles of fairness, impartiality and democratic accountability"*

and

*"support the rule of law unequivocally in word and deed and to support all efforts to uphold it".*

Demonstrably, you did not do that. Instead you have come to the House, in a degree of arrogance unmatched except by special advisers needing eye tests, in the twisting of truth, a truth that is self-evident to everyone bar the Ministers.

The failure to address the issue head-on has shown that, whether on the streets of Belfast or in our very cemeteries and crematoriums, there are different sets of rules, rules in which you believe that even the rules of mathematics do not apply and when the numbers of 10 or 30 are magically transposed to hundreds and 61. However, somehow in the Orwellian Adams world, your interpretation of the rules means that, somehow, you are more equal than the others

**6.30 pm**

Deputy First Minister, do not take my word for it. A member of the clergy in my constituency put it much better than I ever could when he said:

*"I have stood in my empty church and sat in my car following a brief impersonal funeral with only nine other people present, and I have more than once wept about what I was not able to provide. Then, I turn on the news and see a funeral in west Belfast, with a multitude attending in close formation. What an insult. Clearly, because I have eyes and a brain, I could see that this was breaking what I thought were restrictions."*

The deputy First Minister and the Finance Minister have both failed. You have failed to uphold your own rules and guidance, and you have failed to uphold your own pledge of office, but, unforgivably, you have put your own narrow party interests above those of your

constituents. It beggars belief why neither of you can see that and why you still feel that you deserve to be given any respect or credibility by not just this Assembly but especially by the family and relatives, particularly of those 554 people who are deceased and the many thousands who have suffered from COVID. Your arrogance and the way that you have spoken to the people of Northern Ireland and this Assembly is insulting. It has undermined the very health and safety of our nation, which is, indeed, the primary responsibility of leadership. You have failed. Both you and the Finance Minister should have done the decent thing and resigned.

**The Temporary Speaker (Mr Wells):** As a result of the earlier intervention, I have been able to reallocate the 10 extra minutes that Mrs O'Neill would have had if she had been speaking as deputy First Minister. That will allow me to bring in extra Members to speak. I will be able to bring in at least two Members from the minor parties to make a contribution towards the end of the debate. I thank those who have not used their full allocation. Again, that has helped me.

**Ms Armstrong:** I will be the only Member to speak on behalf of the Alliance Party. We wish our message to be clear and concise. First, I want to pass on my condolences to Mr Storey's family. Grieving is, at any time, difficult, but to have your loved one's funeral be the subject of such intense public and political scrutiny must be very difficult for the family.

Many of us have made sacrifices throughout lockdown. Rules stopped us from attending wakes and funerals and from comforting family at the saddest of times. The rules stop us from visiting seriously ill family members in hospitals. The rules are difficult, but the public took on board those regulations and guidelines, keeping the R number down and the spread of COVID-19 limited. To everyone who complied with and upheld those rules: thank you. It has been really hard. Your actions have helped to save lives.

Sadly, we are not free from this awful virus yet, and, having recognised the public sacrifices, I come to my second point. Alliance recognises and understands why there has been such public outrage and anger expressed as a result of what took place on 30 June. The Alliance Party contends that Sinn Féin did not act in accordance with the health regulations, but I am not going to pick over the details of what took place. It is sufficient to say that others are able to wait until it is safe to come together to remember a member of their family who died

during the pandemic. They are not risking having gatherings now.

While I accept that the deputy First Minister has apologised for hurt that families may have felt, both she and Sinn Féin need to go further. We have been through so much over the past number of years. Unlike RHI, COVID-19 has touched every single person and family across this place. This crisis is personal. When anyone breaks the rules, it is personal and it hits everyone, and everyone was looking to government here to lead us out of this crisis. Until 30 June, as others have said, the Executive's messaging was working. It was collegiate. It was finally providing the public with confidence that the First Minister and deputy First Minister were working together, and the Executive were working together. However, following the actions of 30 June, that collegiate approach appears to have fallen apart.

I really do not know how the afternoon podium announcements will be accepted or believed again. How many times have each of us heard the words, "Why should I? Why should I stick to the rules now?"? We need to rebuild the public's trust and to do all that we can to bring the public with us as we all work through this crisis and the difficulties that we are yet to face. Those difficulties include the end of the furlough scheme. We will see more businesses struggle and people will lose their jobs. As discussed in the previous motion, we have carers at breaking point, and who need services reinstated, before they collapse. We have Brexit and the impacts that that will bring. We could face a second spike as has happened elsewhere; Leicester, Melbourne and across Spain. While the public are tired of lockdown and making sacrifices, the virus is not tired. It is still a threat to every person and that is why we need the public to get back to believing the message of social distancing, washing hands and keeping safe. It is still as important now as it was in March.

Before this crisis, many in the Chamber were involved in the New Decade, New Approach negotiations and agreed to enter the Executive on the basis of a better way of working together. I am glad to hear today that there has been an announcement of the nomination of Mr Paul Kennedy to the Standards Commissioner role that will come into place and that we will be talking about that here on 21 July. That is one of the mechanisms that we needed to come out of New Decade, New Approach. Our way of governing relies on trust and confidence. Our Government is all or nothing. It is either pull the place down or get on with it. Sadly, there is no intermediate process to work through the issue

created by the actions on 30 June. There is only one viable option available here. While some want to see the end of the Assembly, the rest of us are here to serve the public, to take difficult decisions and to work together to get out of this crisis. To do so, we ask Sinn Féin to reflect on the damage done, and in the best interests of all citizens, to recognise and own the issue that they created and to apologise.

**Mr Storey:** Thank you Mr Temporary Speaker. As I rise to speak in the debate, I do so ever conscious that there is a family who grieve the passing of a loved one. I also do it in the light of what the scriptures tell us in those words that are often repeated:

*"It is appointed unto man once to die, but after this the judgment."*

Members, we will all one day, when we pass this scene of time, not be held accountable to this Assembly, but to the judge of all the earth.

As we come to the debate, as Mr McCrossan adequately put it, the issue is not the passing of Mr Storey. The issue is what happened and the actions of the deputy First Minister and others. I wonder, in the House and among the people who are watching, should anybody be surprised? Did it come as a shock that we had, in the deputy First Minister and others, such a display that really said to the people of Northern Ireland and further afield that their republicanism, its ideology and all that it is to them is more important than the law? It is more important than doing what we said must be done for many weeks. We should not be surprised by double standards and doublespeak from the party opposite. We, and I, have suffered as a result of coming to this House. I have lost good friends who, still to this day, are opposed to our coming into Government with Sinn Féin.

