



Official Report (Hansard)

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Northern Ireland Assembly

Monday 11 March 2024

The Assembly met at 12.00 noon (Madam Principal Deputy Speaker [Ms Ní Chuilín] in the Chair).

Members observed two minutes' silence.

Matter of the Day

Operation Kenova Interim Report

Madam Principal Deputy Speaker: Ms Joanne Bunting has been given leave to make a statement on Operation Kenova, which fulfils the criteria set out in Standing Order 24. If other Members wish to be called, they should rise in their place and continue to do so. All Members will have up to three minutes to speak on the subject. I remind Members that interventions are not permitted, and I will not take any points of order on this or any other matter until the item of business has finished. This is a matter of obvious public interest, but I ask Members to confine themselves to debating the findings of the Kenova report and not any current legal proceedings.

Ms Bunting: Eight years, £40 million, 50,000 pages of evidence on 101 murders and abductions by the Provisional IRA (PIRA), 35 files to the Public Prosecution Service (PPS) and zero prosecutions: that is the state of play in the Operation Kenova interim report. It makes recommendations in respect of a range of criminal justice agencies, including the PPS and the Police Ombudsman for Northern Ireland (PONI), which will have implications for public confidence. Above all, it outlines the role of agents, the legitimate need for them, the importance of their work, the requirement for a degree of secrecy and, importantly, the extreme context in which they were operating at that time.

To quote the report:

"From a relatively peaceful country at the end of the 1960s, violence escalated rapidly to 472 people being killed in 1972. No police force in the world could have dealt with this level of murder."

"In 1983, Interpol data showed that Northern Ireland was the most dangerous place in the world to be a police officer".

Mr Boutcher is frank, and there are some uncomfortable words for our state. However, the report lays bare the workings of PIRA, highlights the hypocrisy of its leaders and makes clear that some of the behaviours continue into the present day. I will let the report speak for itself.

Members of PIRA's internal security unit (ISU):

"were responsible for torture, inhumane and degrading treatment and murder, including of children, vulnerable adults, those with learning difficulties and many who were entirely innocent of the claims made against them. A core part of the activities of the ISU included physical beatings with iron bars and hammers and the shooting of victims in their legs, elbows, knees or feet".

"We also have evidence that PIRA took violent and punitive action against women and children in their family homes while detaining and torturing loved ones suspected of being agents."

"The ISU made some false promises that, should they confess to assisting the security forces, it would stop mistreating them."

Typically, PIRA did not usually live up to its undertakings and executed many of those who, in a vain attempt to stay alive, made admissions.

The interim report states:

"Some of the PIRA senior leadership who commissioned the ISU would later be active in seeking fairness and human rights protections. There is a stark contrast between their public position and the wanton use of torture and murder against people

from their community who were often innocent of the accusations made against them."

We must keep a sense of perspective. Republican terrorists were responsible for 60% of the overall Troubles killings, loyalists for 30% and the security forces for 10%, not that the inquiries would convey that.

The interim report is unequivocal:

"PIRA's actions were the most shameful and evil I have encountered."

It is clear:

"The republican leadership should acknowledge and accept these crimes were wrong and apologise to the victims and the families of those tortured and murdered."

My final paragraph —.

Madam Principal Deputy Speaker: Sorry, but your time is up.

Ms Bunting: Thank you.

Madam Principal Deputy Speaker: Thank you, Joanne.

Mrs Dillon: After the publication of the interim report on the Kenova investigation, my thoughts are, first and foremost, with all the families whose loved ones were killed, without exception, and whose loss and hurt continues to this day.

Our painful history of conflict has left a deep legacy of suffering and trauma in our society. That trauma and suffering has affected every section of our community. We have an urgent responsibility to recognise and acknowledge the hurt that the families feel and to help all those affected to heal. Let me be very clear in saying that we as a party are wholeheartedly committed to healing the wounds of the past and to playing our part in whatever way we can.

Thankfully, we have been able to build a successful peace process in Ireland, and it has become a model for other areas of conflict across the globe. Although I acknowledge that that does not remove the pain for any family that continue to grieve for the person whom they love, when we look at the horrors unfolding in other parts of world, we are fortunate that we can now say with confidence that the conflict here is part of our history, is not part of our present and can never be part of our future.

Miss McAllister: Friday saw the publication of the interim report from Operation Kenova. First and foremost, I pay tribute to the bereaved families and surviving victims. It has been a long and difficult journey for them towards seeking the truth about what happened to their loved ones. I hope that this is another step towards that truth.

The interim report is a harrowing reminder of the abhorrent actions of the IRA against those whom it killed and the families that they left behind and a damning indictment of the state's handling of agents, with the report stating that Stakeknife, whom we all know and believe to be Freddie Scappaticci, cost more lives than he saved. It is a damning indictment of how the security services ran agents during the Troubles. Saving lives should have been paramount.

The interim report underlines the folly of the UK Government's approach to legacy. Operation Kenova shows that legacy investigations can be conducted successfully, with new information and evidence uncovered and comfort and clarity given to families and surviving victims. Rather than ride roughshod over victims and their families, we need to return to the victim-centred approach laid out in the Stormont House Agreement. Although we know that there will be no prosecutions in this case, the interim report proves that it is possible to enable article 2-compliant investigations, which allow families the opportunity to pursue prosecutions where possible. To remove the possibility of getting truth and justice from families is beyond contempt.