The scripture says, ultimately:

*"by their fruits ye shall know them."*

What is in a person's heart will ultimately be displayed in their actions and in what they do. Let us remember that the former leader of the republican party denied that he was even in the IRA. How insulting to the intelligence of the people of Northern Ireland can you be? What can we say of the families of the Disappeared? What can we say of the litany of families who have grieved for many, many years because of the actions of republicans? They have never once said where those people are, with the exception of Jean McConville, and that forever

will hang over the head of republicanism as a shame and a disgrace.

The motion refers to

*"the immense sacrifices that people, families and communities have made".*

**Mr Stalford:** I appreciate the Member's giving way. On 23 May, the deputy First Minister said:

*"The role of every member of society is still crucial on the journey towards recovery. The better we all follow the advice" —*

all follow the advice —

*"and regulations that are in place, the sooner we can come out the other side of this together."*

Does the Member agree that one party decided to come out of the other side of it quicker than the rest of us?

**The Temporary Speaker (Mr Wells):** The Member has an extra minute.

**Mr Storey:** Yes, and I thank you for that. We have many quotes from the deputy First Minister. I noticed a quote in the 'Belfast Telegraph' prior to Mother's Day. She rightly, on that occasion, determined that, because of the circumstances, Mother's Day would be different for those who had the joy of being able to celebrate with their mother. However, I want to take you to a family in my constituency — a neighbour of mine — who wrote to me on the following day. This is what he said:

*"As I said earlier, this whole saga has been made quite personal to me and my family. I buried my father at Toberkeigh Presbyterian Church on Monday 15 June. He'd been suffering from dementia for a number of years. In his final three weeks, we had to admit him to Causeway Hospital as he had taken an infection. We couldn't see him for over two weeks. When we finally got him home, unfortunately he passed away within two days. We were all well aware of the circumstances surrounding COVID-19 and the issues it was creating for families of the bereaved. We adhered to every single element of the legislation as described by the undertakers. Yes, we were disappointed dad couldn't be given the send-off he richly deserved. It hurt. However" —*

I want the Members opposite to listen to this; not only to hear, but to listen:

*"It hurt. However, it hasn't hurt anything like the pain we have felt when watching what unfolded at yesterday's republican funeral. It's an absolute outrage, and I'm livid as I write this to you, Mervyn. For there to be one rule for one and not the other is an absolute disgrace."*

Mr Temporary Speaker, there are questions for the PSNI, and, tomorrow morning, I, along with the First Minister, will meet the police in relation to those questions.

**The Temporary Speaker (Mr Wells):** Can the Member bring his remarks to a close, please.

**Mr Storey:** There are questions for the Church authorities. There are questions for Belfast City Council. I say to the deputy First Minister in the House tonight: there are questions that you must answer, and the best way that you will answer them is by your actions. I think that those actions are to leave the office that you currently hold.

**Mr Sheehan:** I want first of all to declare an interest. Ba chara de mo chuid é Bobby Storey, agus tá me iontach, iontach bródúil é sin a rá anseo anocht. Bobby Storey was a good friend of mine. I am very, very proud to say that here tonight, and I am conscious that there is a grieving family out there — in fact, two families, the Storeys and the Pickerings. I am also conscious that many people who have lost loved ones during the pandemic are also grieving. Bobby was the third friend of mine to die since COVID-19 arrived on our shores, and, on each occasion, the regulations were completely different.

Sometimes, I think that people are trying to compare apples with pears, and that is not fair. I wonder, sometimes, whether some representatives are exploiting some people's emotions.

#### 6.45 pm

I knew Bobby Storey for almost 45 years. I was with him in the army, in prison and in Sinn Féin. Bobby Storey did not go out to seek conflict; conflict came to him as a young teenage boy, when his family were driven from their home in north Belfast. That is something that Bobby Sands and I shared with him. The three of us grew up in unionist areas with unionist friends and were driven from our homes because of the sectarian nature of the state. That is something that unionists should take cognisance of.

**Mr Stalford:** On a point of order, Mr Temporary Speaker.

**Mr Sheehan:** Whatever —.

**The Temporary Speaker (Mr Wells):** I am sorry, Mr Sheehan. Mr Stalford has a point of order.

**Mr Stalford:** You will be aware of the content of the motion, which relates to breaches by Ministers. It does not relate to anything that Mr Sheehan has said thus far. Could you instruct him to direct his comments to the content of the motion?

**The Temporary Speaker (Mr Wells):** I was listening carefully to Mr Sheehan to see whether he was going to come back to the motion, which, of course, is about the funeral and the activities surrounding it. I urge him to do so.

**Mr Sheehan:** Go raibh maith agat, a Leas-Cheann Comhairle Sealadach. Of course, this is about the funeral. It is entirely about the funeral, even though Daniel McCrossan and Mervyn Storey have both said that it is not about the funeral. It is about Bobby Storey. Bobby Storey was a man who did not do anything half-heartedly. When he set his mind to something, he went and did it and he gave it his full commitment, whether that was as an IRA volunteer, as a prisoner trying to escape or as someone who was heavily involved in the peace process. What debates such as this do is that they overshadow the contribution that Bobby Storey made to peace in this country. I was with him in the H-blocks in the early '90s when we discussed every twist and turn of the peace process. When Bobby was released, in May 1994, he immediately joined the leadership and began selling the prospect of peace to IRA volunteers not as an enforcer but as a convincer, someone who debated and argued with IRA volunteers and convinced them that there was an alternative to armed struggle. The reason he was able to do that was that he was someone who led from the front. He was meticulous in his planning, and he was fearless. That is why he got the support of IRA volunteers.

Unfortunately, republican funerals have been the subject of attack on many occasions. I remember that Francis Hughes's body was hijacked by the RUC when the family wanted to process along the Falls Road. I was at Larry Marley's funeral when it was attacked and mourners batoned by the RUC and when

plastic bullets were fired at mourners at Finbarr McKenna's funeral. I was also in Milltown when Michael Stone attacked the cortège.

**Mr Lyons:** On a point of order, Mr Temporary Speaker.

**Mr Sheehan:** I want to come to —.

**The Temporary Speaker (Mr Wells):** Mr Sheehan, you will not lose any time. Mr Lyons has a point of order.

**Mr Lyons:** I have already listened to Mr Sheehan in the Executive Office Committee glorifying terrorism. We have it again today in the Chamber. Surely it is wrong of us to come out with comments like that, which are clearly the glorification of terrorism.

**The Temporary Speaker (Mr Wells):** Mr Sheehan, I reminded you earlier that the motion is about the events of last week. I have given you a fair degree of latitude to deal with the motion. I have been very lenient, and I think that you should now move on to the subject that is under debate.