I pay tribute to Jon Boutcher and his team for how they have carried out their investigation thus far. It is an example of how to ensure that a process is carried out with the interests of victims at its heart. I hope that the final report will bring closure to some of the families, because what they want may differ. We hope that the UK Government and the republican leadership will consider the interim report's recommendations in full.

Mr Nesbitt: I declare an interest as a member of the Policing Board, which has an ongoing interest in Operation Kenova and which will, in due course, once it has had time to properly analyse the 200-page report, seek to discuss the findings of that report with Mr Boutcher and others. That it is such a detailed report brings into focus the fact that many victims and families will never see such detailed investigation into their cases. I say that without

any disrespect to those who are the subject of the investigation of Operation Kenova.

It seems that, when we deal with legacy, we focus almost exclusively on lost lives and the impact of those lost lives. We should equally think about the lost opportunities for the living victims and survivors of the conflict; they have lost opportunities in education, employment, family life, social inclusion — the whole nine yards of adult social interaction.

It is our contention in the Ulster Unionist Party that nobody needed to die to get to where we are today, yet over 3,500 people lost their lives. It is important to put into context the loss of 3,500 lives. Like others in the House, I will be in Washington DC later this week to mark St Patrick's Day. In America, 3,000 lives were lost in a single day: the day that they call 9/11. If you were to scale up the violence here on a pro rata basis, per capita, the loss of life in America would have been 700,000. That is 12 times the number of Americans who died in Vietnam in America's worst conflict since the Second World War.

It should be noted that the police and security forces woke up every day with the intention of putting themselves in harm's way to protect society, while the Provisional IRA woke up with the intention of doing harm. It caused incredible harm, through some of the worst cases of human rights abuses imaginable: sexual crimes; child abuse; abductions; torturing and killing people and hiding their bodies — the so-called disappeared — and no-warning car bombs in our villages, towns and cities. The list goes on and on.

I note that the interim report calls for apologies. An apology does not cut it. As party leader, at the Haass/O'Sullivan and Stormont House talks, I called for acknowledgement statements from all parties. We should all acknowledge that nobody's hands are clean; that is the only proper start to dealing with our legacy.

Mr O'Toole: The Kenova report is shocking. It is also specific. It is specific in its deconstruction of the grotesque web of deceit, torture and murder that was facilitated by both the British state and the Provisional IRA. My words will fall short of the horrifying details contained in the Kenova report, which was authored by Jon Butcher. Before I list some of what is said in the report, I pay tribute to the families, many of whom have not yet been able to speak publicly, because they still live with the shame and stigma that they feel from their loved ones having been branded touts — informers — and the deaths of their loved ones

being treated as something shameful to be held in secrecy. My thoughts are with those families, and I hope that the report brings them some measure of closure.

I will be clear about what the Kenova report says. It has been claimed repeatedly, by those in the state and elsewhere who defended what they did, just as they defended collusion with loyalist paramilitaries, that Stakeknife "saved 'countless' ... lives". To quote the report: "He did not." That is a grotesque indictment of the state's dirty war on this island and of its handling of agents.

The UK Government's response of simply glossing over that and not even engaging with the detail of the interim report, let alone offering the apology that Jon Butcher asked for, is utterly unacceptable; it is offensive to the families involved and to the rest of us in this society and it is a pathetic indictment of the current UK Government and their shabby approach to legacy.

12.15 pm

It is not just the state. It is the Provisional IRA and its campaign of, in many cases, profound and disgusting human rights violations. The Kenova report says that the senior members of the republican movement who allowed these events were themselves as likely to have assisted the security forces. It says that the senior IRA persons whom they interviewed remained dismissive, defiant and unrepentant. It is important, when we discuss these things, that we do not simply say that we regret all the deaths of the past and all the horror of what happened, but that we are specific. Whether it is the state or paramilitary actors, no apology can be taken seriously unless it is both sincere and specific, and that is no less than the victims of our Troubles deserve.

I do not want to spend all of our time, in the Chamber or anywhere else, talking about the past, but we cannot pretend that we can move on to a better future without being serious about the past — what happened, the specific details, what went wrong and how we can prevent it from happening in the future. I look forward to the final report from the Kenova inquiry.

Mr Allister: The vast plethora of words in the Kenova report must not blur the fundamental reality that it was an IRA bullet in the back of the head of every victim mentioned in this report. It was the IRA that decided that those people would be put to death — executed, in its terms. There is no escaping, nor should there

be any obfuscation of that reality or any attempt to spread the blame by some sort of phoney equivalence. It was the IRA, through Scappaticci, whom they took in. He may then have taken them in, but it was his bullets and his henchmen's bullets that delivered multiple dead bodies.

It comes nowhere close enough to say, as the First Minister has said, that she is sorry for all deaths. That is not the question. The question is: was it wrong? Was it wrong for the IRA to murder, not just these people but all those whom they murdered? Weasel words that evade that question are quite appalling, and that is what we have had. We have had it here again today. We had the Sinn Féin Member saying that they want to heal wounds but never answering the question of whether it was right to cause those wounds. That is the question for which there must be an apology — the causing of the wounds, the execution of the murders. Were those wrong? That is the question that I have yet to hear an answer to from Sinn Féin. Until we get an answer to that, this is all just so much hypocrisy, failure and attempts to divert attention from the core issue. Terrorists chose to be terrorists. When they chose to act as terrorists, in murdering their own or anyone else, there can be no justification for that. Why is it that Sinn Féin, to this very day, will not face up to that and tell us whether the murders that their IRA committed were wrong?

Mr Carroll: At the outset, I pay tribute to all the victims, the campaigners and all those who relentlessly never gave up the fight to get justice and truth for their families and loved ones. The families of the victims of state violence, who never gave up the fight to expose the British state's crimes in its dirty war, also deserve mention today. That is what Stakeknife was about. That is who he was — an agent who was invaluable to the British establishment, and it was more concerned about infiltration than protecting lives. Collusion with paramilitary death squads and state-sponsored murderers, like Stakeknife, was never about saving lives. It was always about defending the political, economic and military aims of the British establishment.

The Kenova report is welcome in some parts but falls far short of what should really happen to those who were up to their necks in committing state terrorism. Importantly, it dispels the myth that Stakeknife protected more lives than he took, which is the cornerstone myth that is put out by those who lavishly and unapologetically repeat the lies of the British establishment. However, the report disgracefully maintains that state agents saved

lives in the North. They did not, and that narrative needs to be challenged and done away with. The British state must own up to the fact that it sanctioned murder for its own nefarious ends. It was not just agents; it was those who paid them and those who gave them political cover.

The state's rotten apple theory is a deliberate lie, intended to justify state murder. It is deeply unfortunate that the Kenova report repeats that lie. The people of the North who suffered the brutal impact of those policies have always been viewed as collateral damage. As the years go on and investigations take place, the hidden hand of the state has been increasingly exposed in countless atrocities here. The absurdity of British democracy is this: you can be prosecuted or jailed for organising or attending a peaceful protest, but if you are an agent up to your neck in sanctioning and committing murder, you will be protected and supported, and you will get off scot-free. What a shame; what a disgrace.

The refusal to prosecute Stakeknife and other state proxies shows that the British Government are determined to cover up their crimes here in Ireland. Not only do they owe Stakeknife's victims an apology but they owe them the truth and justice for the loss of their loved ones. Families must be afforded proper investigations without interference from the British Government and the shadowy forces in the PSNI and MI5. The heads of the British state, including those at the top of its military and intelligence services who sanctioned and covered up state murder, should be in the dock.

Members' Statements

Madam Principal Deputy Speaker:

If Members wish to be called to make a statement, they should indicate that by rising in their place. Members will have up to three minutes in which to make their statement. I remind Members that interventions are not permitted. I will not take any points of order on this or any other matter until the item of business has finished.

Hate Displays

Miss Hargey: I will make a statement on displays of hate that we have seen in our communities in the past few weeks. I reiterate that hate crime should have no place in our communities or society. Recent displays in which hate has been on show are concerning. We have seen it in recent sectarian and racist displays in Newtownabbey on a social housing site that is there to provide 111 new homes for those who are in need and, indeed, in racist displays in south Belfast. All those acts must be challenged, first by us — representatives who have been elected by our local communities to represent them and their interests — but they must also be robustly challenged by the agencies that are there to uphold the law.

People should be able to live free from harassment, intimidation and hate expression. There must be more robust action from the PSNI on that matter. The fact that the vast majority of cases end in no prosecution or with only a warning feeds into the fear of those impacted on by such displays. Therefore, a proactive and visible approach is needed to challenge that behaviour and, importantly, to hold to account those who are responsible for it. We also need to see more robust hate crime legislation, with enhanced protections against, and, importantly, statutory definitions of, hate, be it of a racist or sectarian nature or based on disability or sexual orientation. We must all work together to enhance the legislation and challenge the scourge of hate wherever it raises its head.

Cordners Shoe Shop, Newtownards

Mr Harvey: I will speak about the dreadful fire at Conway Square, Newtownards on Friday morning, when, sadly, Cordners shoe shop was totally destroyed. Cordners has been in Newtownards for many years and employs many local people. The staff have worked there for many years and, as a result, know a lot of their regular customers personally. I offer my

support to all those who are affected. Adjoining businesses have also been affected and have to remain closed until the damage is assessed. I know that they will open as soon as is safe and possible. I also offer my support to them. The community spirit in Newtownards has been very much evident and appreciated, and local people and business owners have rallied round those affected. I encourage, where possible, that we continue to support those local businesses in these difficult days.

I also thank the emergency services for the outstanding and efficient manner in which they dealt with the potentially disastrous situation. The first fire crews arrived eight minutes after the initial call at around 6.30 am on Friday. Due to the tireless efforts of the firefighters, the fire was brought under control, which prevented its spreading to other adjoining properties. I also thank the PSNI for its role in the operation in Newtownards on Friday.

Lisburn Rugby Club

Mr Honeyford: I want to congratulate Lisburn Rugby Club on winning the qualifying league on Saturday with a bonus-point win over Strabane. The club won the league with a match to go, which is a brilliant achievement. I would probably not be standing in the Chamber were it not for starting out in Lisburn Rugby Club back when my son was in the mini section, and my journey into politics came from working in the community in Lagan Valley and bringing communities together there.