**Mr Sheehan:** OK. Go raibh maith agat.

In the closing moments, I want to respond to Mr Aiken, who talked in dulcet tones about the concern that he has for grieving families. Yet, he was happy to retweet a vile and despicable tweet the other night that said of Bobby Storey's death that it was one of his rare propaganda mistakes. Has he been underwater for so long that he has lost all his human decency? He has forgotten the age-old tradition of not speaking ill of the dead. I wonder whether Mr Aiken will retract that and apologise to the Storey family.

**Mr Buckley:**

*"The rules are there for a reason. Everybody needs to follow the rules. No one is exempt from the rules. We are all being asked to do difficult things right now, but we are being asked to do them to save lives."*

That was deputy First Minister Michelle O'Neill on 9 April 2020.

*"We have to send a message very clearly that by gathering in such big crowds we are actually spreading the virus, and, ultimately, that's killing people".*

Deputy First Minister Michelle O'Neill, 4 June. The public rightly ask and I ask today, "What deputy First Minister O'Neill do we have in the

House today?". What Sinn Féin do we have with us in the House today? Do we have the one who rubber-stamped the coronavirus regulations? Is it the one who stood upstairs preaching the message previously outlined to the Northern Irish public? Is it the one who called on businesses — named and shamed them — saying that she would close them down if they did not follow or dared to breach the regulations that she had put in place? Or is it the one who, last Tuesday, allowed the mask of respect, integrity and equality to slip from her face as she blatantly breached the regulations that she helped to set? Throughout COVID-19, we have asked people to make life-altering sacrifices, and yet Sinn Féin believe that the standards that apply to ordinary people in this country should not apply to them. In a truly free and fair society, everybody must be equal under the law and equally subject to the law, and that point goes to the heart of the huge anger that we see at this time throughout this country.

Northern Ireland's success in combating COVID-19 has been centred on the foundation of public and household support for the laws and guidance introduced —.

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

**Mr Buckley:** Absolutely.

**Mr Stalford:** The Member will be aware of the Members' code of conduct. We all signed up to it when we became Members here. It says:

*"Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest."*

Those are the rules by which our people have been abiding. Seemingly, drawn from the Members' code of conduct, the deputy First Minister and her party do not think that they apply to them.

**The Temporary Speaker (Mr Wells):** You have an extra minute, Mr Buckley.

**Mr Buckley:** I thank the Member, and I put firmly on the record, as I have done before, that Sinn Féin Ministers and Members are in breach of both ministerial and Members' codes of conduct. You have rightly outlined that point. However, it is clear that members of Sinn Féin consider themselves to be above the shared

effort and sacrifice made by the country throughout this difficult period.

Grieving is universal. We are all human, and we will all be capable of making mistakes. No one, inside or outside the House, is infallible. However, let me be clear: this was no mistake. It was a premeditated, concerted effort by the Sinn Féin officials and hierarchy to bypass the law and place a hierarchy of grieving. Last week, I raised the conduct of five MLAs who were in attendance to the attention of an incoming commissioner — I am glad that someone will be appointed soon — but I am afraid that I will have to correct the record because it has now been brought to my attention and become apparent that some 10-plus MLAs were in attendance at the funeral of Bobby Storey. The deputy First Minister may not be able to bring herself to apologise, but she cannot escape the reality. The reality is that there is widespread outrage towards her and her party colleagues.

There are many questions following the Bobby Storey funeral to which the Northern Ireland public rightly deserve answers. What prior contact was made between Sinn Féin personnel and the PSNI in the facilitation of Mr Storey's funeral? What made Bobby Storey's funeral any different to Belfast City Council from every other funeral or cremation within its jurisdiction throughout the COVID-19 period?

This is more than error of judgement. You have acquiesced to a hierarchy of mourning and robbed families of the opportunity to say goodbye to loved ones. The entire episode has undoubtedly brought into question the credibility of the deputy First Minister. That has been summed up by her failure to take responsibility for her actions and apologise for the hurt caused. If the deputy First Minister wants to restore any sense of credibility, she should consider her position and resign. This question has been asked time and time again: if the author of the rules does not feel bound to uphold them, why should anyone else?

In closing, I assert that two wrongs do not make a right. I appeal to all those who may feel that an appropriate reaction to this blatant breach is to disregard the regulations themselves. Please do not. Keep the attention where it deserves to be. The lives of your loved ones could depend on it.

**Mr O'Dowd:** I, too, add my sympathies to Teresa and the Pickering and Storey families. I welcome the belated acceptance of some in the House that there is grief in this story, though it has been a long time coming.

It is worth noting that, when the MLAs who signed the motion drafted it, none of them thought, "Will we speak to Sinn Féin to see if we can come forward with a motion that will give confidence to the public that we claim to be speaking on behalf of? Will we try to bring forward motion" —

**Dr Aiken:** Will the Member give way?

**Mr O'Dowd:** Maybe later on.

"Will we speak to that party and try to put forward a voice that confirms the COVID-19 message as it is today?". None of that happened. I accept that the 37 MLAs who signed the motion are perfectly entitled to do so, but there is no attempt here to move forward. There is, perhaps, an attempt by some to score political points. There is an attempt to use the old battleground between republicanism and unionism. For the record, Mr Storey, it is as difficult for republicans to share power with your party as it is for you to share power with us. We accept that.

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

**Mr O'Dowd:** No. I will not give way this time.

We have all made sacrifices to advance the peace process, and I acknowledge all sides in that.

I do not judge anybody on this point, but, when I look down the list of the 37 MLAs who signed the motion and look around the Chamber at those who are present and those who are not present, I know that there are Members who attended large funerals. I know that there are Members who, as neighbours, friends and constituency representatives, stepped out and offered sympathy to families whom they know at very difficult times. I know that. I do not pass any judgement on them for that. They are human. They did what they had to do at that time. I know that a Member who has called for the resignation of the joint First Minister today joined with a large crowd because he thought that that was the right thing to do. If I had been in his constituency at that time, I probably would have done the same thing. What I do judge is the blatant hypocrisy of those who have signed the motion. Some of those who have spoken and some of those —

**Mr Buckley:** On a point of order, Mr Temporary Speaker. It is being insinuated that some Members are not present in the Chamber because they are potentially in breach of

regulations themselves. Would you not make a ruling? Because of COVID regulations, not every Member can be in the Chamber right now, so it is unfair for them to be criticised.

**The Temporary Speaker (Mr Wells):** I do not think that that is a point of order, Mr Buckley, but you have made your point.

**Mr O'Dowd:** I am conscious of the time that he used up, Mr Temporary Speaker.

I judge them on the blatant hypocrisy of their position. I have not suggested that people are not here because they may have breached the regulations. It is worth pointing out, folks, that the motion does not refer to the breach of regulations.

The motion does not refer to the breach of regulations, so be aware of what you are voting for. The public will make up their minds on these things and the public will not be fooled by those who are presenting themselves as the defenders of right or wrong, because the public will also have seen you at these large gatherings, funerals etc. I am sure that the public appreciated that you were there offering your sympathy and that human connection that we, as elected representatives, often have to do.