The rugby club in Lisburn is going really strong, and there is a really successful ladies' team as well that continues to thrive. I have been working with that team to help with funding for the development of facilities to create a new gym and changing rooms. It is an absolute pleasure to be able to work with that team, but, today, I simply want to congratulate the club as a whole, including the coaching staff and the volunteers. Everybody will know the amount of time and effort that volunteers put in to help to run sporting clubs. Today, I especially want to congratulate the players on the achievement of winning that league, and I wish them all the best in the seasons ahead.

Police Officers: Injury-on-duty Pensions

Mr Beattie: We often talk about helping those who suffer from mental health injuries and say that those injuries should be treated no differently from physical injuries. We also often say that we must support those who have

protected us through the years, but the reality is that it is a difficult issue, and we seem to turn our backs on it.

Therefore, I want to raise an issue that was first raised by my colleague Mike Nesbitt last week. A group of former RUC/PSNI officers who were injured on duty are fighting to have their injury-on-duty pension award dated from the day on which they left service on retirement. These are men — at the minute, it is men, but the issue could clearly affect women — who were unable, through injury, to complete their service. Their injury happened while they were in service, but their diagnosis, because it was a mental health injury, happened a number of years later. That is what happens with psychological injuries: they do not manifest themselves at the time. Their effects are not immediate. However, it was an injury as a result of their service.

At present, a qualified doctor — a specialist medical practitioner — diagnoses the injury on duty, but they then go on to give an award and a start date. That should never be the case. The qualified medical person should simply make a determination that the person was injured on duty. From that moment — this is the important part — the regulation should kick in, and the regulation clearly states that the award should be from the day on which an officer left service on retirement. A judge has already agreed that point, yet the Policing Board has ignored that judgement. This is now moving towards the courts yet again, and that did not need to happen. All we need is to address the issue through the regulations that govern police officers who are injured on duty.

The suffering of these police officers has been compounded by the failure of the Policing Board, and the Justice Minister must act to rectify that. It cannot continue, and a review of the workings of the Policing Board, as called for by my colleague Mike Nesbitt, needs to put this right.

Jimmy's 10K, Downpatrick

Mr McGrath: I rise to support the many tireless and committed volunteers who work across our communities to deliver sporting and athletic events, and I pay special tribute to the volunteers at and, indeed, the participants in Jimmy's 10K yesterday in Downpatrick. The race was won in a truly remarkable time by young Robbie Hagen, who was a member of a youth centre that I formerly worked in. He managed to get round the 10K in about 30 minutes.

It certainly makes my 32-minute 5K look not very special at all. There were also Catherine O'Connor of East Down Athletics Club, Ollie Hanna and Cormac Leheny, who won the relay race, and runners from Newcastle Athletics Club and Ballydrain Harriers, who won the male and female team prizes.

12.30 pm

I have a particular affinity with the event. It is named after my godfather, who passed away a number of years ago but helped to deliver many athletic programmes in that club. Now, the event is held annually and attracts up to 1,500 people to Downpatrick as part of the St Patrick's Day celebrations, St Patrick's Day, of course, being celebrated this weekend, on Sunday, and Downpatrick being the centre for all those activities. Such events showcase how we can bring together the volunteers in our society and communities. They put in the hard work, for which they are often unrecognised, and deliver such slick and professional events.

Of course, in my constituency of South Down, the Irish Open is approaching. It is at the other end of the scale and has lots of funding and work put into it by clubs and members, but it is volunteers who work in athletics clubs across the North who deliver Jimmy's 10K in my area. There is so much goodwill from the people there. Given the large numbers that it attracts into towns such as Downpatrick, it is important that we recognise the contribution that volunteers make. I pay tribute to everyone at East Down Athletics Club and those who participated in and supported Jimmy's 10K yesterday. Most of all, I want to highlight those tireless volunteers, without whom such events would not take place.

A5 Road Upgrade

Mrs Dillon: I speak again on an issue that has been raised in the Chamber far too many times: another life lost on the A5 road. As many of you will be aware, Caolan Devlin from the Bogside, Aughamullan, Coalisland was killed on Tuesday evening on that road. Caolan has left behind his mummy, Margaret, his father, Gerard, and his only brother, Niall. They have been left devastated by the loss of their son and brother. I pay tribute to the community of Coalisland and the wider community, particularly the GAA community, who have given great support to Caolan's family at this time. They told me in their home how much that meant to them, how much they appreciated it and that it showed them how much Caolan was loved.

We all know that the upgrade to the A5 should have happened many years ago, but no one knows it so acutely as the families of the more than 50 men, women and children who have lost their lives on that road since 2006. Those families will never get over their loss. Caolan will never come home again. He will never again lift a hurl for his beloved Naomh Colum Cille Hurling Club. Our community has been robbed — in the words of his club — of:

"a humble gentleman with a beautiful personality."

The A5 is a vital infrastructure project and flagship project for the Executive. The long-anticipated upgrade would put in place 85 kilometres of dual carriageway from the south of Derry, at Newbuildings, to Aughnacloy in County Tyrone. The A5 upgrade would save lives. It will be no good to families like the Devlins — nothing can bring back their beautiful boy — but let us move on with the project and make sure that no more families are left with a gap in their hearts that can never be filled.