**7.00 pm**

I also want to reflect on some of the messages from the opposite Benches, which are that the joint First Minister should resign. The motion that Members have signed does not call for a resignation. There is a motion floating about the Building that does call for her resignation, but the Members opposite have not signed it, so they should stop sending out false messages to their base. There is no motion before the Assembly in relation to the breach of regulations. There is no motion before the Assembly calling for the joint First Minister to resign. I know that those make good sound pops for the media, or whatever it may be, but, again, the public — your constituents — will know exactly what you tabled today.

I will return to the issue of respect. I welcome the fact that there has been belated acknowledgement of Bobby's passing, but I put on record my disbelief at the commentary of the leader of the SDLP about comments from my colleague Martina Anderson at the Committee for the Executive Office when she was talking about the death of her friend. The leader of the SDLP referred to them as "sycophantic drivel". How on earth can anyone refer to someone's comments about their friends, in a moment of

grief, as "sycophantic drivel"? I ask for that to be withdrawn.

Mr Aiken, could you look Teresa in the eye or look Bobby's grandchildren —

**The Temporary Speaker (Mr Wells):** Will the Member bring his comments to a close, please?

**Mr O'Dowd:** — in the eye and gloat over his death in the way that you did in your tweets? I ask Mr Aiken to take the opportunity today to express his regret for retweeting the tweet that has caused great offence.

**The Temporary Speaker (Mr Wells):** As I said earlier, Members have kept to time, and I indicated that there are slots for two Members of the minor parties, so I will ask Mr Carroll to speak.

**Mr Carroll:** We should remember that the Storey family is grieving and we should be considerate of that.

Yesterday, we learned that the deputy First Minister, Michelle O'Neill, has not so much as been contacted by the PSNI. Yet, on the other hand, Black Lives Matter protesters have been fined, cautioned and are being aggressively pursued for prosecution for taking part in socially distanced gatherings on 6 June, and some have had a number of calls and police interviews. This contrast sums up the hypocrisy of the state here, its abuse of power and its discriminatory implementation of the coronavirus regulations.

Just weeks ago, when challenging Black Lives Matter protesters, Michelle O'Neill stated:

*"We have to send a message very clearly that by gathering in such a big crowds we're actually spreading the virus, and ultimately that's killing people. So we're asking people to protest in a different way."*

As it turned out, those protests, which her party criticised, were safe and did not spread the virus and certainly did not harm anyone, nor did they contribute to an increase in transmission. However, the main point is this: does the deputy First Minister assume that one rule exists for her and another for Black Lives Matter protesters? The hypocrisy is shocking.

From the beginning of the crisis, People Before Profit has insisted that social distancing requires social organising, and any efforts to organise gatherings must be made with the utmost aim of ensuring safety. We urged

everyone to follow that approach, even in emotive and difficult circumstances, such as funerals. It is unfortunate that that was not the approach of Michelle O'Neill, as selfies that were released last week proved.

Nonetheless, I avoided jumping on board the chorus of condemnation from the DUP and others as they called on Michelle O'Neill to resign over the funeral attendance last week. In fact, I was dismayed that the parties that refused to call for cautions and fines for Black Lives Matter protesters to be dropped were the same parties that did not bat an eyelid when it came to powerful companies like Bombardier risking workers' health and breaking social-distancing rules by forcing staff back to work before it was safe. They are the same parties that would not do what was necessary when workers were speaking out about unsafe conditions in Moy Park or when care home bosses were telling staff to work without PPE. These are the same parties that have made the argument, time and time again, in the Chamber for kick-starting the economy, without even the semblance of a real test-and-trace system, in their quest to restore the primacy of profits and the market, regardless of the cost to life. The same parties that implemented without question regulations giving the state the apparatus and ability to police ordinary people and workers but not bosses or Ministers. The same parties that hypocritically whitewashed the RHI racket.

I want to be very clear: People Before Profit will not play any role in this farce — this hypocrisy — and I believe that that is what our voters expect of us. However, I will say that, clearly, at least eight families —

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

**Mr Carroll:** No, thanks.

At least eight families were treated differently from those who attended the cremation at Roselawn last week. Clearly, and understandably, that compounded their grief. It should never have happened, and it was right for Belfast City Council to apologise. An apology from the deputy First Minister for that would, I believe, go some way to easing the hurt that those families are feeling. However, I also suggest that an apology to Black Lives Matter protesters is needed, not just from the deputy First Minister but from the whole Executive.

It is not surprising to me that this hurt comes off the back of a last-minute regulation change that was hastily and, in my view, undemocratically, pushed through Stormont to change the

number of attendees allowed at funerals at the eleventh hour. That is exactly the method that was used to target the Black Lives Matter protesters, who are feeling a sense of injustice. We are told that these last-minute changes are coincidences, but they seem to happen very regularly.

There cannot be one rule for politicians and those in power and another rule for BAME protesters. The fines and threats against Black Lives Matter protesters must be dropped immediately. It is time for the deputy First Minister, and all Executive Ministers, to support this call. It is greatly disappointing that my amendment, which would have refocused the motion to that end, was not selected for debate, because the truth is that the entire Executive owe an apology to the BAME community for its disgraceful treatment in recent weeks.

**The Temporary Speaker (Mr Wells):** I should have explained that the motion relates to an incident in Mr Carroll's constituency, which is why he got that particular speaking slot.

**Mr Chambers:** The leader of Sinn Féin, Mary Lou McDonald, was clear when she said that the funeral of Bobby Storey was meticulously organised. It is against that backdrop and in the context of those words that we must couch all our remarks on that funeral. The responsibility for the clear, deliberate breaches of the regulations and guidance issued by the Executive, as well as the attendance and behaviour of Sinn Féin Ministers and MLAs, sits with the deputy First Minister. Her actions and words have damaged the credibility of the Executive, underlined her clear lack of integrity and undermined her moral authority and that of the whole Executive Office.

This funeral and the grief of the Storey family, which I acknowledge, are centre stage only because some people, who should have known better, were not prepared to make the same sacrifices as have been made by hundreds of families throughout Northern Ireland in how they buried loved ones. On 10 May, the deputy First Minister said during a daily update:

*"We also know that recovery will only happen one step at a time, to do otherwise risks undermining the sacrifices people have already made and increases the risk of a second spike in the future."*

However, even before the funeral, there were significant breaches of the guidelines, which stated that wakes should not be held. There was a wake for Mr Storey, and Sinn Féin MLAs

attended. Did the deputy First Minister attend? Sinn Féin MLAs were involved in large-scale gatherings some days before the funeral, when Mr Storey's remains were brought home to his family. At the daily update on 11 June, the deputy First Minister said:

*"However, with this freedom comes a serious responsibility for us all to follow the public health advice and guidelines to the letter."*

Before the funeral, there was a breach of the advice that funeral arrangements should not be advertised, in order to curtail the numbers attending. Sinn Féin's official Facebook page, the MP Paul Maskey, the Assembly Speaker, Mr Alex Maskey, and multiple other party figures were among those openly publishing the funeral timings and route on social media. At the time, the Executive were telling the public that only 10 people could attend a funeral, and the Church authorities involved have confirmed that that was the latest Stormont guidance that they had. That night, the advice on the Executive website upped that number to 30, but that was after the funeral.

The guidance also said that there should be no gatherings after funerals, yet there are images of several such gatherings, some of them involving prominent Sinn Féin politicians. The guidance also states that coffin lifts should not take place unless the pall-bearers all reside in the same house, yet Mr Storey's coffin was carried by several individuals, including Gerry Adams.

On 29 June, the day before the funeral, the deputy First Minister said:

*"The social distancing guidance has not been reduced to one metre. Two metres is still the optimum distance that everyone should try to adhere to in terms of social distancing."*

Published selfies that Mr Stalford referred to suggest that social distancing went out the window, and the fact that a sound system was in place in Milltown cemetery suggests that the organisers expected large numbers to turn up.

Perhaps the most telling statement from the deputy First Minister was made before the Black Lives Matter protest. Mr Stalford quoted it, and I will quote it again. She was reported as saying:

*"We have to send a message very clearly that by gathering in such a big crowds we're*

*actually spreading the virus, and ultimately that's killing people".*

How can the deputy First Minister reconcile saying those words in the light of what we all witnessed last week? It is an undisputable example of "Don't do as I do but do as I tell you". I have to put on record that I have not heard anything in the House tonight that justifies the deliberate breaches of the regulations that are designed to save lives.

**The Temporary Speaker (Mr Wells):** Mr Butler has very kindly agreed to delete his name from the list to allow others in, and we are extremely grateful for that.

**Mr Easton:** I am ashamed to be part of the Assembly today, having to debate what is the biggest scandal involving multiple Members of the Assembly. We are not here today because it is an orange or green issue — and it is not. It is to do with breaking the law and the rules of the Assembly. We are here today because we need to get to the bottom of why the deputy First Minister, the Finance Minister and at least five other MLAs that we know of, although that seems to be going up by the minute, felt the need to abandon the public health measures that they insisted every other citizen must adopt to help save lives in our collective partnership to beat the COVID-19 pandemic.

Let us look at the facts and the evidence. I will mention some comments that have been made. Even before the funeral, there was a significant breach of the guidelines, which state that wakes should not be held. The guidelines state that no remains should be taken home to rest. However, Sinn Féin MLAs Martina Anderson and Gerry Kelly were involved in large-scale gatherings days before the funeral. There was a breach of the advice that, in order to curtail numbers, funeral arrangements should not be advertised. Sinn Féin's official Belfast Facebook page quoted MP Paul Maskey, Assembly Speaker, Alex Maskey MLA, and multiple other party figures amongst those giving funeral timings and routes.

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

**Mr Easton:** Yes.

**Mr Buckley:** The Members' code of conduct states:

*"Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the*

*Assembly and never undertake any action which would bring the Assembly into disrepute."*

Does he believe that that action brought the Assembly into disrepute?

**The Temporary Speaker (Mr Wells):** You have an extra minute, Mr Easton.

**Mr Easton:** Thank you. I totally believe that the Assembly has been brought into disrepute.

Video footage and photographic evidence shows mass breaching of social distancing amongst crowds. At least 1,800 uniformed republicans stood along the side of the road in expectation of a crowd and set up a public address system in the cemetery, something demonstrably unnecessary when 30 people are meant to attend a funeral.

Mrs O'Neill specifically breached social distancing by standing to get a selfie. However, that was the fault of a blink of an eye. How many blinks of eyes did she have that day? The guidance says that there should be no gatherings after funerals, yet there are images of several such gatherings, some of them involving prominent Sinn Féin politicians, such as Seán Lynch MLA having a selfie with 40 individuals at the Felons Club.

The guidance states that it is also recommended that coffin lifts should not take place unless pall-bearers all reside in the same house, yet the coffin was carried by several individuals. Even at the service, over 100 people attended the mass when only 30 are allowed to attend.

**7.15 pm**

**Mr Stalford:** I appreciate the Member's giving way. Does he recall a story in the 'Belfast Telegraph' on 27 March, in which the deputy First Minister told Ulster Carpets that it should close to protect employees during the coronavirus outbreak? Why should profitable businesses be forced to close if those rules do not apply when it comes to republican funerals?

**Mr Easton:** I thank the Member for his comments. We all must abide by the law. We all must stick to the law. There can be no differences, whether you are member of Sinn Féin or anybody else.

The rule of law has been broken, and the PSNI must investigate. The Health Protection (Coronavirus, Restrictions) (Northern Ireland)

Regulations 2020 have been broken, as has the code of conduct for Members. In addition, the deputy First Minister has broken the ministerial code and her Pledge of Office. That must be investigated by the incoming Assembly Commissioner for Standards. However, despite the clear evidence, the deputy First Minister has not accepted that she or her party have broken any rules, disregarding her own message. I quote her:

*"We are in difficult times but none of us are exempt from these regulations."*

Just you, deputy First Minister, and your party, Sinn Féin.

During a Black Lives Matter protest, protesters were given fines by the PSNI. Mrs O'Neill admonished the protesters, saying that they were:

*"spreading the virus and actually that's killing people".*

I put it to you, deputy First Minister, that, by attending that funeral, you and your colleagues did exactly the same thing; spreading the virus, and "actually that's killing people", by facilitating and encouraging crowds.

Does the deputy First Minister realise how she has made a mockery of the Assembly? Why would anyone outside the Assembly even begin to take us seriously after her and her party's actions? Does she realise or even care that 826 people have died so far because of the coronavirus pandemic? The families and friends of those 826 people have not been able to go to the funerals of their loved ones. They have made that sacrifice for the health and well-being of the people of Northern Ireland. They are all hurting.

**Mr Butler:** I thank the Member for giving way. Does he recognise that that is not just the case in respect of those who have died from coronavirus? There were, perhaps, 4,500 or 5,000 deaths between the beginning of April and the end of June, and all the bereaved deserved the right to have a funeral and pay their respects.

**Mr Easton:** I thank the Member for his comments. I agree totally. Many people have suffered due to the actions of the deputy First Minister and her party.