I know that the Minister raised concerns again last week that there may be further legal challenges that could cause further delays to the road upgrade. I use this statement to appeal to those who have caused countless delays through their judicial reviews: please stop. Let us see the work carried out so that Caolan and so many like him will leave the legacy of a safer road to travel. I think in particular of Caolan's brother, Niall, who plays for Tyrone and will have to travel that road almost daily to train for his county.

I finish by saying that I am sure that all our thoughts and prayers are with Gerard, Margaret, Niall, the wider family circle and all the friends who hold Caolan dearly in their hearts.

Listening Ear: Rathcoole

Mr Brett: I congratulate an organisation that is based in my constituency for securing a funding award recently. Formed in 2018 by Brian and Karen Kerr, the Listening Ear project, based in Rathcoole, has helped hundreds if not thousands of families. Just last week, the National Lottery Community Fund awarded that organisation an additional £199,000 to enable it to continue to carry out its vital work. That work is focused on improving mental health, tackling addiction, developing our community infrastructure and empowering the next generation of community leaders.

I take the opportunity to congratulate the organisation on securing that vital funding and for the work it has done in recent years. I thank Karen, Samantha, Jacqueline, Catherine, William, all the volunteers and anyone involved with the organisation. Listening Ear has been a fantastic asset to the North Belfast community. I look forward to working with it over the next three years to successfully deliver even more for the people of North Belfast.

EU Protection of Geographical Indications Regulation

Dr Aiken: Two weeks ago, I raised the issue of EU regulation 2023/2411 — it sounds exciting, but it is not — the geographical indication protection for craft and industrial products. I remind Members that it is the view of the European Commission that that regulation should be added to the Windsor framework. Therefore, an applicability motion has to be voted for by the Assembly on a cross-community consent vote. The explanatory memorandum states that while, in practice, the United Kingdom Government expects that the implications on GB-NI may be limited, in principle, these could have implications for the movement of goods from GB to NI.

It is obvious that a degree of scrutiny on the legislation should be taking place. I am sure that Members would agree, in the light of the recommendations of the renewable heat incentive (RHI) inquiry amongst others, that being incurious about legislative change does not make sure that we have good legislation; in fact, it means the exact opposite. Putting barriers, even seemingly limited ones, to our internal UK trade should be a matter of concern to us all. We have had no opportunity to scrutinise the potential legislative change.

Of further concern is the fact that the First Minister and deputy First Minister, acting jointly, were supposed to table an applicability motion for the new EU Act within a period of two weeks beginning from the day of notification, which was 21 February 2024. That date has passed. We now rely on another Member to bring the motion forward, which must be done by 19 March. Yet, still no scrutiny has been done. That is far from an ideal start on the Windsor framework legislation.

Madam Principal Deputy Speaker: I call Paul Frew. Sorry, I call Aisling Reilly. Paul, you will be after that.

Cillian Murphy: Oscar

Miss Reilly: I want to say a few words on the fantastic news that Cillian Murphy claimed one of the most iconic awards on the world stage last night, when he was awarded the prestigious Oscar for best actor. That achievement not only honours his remarkable talent but signifies a triumph for the arts here in Ireland. He is the first person born in Ireland to win the award. Cillian's journey to that pinnacle of success serves as an inspiration to countless young people across the country. His dedication, perseverance and unwavering commitment to his craft reminds us all that, with hard work and determination, anything is possible and nothing is out of reach, even an Oscar.

Cillian Murphy's Oscar win also highlights the vital role that the arts play in our economy and society. Beyond mere entertainment, the arts industry contributes significantly to economic growth, job creation and cultural enrichment. It serves as a powerful medium for expressing our collective experiences, fostering empathy and sparking important conversations about the world that we live in. It also allows us all to tell our stories. Cillian's success reminds us of the immense value of investing in the arts not only for economic impact but for the ability to inspire, challenge and unite us as a society.

What truly sets Cillian apart is his humility and down-to-earth nature. Despite reaching the highest echelons of fame and acclaim, he remains grounded in his roots, embodying the spirit of the Irish people. We could not be prouder of him not just for his extraordinary talent but for the genuine and humble man that he is. It was also lovely to hear cúpla focal as Gaeilge [*Translation: a few words in Irish*] in Hollywood. Here's to Cillian Murphy: an inspiration to us all and a shining beacon of talent, humility and Irish pride. Maith an fear. [*Translation: Good man.*]

School Absences

Madam Principal Deputy Speaker: I definitely call Paul Frew now.

Mr Frew: Thank you, Madam Principal Deputy Speaker. You have left the best to last, I just know it.

It has been great to see so many young people and schoolchildren in the Public Gallery of late. Some have just left. I want to talk about chronic school absence. From September 2017 to June 2018, 1,731 pupils had an absence level of 50% or greater. Of those, 523 pupils missed

over 80% of school. That was from September 2017 to June 2018, but look at what happens with lockdown philosophy. Figures on absence levels for pupils from September 2021 to June 2022 show that 4,145 pupils had an absence level of 50% or greater. That is 4,145 compared with 1,731. Of those 4,145 pupils, 1,280 missed over 80% of school.