This week has shown that ordinary members of the public have been treated by a different standard from Sinn Féin, and that anger

stretches far beyond those who disagree with Sinn Féin's politics. The funeral points to the remarkable hold that old IRA veterans have on Sinn Féin, even forcing its current leadership, who have no IRA background, into actions that, they must have known, would not only be politically indefensible but a danger to public life.

Then, we have the debacle of what happened at Roselawn. I do not have time to go into it, but it is clear that Belfast City Council and the PSNI have questions to answer about what they knew in advance of the funeral taking place and why it was allowed to go ahead in the fashion that it did.

**The Temporary Speaker (Mr Wells):** Will the Member draw his remarks to a close, please?

**Mr Easton:** Why were families denied access and the right to have their loved ones cremated? I want to make it clear that no family or person should be treated differently.

In conclusion —.

**The Temporary Speaker (Mr Wells):** I ask the Member to conclude, please.

**Mr Easton:** Sorry. I ask the deputy First Minister to consider her position and resign until all investigations are concluded.

**The Temporary Speaker (Mr Wells):** I call Mr Jim Allister. I hope that we will have time for Ms Sugden as well. We will see how things go.

**Mr Allister:** Sinn Féin, by their actions, never mind their words, have been laughing in the faces of grieving families across the Province, whether they were Protestant, Catholic, unionist or nationalist. Sinn Féin, in the office that they hold, decreed what the regulations would contain. They were very clear. Regulation 5(2)(g), which was in full operation in all its parts last Tuesday, is abundantly clear: you could not attend the funerals of your friends. The deputy First Minister told us, of course, that there were no exemptions to the regulations, yet she proceeded to tell us that she would never apologise for attending the funeral of a friend.

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

**Mr Allister:** She made the regulations that said you could not attend the funeral of a friend. I will give way.

**Mr Stalford:** The Member will recall that, when the deputy First Minister appeared in front of the Executive Office Committee, I asked her whether it was really so important for her to attend the funeral. One of the reasons that was given was that she was a political leader. Does the Member agree that that is a perfect example of politicians putting themselves above the people?

**The Temporary Speaker (Mr Wells):** You have one extra minute, Mr Allister.

**Mr Allister:** Thank you. Yes, it is beyond doubt that Sinn Féin think that they are above the law. They give some weasel-word apology, some carefully crafted words in Connolly House that convey no apology whatever. Of course, we have experience of that. One of the Members listed in the motion is Minister Murphy. We all know the cruelty with which he treated Paul Quinn's family by refusing to utter the words. Why is that? It is for the reason that every member of Sinn Féin has refused to back off this issue. It is because the loyalty of the deputy First Minister and all the rest of them is not to these institutions; it is not to this place. Their loyalty is a fidelity to the republican movement. That is their first call of loyalty. Indeed, the Sinn Féin ideology is that they are a direct lineal succession of the provisional Government of 1916 and the 1918 Dáil. They say, in fact, that the IRA is the lawful authority.

**Mr Sheehan:** On a point of order, Mr Temporary Speaker. I am not sure where that comes into the motion. I did not hear any mention of the first Dáil.

**The Temporary Speaker (Mr Wells):** Mr Allister will come back to the motion very quickly.

**Mr Allister:** I have made it abundantly clear that we are here because of Sinn Féin's arrogance and refusal to face up to and apologise for putting themselves in a position where they declared to all that they were above the law. I have just recited the reason why Sinn Féin — Mr Sheehan included — think that they are beyond the law. Their loyalty is to a different law: that of the republican movement.

The people who made the law are the people whom we now find in breach. They say, "Oh, we have apologised". No, they have not. They are weasel words. At best, Ms O'Neill said that she was sorry that families across the country had been subjected to the difficulties of the regulations. She was sorry if they were hurt by that, but she was not sorry for doing what she

did. She underscored that by saying, "I do not apologise. I will never apologise for attending the funeral of a friend". It is like the apology that we got about the Troubles: "We are sorry so many people died, but the IRA's campaign was justified". That is not an apology. It is the same weasel words here.

I said that they were laughing in the face of grieving families, but they are also laughing in the face of the Assembly, because they know that the Assembly has not got the will to do anything about it.

**Miss Woods:** Will the Member give way?

**Mr Allister:** In a moment.

Look at the motion: the Assembly "expresses disappointment". I am disappointed that it was raining this morning. There is no censure in disappointment. Of course, that gives Sinn Féin more reason to laugh at the Assembly, because they know that the absurdity of the arrangements mean that they can. Three quarters of the Executive are disappointed in them, but they know that they can cling to office. Why? Because of the absurd situation of mandatory coalition, which robs the House of the right of true sanction and proper control and proper respect to all of those at whom Sinn Féin are laughing.

**The Temporary Speaker (Mr Wells):** Will the Member bring his remarks to a close, please?

**Mr Allister:** That is the reality of it. The challenge to the House is this: is this debate just about "sound and fury, signifying nothing", or will Members do something about it? That is the challenge.

**The Temporary Speaker (Mr Wells):** Further to the point of order raised by Mr Allister at the start of this item of business, I can confirm that the private office confirmed this morning that she would be responding in her capacity as deputy First Minister. However, as Mrs O'Neill has clarified that she is responding to the debate as an MLA, she has five minutes in which to do so.

**Mrs O'Neill:** I confirm again that I am speaking as an MLA. First, a lot has been said over the past week since the untimely death of Bobby Storey and my attendance at his funeral. Unfortunately, there has been considerable controversy over my decision to attend the funeral. As a Member of the legislative Assembly, I have taken every opportunity to set out my position: at the scrutiny Committee last

week, at the Executive Committee, at the party leaders' forum on Friday past and in the Chamber yesterday and earlier today.

At the forefront of my mind are all the families who are grieving and all those who have lost loved ones over the course of the COVID-19 pandemic, of whom there are many. I have listened carefully to the voices of those who have lost loved ones. Every one of those situations is a tragedy in its own right. The untimely loss of a loved one is always very difficult, and there are no words that can relate to the scale of the human tragedy of all of those who have lost someone. All grief is the same.

I am particularly concerned that grieving families who have lost a loved one during the pandemic have had their heartache compounded by the necessary restrictions that were in place at points in time over the past few months. They were not able to have their family and friends there to support them and help them through their mourning, and their grief has been hugely difficult. I realise that grieving families have experienced more hurt over the past week; indeed, many MLAs have spoken this evening about different families. We heard about Mervyn's neighbour and John Dallat's family. Órlaithí talked about Bobby's family. All of those families have been really hurt, and I am sorry that that is the case. With hand on heart, I can say that I would always apologise for any unintended hurt that was caused. It was not and would never be my intention to hurt anybody in society.