It is vital to put those numbers on the record, but they do not show the full picture. Look at the absence level for pupils who missed a lesser degree of school. In 2018-19, 23.6% of pupils had at-risk levels of attendance, which means being absent from school for 5% of the year or more. In 2022-23, that figure rose from 23% to 29%. For pupils suffering from chronic levels of attendance, which means 10% or more, it was 11.8% in 2018-19, but that percentage rose to 19.3% in 2022-23. The proportion of pupils suffering severe chronic levels of attendance, which means being absent for 20% or more — still a significant amount of missed school — was 4% in 2017-18 and 2018-19. In 2022-23, the percentage was 8.7%. Each of those measures has at least doubled.

We sacrificed our children's education and development for a "Stay at home" message. That is utterly shameful.

Newpoint Players

Mr McNulty: I offer hearty comhghairdeas [*Translation: congratulations*] to a proud Irishman, Cillian Murphy, who has become the first Irish-born winner of the best actor award for his role as Oppenheimer. It was incredibly positive that Cillian dedicated his Oscar to peacemakers everywhere.

Closer to home, I received an email last night from Declan McConaghy about the Newpoint Players from Newry and their production of 'The Shadow of the Glen: Reimagined', John Millington Synge's play as reimagined by Seán Treanor. The Newpoint Players have become the first group to qualify for the final of RTÉ All Ireland Drama Festival 2024. After Saturday night's results, the Newpoint Players have won three festivals: Tubbercurry; Ballymoney and Castleblayney. It took home all the following awards: three for best set and decor were won by Tom Carvill; best lighting, Declan McConaghy; two for best supporting actress, Frances Morgan; best supporting actor, Mickey Brannigan; best supporting actor, Lowry Hodgett; two for best actor, Mickey Brannigan; two for best actress, Pauline Lynch; three for most imaginative/ambitious production; best Irish-dialect award; a special award for

costumes and masks, Alison Rodgers and Bernie McParland; and two for best director, Seán Joseph Treanor.

The late Sean Hollywood would be proud. He was a director of the Newpoint Players. He was also a founding member of our SDLP and a proud Down and Ulster Gael, having played hurling for Down and Ulster.

His niece, Doire Finn, proudly follows in Sean's pathway, as a member of the Newpoint Players and as an elected representative for the SDLP on Newry, Mourne and Down District Council.

If anyone want to see the play, 'The Shadow of the Glen', it is being presented on 21 March as part of the 70th anniversary of the Newry Drama Festival. The festival commences on 18 March and runs until 23 March. I encourage everyone to attend.

12.45 pm

Stem Cell Donation

Ms Eastwood: I want to take a moment today to highlight the issue of stem cell donation. Yet another family has been impacted by blood cancer and is calling on the public for help.

Tracy McKenna is a mum of two from Omagh who has acute myeloid leukaemia. Whilst a lot of research has been done into certain types of lymphomas and leukaemias, far too many of them remain hard to treat and have few treatment options. Faced with a relapse, Tracy needs a stem cell transplant to have a second chance at life.

Registration drives to join the stem cell donation register are being held on 15 and 16 March in Belfast, at City Hall and Royal Avenue. If you cannot attend, you can sign up to DKMS or Anthony Nolan online.

Three people a day are diagnosed with blood cancer in the North, and it remains the UK's third-biggest killer. That, however, leaves me with the question about awareness, not only of blood cancer but the issue of highlighting the need for stem cell donation. I think of families like that of Bobby Browne from Camlough, Daniel Greer from Newry and countless others — far too many for me to name. I also think of Sean Smyth, the father of Eimear Smyth, who said to me, "I think back now, and I think of the amount of time we spent out tramping the streets, organising swab drives and stem cell donation events, trying to get donations for Eimear. I think back and I think to myself, 'That was time we should have had with her': it was

precious time that we lost with her". He was absolutely right.

This is about highlighting awareness of stem cell donation, but it is also about asking for more, asking for more to be done to ensure that there are better public information campaigns about blood cancer and stem cell donation to support families and those who want to donate. It also leads me to think that, although certain types of blood cancer are rare subtypes, blood cancer itself is most certainly not rare.

We need to do much more to support patients, their families and those who care for them. We must see that reflected in our public health campaigns. Today, I call on the Health Minister to make the awareness of blood cancer and stem cell donation a priority.

St Patrick's Day: Washington DC

Mr Carroll: In a few days' time, people will celebrate St Paddy's day with craic and ceol, [*Translation: craic and music*] but, this year, there is a really sinister edge that needs to be challenged and called out. The man with the biggest arsenal of weapons in human history behind him is trying to use his lineage and family history to give himself a by-ball for the carnage and slaughter that he has supported for the last six months. That man's name is Joe Biden. It is crystal clear that, without the cheques, the tanks and the fighter jets sent by the US, 30,000 Palestinians would still be alive today. I make a final call to all party leaders here but especially to Mary Lou McDonald and Michelle O'Neill: do not help to facilitate and rehabilitate "Genocide Joe". Give him the cold shoulder that he deserves this Paddy's day. That man does not deserve a bowl of shamrock; he deserves to be in The Hague and on trial for his support for war crimes and genocide on the Palestinian people.

Across the island, people have spoken against Joe Biden and his actions. At least 20,000 people have signed a petition demanding that parties refuse to go to Washington to shake his hand and get a selfie, and I repeat that call today. Tens of thousands have marched across the island to call out "Genocide Joe" and the States' actions. Thousands are likely to be out in Belfast again this weekend.

It is worth repeating that the violence did not start on 7 October 2023. Violence has been ongoing since 1948 and even the 1920s under the British mandate. There has been theft of land, ethnic cleansing and daily slaughter. There have been many 7 Octobers every year

for the Palestinian people. This Paddy's day, people should refuse to go to the White House and should refuse to shake the hand of Joe Biden; instead, they should say, "Free Palestine" this Paddy's day.

Commonwealth Day

Mr Middleton: This afternoon I take some time to recognise today, Commonwealth Day, on its 75th anniversary. The Commonwealth is an association of 56 member states, with a combined population of 2.5 billion citizens, almost a third of the world's people. That unique association of 56 independent and equal member countries has evolved into a diverse and vibrant community of nations united by shared values and a common purpose. Over the past 75 years, the Commonwealth has played a pivotal role in promoting global cooperation and development, it has fostered dialogue and understanding; it has bridged divides; and it has provided a platform for communities to work together on issues of mutual concern. In a world characterised by increasing interconnectedness and interdependence, the Commonwealth remains a vital force for unity and collaboration. It provides a space for countries to engage in constructive dialogue, build consensus and address global challenges collectively. The Commonwealth's members are bound by a shared commitment to democracy, human rights and the rule of law. Those values have served as a beacon of hope and inspiration for countless people around the world.

His Majesty the King, as head of the Commonwealth, has pledged to continue to serve to the best of his ability; indeed, this afternoon, there will be a special service at Westminster Abbey to mark this special occasion. Of course, we continue to pray for His Majesty the King and the Princess of Wales as they continue to recover from their illnesses. The Commonwealth, going forward, will no doubt play a leading role in shaping a more just, equitable and prosperous future for all. On this 75th anniversary, let us reaffirm our commitment to the Commonwealth and its noble ideals. Let us work together to build a brighter future for our citizens where a future of peace, prosperity and dignity prevails. Long live the Commonwealth.

Madam Principal Deputy Speaker: The time for Members' statements is now up.

Assembly Business

Public Petition: Ballycopeland Windmill and Cafe, Millisle

Madam Principal Deputy Speaker: Stephen Dunne has sought leave to present a public petition in accordance with Standing Order 22. He will have up to three minutes in which to speak.

Mr Dunne: I rise today as an MLA for North Down to present a petition of 2,689 signatures from across the local community that demonstrates the affection and support for keeping the doors open at the Ballycopeland windmill and cafe, which is such a landmark in Millisle and the surrounding area. The Ballycopeland windmill was built in fields outside Millisle between 1790 and 1813, well over 200 years ago, when that part of County Down was known as "Little Holland" because of the number of windmills in the area. The windmill is a very important part of our local history and heritage, and it is one of the few remaining windmills across the whole island of Ireland with its original working mechanism still in place; indeed, it milled produce for animals and people to eat up until 1915. After much lobbying for restoration from across the local community, the Ballycopeland windmill reopened in June 2022, following an investment of £1.7 million from the Department for Communities, the Department of Agriculture, Environment and Rural Affairs and Ards and North Down Borough Council, which all worked constructively together to deliver this transformation and revitalisation project of the windmill, as well as the kiln room and the miller's cottage, complete with an interactive visitor experience that is enjoyed by many visitors from across Northern Ireland and beyond. It has brought a real boost to the village and the surrounding area.

The windmill and cafe have welcomed many visitors since opening, and the Ability Cafe has provided real employment opportunities for many local young people with disabilities. Earlier this year, unfortunately, those staff were advised that their employment will cease at the end of March 2024. Understandably, that has sparked concern around the future of the cafe and the site. The petition, which has been signed by 2,689 people, demonstrates the strength of feeling across the area and beyond to retain a cafe facility at this famous windmill. I thank those who have organised the petition, including Jacqueline Adeoye, Jo Scott from the Millisle and District Community Association and

Kay Boyle from the health and well-being group. I thank local councillors Robert Adair, David Kerr and Nigel Edmund for their work, as well as former councillor Eddie Thompson, who has campaigned in support of the windmill for many years. Millisle needs further investment, and I trust that today's well-supported petition will play a part in securing the future of the Ballycopeland windmill and cafe, which is a wonderful tourist attraction and amenity that is filled with rich history and heritage and has so much potential for further growth.

Mr Dunne moved forward and laid the petition on the Table.

Madam Principal Deputy Speaker: I will forward the petition to the Minister for Communities and send a copy to the Committee for Communities.

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

(Mr Deputy Speaker [Mr Blair] in the Chair)

Assembly Members' Pension Scheme: Trustees

Resolved:

That the following Members are appointed as trustees of the Assembly Members' pension scheme, in accordance with the scheme rules: Mrs Ciara Ferguson; Mr Trevor Clarke; Mr Stewart Dickson; Dr Steve Aiken; and Mr Mark Durkan. — [Mr Butler.]

Committee Membership

Resolved:

That Ms Kate Nicholl replace Ms Sian Mulholland as a member of the Assembly and Executive Review Committee. — [Miss McAllister.]

Executive Committee Business

Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals) (No. 2) Order (Northern Ireland) 2023

Mrs Long (The Minister of Justice): I beg to move

That the Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals) (No. 2) Order (Northern Ireland) 2023 be approved.