I was invited, in my capacity as deputy leader of Sinn Féin, to attend the requiem mass, join the immediate family in the funeral cortège and attend the ceremony at Milltown. The personal responsibility on me was to ensure that my actions were in compliance with the regulations and the guidance, which I take very seriously. I am satisfied that I acted responsibly in the church, as part of a limited group of no more than 30 people as part of the cortège and at the ceremony in Milltown, where I paid my respects. At no stage did I seek to give offence to anyone, including the Chamber, nor would I ever seek to do so.

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

**Mrs O'Neill:** I will make my statement, thank you.

I take very seriously my responsibilities as a public office holder and as deputy First Minister and joint head of government. I assure Members that I have acted in accordance with those responsibilities. While the legislator is

responsible for the regulations during this emergency period, it is the PSNI that is responsible for their enforcement. I understand that the PSNI will review the events of that day and consider any suspected breaches of the health regulations.

It is unfortunate that this matter has divided the Executive and Assembly that many of us worked so hard to restore in order to get on with delivering public services to the public whom we serve. We have huge challenges before us and important work to do, and I firmly believe that all parties of the Executive are committed to that and to ensuring that we have stable power-sharing after three years without a functioning Government. We have made good progress on all of that despite all of the difficulties. My commitment is to continue that work.

Since the middle of March, the management of the response to the COVID-19 pandemic has been the Executive's number-one priority, and our objective throughout has been to help keep people safe and support those who have faced real hardship as a result of the pandemic. That has involved a huge effort from all involved, including our health and social care workers, teachers, essential retail staff, those who provide key local government services, industry and employee representatives, church leaders and many more. There are people in every sector — public, private and community and voluntary — who had to abruptly stop their normal work and practices to join the fight against COVID-19 and help manage the risks and mitigate the impact of the pandemic.

The progress that has been achieved is entirely due to the support and concerted effort of everyone. As a result, we have now reached a key turning point in the management of the crisis, where the Executive's attention is able to move from purely controlling the public health response towards planning for economic health and societal recovery instead.

### 7.30 pm

We have come a long way in a very short time. The fact that we are now able to reverse our way carefully out of the restrictions represents huge progress. COVID-19 is still with us, and I will continue to lead us through this and into the recovery, where we are looking beyond the response phase towards the actions that will be needed to effect robust and sustainable recovery, rebuild public services and restore more ways of living. There are many challenges facing us, and, in moving forward, we also need

to pick up on the urgent priorities and plans in other important areas unconnected to COVID-19 —

**The Temporary Speaker (Mr Wells):** I ask the Member to bring her remarks to a close, please.

**Mrs O'Neill:** — including the key issues contained in New Decade, New Approach, on the basis of which these institutions of the Good Friday Agreement were restored back in January.

**Mr Allister:** Resign.

**The Temporary Speaker (Mr Wells):** I have no intention of resigning, Mr Allister, I can assure you. *[Laughter.]*

**Mr McGrath:** None of us would want to see you resigning from your role, Mr Temporary Speaker.

I thank Members for their contribution to today's debate. The issue is incredibly sensitive, and I recognise the passion with which Members have spoken about their experience of loss and the experiences of their constituents. We have asked people to make immense sacrifices over the past few months, particularly during periods of trauma and grief, and that has been reflected in the testimony that we have heard today.

The motion is not, as some may have characterised it, about political point-scoring. Nor is it about the character or actions of the man whose funeral members of our Executive attended last week, and we should acknowledge the pain of that grieving family. It is about the serious breach of trust that has taken place between Ministers and members of the public, who were told that their ability to mourn had to be constrained to protect others. It is about the failure to acknowledge that, by breaching the public health guidelines that the Executive issued, their Ministers have critically undermined their own authority. It is about the basic failure to acknowledge that what they did was wrong and that they should apologise.

**Miss Woods:** I thank the Member for giving way. A Commissioner for Standards is due to be appointed soon. Does the Member agree with me that the First Minister and the deputy First Minister will surely have to move swiftly to appoint the other members of the panel for ministerial standards? Without that happening, there is no prospect of accountability in this Assembly, and we will continue to move from one political crisis to another.

**Mr McGrath:** I thank the Member for her contribution. Yes, it is important that we have all the apparatus of the Executive and the Assembly in place so that they can fulfil all their responsibilities.

We have not come to the Chamber today seeking to tear down the institutions. We have not sought to exclude Ministers from office. What we are asking for is an acknowledgment of the pain that their actions have caused and an apology for carrying out those actions, because, to date, the denials and the doubling-down has sapped more and more authority from the deputy First Minister. This is about restoring the credibility of our public health advice and allowing us to keep the public with us as we seek to keep them safe.

**Ms Sugden:** I appreciate the Member's giving way. I ask those who put their name to the motion this: if the deputy First Minister does not apologise as asked, what are the next steps? What do those parties intend to do?

**Mr McGrath:** We will give that consideration after we have concluded the debate this evening.

It is simply no longer credible for the deputy First Minister to come in here and deny that she breached the public health guidance. That is beyond doubt. A half-apology that expresses regret "if" people were hurt is no longer acceptable. There is no "if". People in every community, from every background, were hurt seeing hundreds of people, led by our joint First Minister, at that funeral, when so many were laid to rest without their close family present.

Since it has not come from the deputy First Minister so far, let me apologise, on behalf of the Assembly and on behalf of politics here, to those who have been hurt. You have been badly let down by the people who asked you to make unimaginable difficult sacrifices, by people who have since shown themselves incapable of sharing that sacrifice. I am sorry about that.

When the moment came to show solidarity, the message sent out from our joint head of Government is that her movement, her people and her pain is more important than yours, and it is more important than the public health advice that we have issued to keep everyone safe. Coronavirus has ripped the heart out of many families. There have been many direct deaths as a result of the virus — over 550 in the North — and many other untimely deaths or excess deaths that have not been classed as due to coronavirus but are probably due to it in

some way. In total, with the other natural deaths, over 5,000 people have lost their life in the North since the pandemic began and the introduction of the restrictions in March.

Mr Temporary Speaker, those are 5,000 families who are suffering the pain and emotion of a family death, often older people and the lead generation of a family but not always so, and they were told in no uncertain terms that they must stick to the rules. They must abide by the regulations. No deviating from them. All in the interest of public safety. They did the right thing. They stuck by the rules and did it for one reason and one reason only: for the greater good of our community, to stop the spread of the virus and to save lives.

It was not just about the funeral, it was about the whole grieving process for those families because they did what they were told. They had no wakes. They had no visitors to the houses, and they told people that, if they must line the route, they should do it with social distancing in mind. They stuck to the rules for chapels, with significantly smaller numbers than in this case. They took their time slots and followed staff guidelines at the crematorium, and they did not organise after services. Nor did they organise and invite people to the funeral, organise dress codes and set up PA systems so that the obviously expected crowds could hear.

Regulation after regulation was broken. Advice after advice was flouted. Rule after rule was ignored, and then the party wonders what all the worry and concern is about.

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

**Mr McGrath:** Yes.

**Mr Storey:** Is it not also the case that we need to put on record that this was not the first republican funeral —.

**The Temporary Speaker (Mr Wells):** Can the Member speak into the microphone?

**Mr Storey:** Apologies, Mr Temporary Speaker.

This was not the first republican funeral at which something like this happened. On four other occasions, there have been clear breaches of the regulations.

**Mr McGrath:** I am here today to talk about this issue, and I do not want to stray from that.

The decision by Sinn Féin and the wider republican movement has sent a message to

the community of the North that they are different, that they are special and that they are the elite. Sinn Féin have lauded themselves as being the anti-establishment party, yet they forget one thing: they are the establishment. They are the elite. They are on high as the joint leaders of Government and have been for 13 years. They have made it to the lofty heights and have chosen to look down on others and say, "Do as we say not as we do", which is more reminiscent of 1990's Tories than any freedom fighter or socialist that I know.

I want to talk about a few of the comments that have been made. In starting, Mr Stalford said that people had stuck to "the letter and spirit" of the guidelines. I have outlined how that has been done, and it is the difference and straying from that that has caused much of the pain. He also correctly highlighted how many people felt that the Executive were working well, pulling in the one direction and reaching out and helping the community. I hope that, if there is an appropriate apology, we can get back to that stage.

Órlaithí Flynn mentioned and detailed how important Mr Storey was to members of Sinn Féin, and I acknowledge that. She also mentioned that when people pass, it is an important loss, and I acknowledge that as well, but I go back to my comment about the 5,000 families who have lost loved ones in the North since the restrictions were introduced. However, there was a difference, and it is the difference here in what happened afterwards that we are referring to and not the loss of the person. Of course, we want to send our condolences to the family.

Daniel McCrossan highlighted how we managed to contain the spread of the disease by sticking to the rules. That was a difficulty, because we feel that when people break the rules, we will see an increase in the spread of coronavirus.

He also mentioned John Dallat and Edwin Poots's father, and we appreciate that those families had to go through difficult times as well.

**Mr Sheehan:** I thank the Member for giving way. When you talk about "we", do you include Mr Aiken in that, after the re-tweeting of the vile and disgusting tweet that was so hurtful to the Storey and Pickering families? Is he included in that "we", who send out our condolences?

**Mr McGrath:** I thank the Member for his intervention. I will never support any re-tweet that has been done in a hurtful or harmful way,

but I leave it to those individuals to account for their behaviour.

**Dr Aiken:** Will the Member give way?

**Mr McGrath:** Yes.

**Dr Aiken:** Just to clarify for the House, I was re-tweeting something by a Mr Austin Stack. We all, in the House, know Mr Stack's relationship with the republican movement.

**Mr McGrath:** I thank the Member for his intervention. I was going to move on to his intervention and suggest that he had used the word "regret". It was in a different context. However, he mentioned that it is not an issue that is orange and green; this is indeed about right and wrong.

Mr Temporary Speaker, do I get the extra minute that others may have —?

**The Temporary Speaker (Mr Wells):** Order. When you sum up, you do not get an extra minute. It is only —.

**Mr McGrath:** I was chancing [*Laughter.*]  
**The Temporary Speaker (Mr Wells):** I have been around the Building too long to fall for that one [*Laughter.*] The Member has been very generous, I accept, with interventions, but, unfortunately, he pays the penalty for that. He has lost the opportunity to conclude his speech. No doubt, I will read it in next week's "Down Recorder" anyhow.

I apologise to Claire Sugden and Miss Woods. I tried to make certain that all who wished to speak got a chance to do so. Unfortunately, some Members were very liberal with interventions and we ran out of time. I know how frustrating that can be.

I thank all Members for the tenor and moderation that was shown this afternoon. This could have been a bloodletting session. It could have stoked up difficult emotions, leading up to the period ahead of us. However, in my opinion, everyone put their views forcefully but in a way that, I thought, was responsible. I am extremely grateful to you all for the way in which that occurred.

I suspect that, as I move to the next point, that is where the agreement will end. I will put the Question.

*Question put and agreed to.*

*Resolved:*

*That this Assembly acknowledges the immense sacrifices that people, families and communities have made during the COVID-19 emergency; pays tribute to those who selflessly prioritised the need to keep each other safe above their own personal needs, particularly during times of trauma, loss and grief; expresses disappointment in the actions of those in ministerial office who breached public guidance and failed to share in the sacrifice that we have asked of others; implores members of the public to stay with us and to continue acting in accordance with the regulations in order to keep each other safe and prevent further deaths; recommits to upholding the spirit and the letter of the COVID-19 regulations and the related public health guidance; and calls on the deputy First Minister and the Minister of Finance to apologise for their actions, which have caused immense hurt.*

**Mr Lyons:** On a point of order, Mr Temporary Speaker. Before any of us came into the House or could take our seats, we had to sign the undertaking that requires us:

*"to support the rule of law ... in word and deed and to support all efforts to uphold it".*

I do not believe that the glorification of terrorism is in keeping with that undertaking or that trying to justify membership of a proscribed organisation, as Mr Sheehan has done, is in keeping with that. It would be appropriate if a ruling were made on that, so that we do not find ourselves in a position in future where Members of the House can get up and justify membership of a terrorist organisation.

**The Temporary Speaker (Mr Wells):** I have no doubt that the honourable Member feels strongly about that point, but it is not, technically, a point of order about the organisation of the debate. However, his views are now on record and perhaps could be referred to another body.

**Mr Lyons:** Further to that point of order, I would like the Speaker to rule on that. It is a serious issue. I do not just want to put it on the record; I want a ruling. This is very serious.

**The Temporary Speaker (Mr Wells):** I will indeed refer it to the Speaker, who, no doubt, is watching this online as we speak. No doubt, he will consider that issue.

**Mr Buckley:** Further to that point of order, if the Speaker's Office is making a ruling, can we also put it on record that it be forwarded to the

incoming Commissioner for Standards of the House?

**The Temporary Speaker (Mr Wells):** It is not the role of the Speaker to refer anything to the Commissioner for Standards, but any individual Member or private individual may refer a matter to the incoming commissioner.

No doubt, Members are aware of what has been said and can take the decisions that, they feel, are appropriate.

There are no other points of order, and the next item on the Order Paper is the Adjournment. I remind Members that there is a meeting of the Ad Hoc Committee on the COVID-19 Response on Thursday in the Chamber. I believe that the Minister for Communities will be presenting. The next plenary meeting will be on Tuesday 21 July.

*Adjourned at 7.45 pm.*

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