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

Mrs Long: I seek the Assembly's approval for the Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals) (No. 2) Order (Northern Ireland) 2023, which is SR 2023/138. The motion is that the order will be approved.

Two years ago, I moved a similar motion for approval on 1 March 2022. On that day, I did not anticipate that we would have no opportunity in the intervening period to bring forward alternative legislation in a Bill. It remains my intention and, indeed, my strong preference to make new primary provision for the use of live links for this jurisdiction through the Assembly, and I plan to do so using the first Bill that my Department plans to introduce to the Assembly.

The modernisation of justice Bill will be introduced in the coming months, and, with the support of the Assembly, we anticipate that alternative live-link provisions will be in force by 2026. In the interim, we are compelled to rely on these provisions as a temporary measure.

Article 2 of the order extends the provisions that allow courts and statutory tribunals in Northern Ireland to receive evidence wholly or in part using audio or videoconferencing systems, but primarily video. Those systems are commonly referred to as live links. They facilitate the wider provision of remote evidence, as well as disposing of mentions or hearings that can include matters such as first appearances and bail applications. The extension, which covers the period from September 2023 to March 2024, was to allow us to maintain access to provisions that have proved to be an essential

element of the toolkit for addressing the backlog of cases that accrued during the pandemic.

1.00 pm

I fully understand why some Members are concerned about continuing to rely on the Coronavirus Act, and I agree that that is far from ideal. However, I have to balance that against the needs of court users, including victims of crime. The current model of live-link provisions has a particular importance for the criminal courts. The most recent update on criminal court recovery in January 2024, which is based on management information on the number of defendants actively in the court system, shows that, despite considerable efforts, there are approximately 64% more defendants in the Crown Court and approximately 43% more defendants in the Magistrates' Court, adult and youth, than there were on 1 March 2020. In the absence of these provisions, we would have to default to the pre-existing legislation, which is much more restrictive in the category of witness and the range of hearings to which it can be applied. More to the point, other than witnesses who meet the existing test to avail themselves of special measures, the pre-existing provisions in the criminal courts mainly concern the facility for a witness other than the defendant to appear remotely, or for the defendant himself or herself to appear remotely. The latter requires the defendant to consent. For witnesses other than the defendant, the available test is less generous to the victim and witnesses. It focuses on the efficient administration of justice and allows the defendant to challenge the use of live links, including on grounds such as their availability, the importance of their evidence and that the defendant considers that the live link would inhibit the defence from effectively testing that evidence. That would be a backward step in meeting the needs of victims and witnesses.

During the previous mandate, all members of the Executive expressed support for not only a six-month extension in March 2022 but the proposed additional extensions that were identified as being required to allow time for a public consultation to take place and new provisions to be developed for inclusion in an Assembly Bill. The Justice Committee also signalled its support.

To give a bit of the history of the provisions: since as far back as the 2015 Programme for Government, the plan has been to redesign and optimise public service delivery models. Events in 2020 simply required us to accelerate the digital modernisation programme that was

under way in the Northern Ireland Courts and Tribunals Service and invest in technology needed to maintain the throughput of cases. It would be wasteful, therefore, not to optimise the investment that has already been made in the technology, especially where it can help to avoid unnecessary delay in disposing of matters before the court that the judiciary consider suitable for a live link.

At the height of the pandemic, when footfall was restricted, the number of connections averaged over 70,000 per month. Today, there are, on average, approximately 30,000 connections per month. However, that is still substantially more than was the case before 2020, when there were fewer than 100 connections per month. I am therefore extremely reluctant to lose the availability of that enhanced digital court environment, which supports the needs of court users and is based on the judiciary determining what is in the best interests of justice, rather than being dependent on the defendant's consent.

We have conducted a series of engagement exercises since November 2021. The responses on each occasion demonstrated overwhelming support for extending those provisions while the justice system is still recovering. On each occasion that we have considered making an extension, a review has been conducted of the equality, data and rural impact, and our assessment has been updated where appropriate. There has also been strong support for new primary provision to be made locally for the use of live links in the future. The benefits that are to be gained from the wider use of live links in the justice system are recognised across these islands. Greater use of live videoconferencing or TV links can reduce distress for some participants. Remote attendance can allow professional witnesses, such as police officers, social workers or medical experts, to continue working while they wait to be called to give their evidence. It can also provide a saving in legal aid costs, substantially reduce our carbon footprint and assist in speeding up our justice system.

I hope that, like me, the Assembly will see the order not only as a critical component of justice recovery but as a modernisation of the justice system. Little has changed to undermine the rationale for the approach that was agreed previously with the Executive and the Justice Committee, save that we are, regrettably, two years later than I intended in progressing the Bill. I commend the approval —

Mr Allister: Will the Minister give way?

Mrs Long: I will indeed.

Mr Allister: The Minister brings an order that expires in 10 or 11 days. She indicates that she anticipates that there will be primary legislation in the long term. Does that mean that, under the Coronavirus Act, we will be subject to another extension in a few weeks?

Mrs Long: Yes, it does, and I mentioned at the beginning of my speech that this is the first of a series of extensions that we will need in order to maintain efficacy in the system while we bring forward legislation. On that note, I commend the order to the Assembly.

Ms Bunting (The Chairperson of the Committee for Justice): I rise initially in my capacity as the Chairperson of the Committee for Justice and declare that I have an immediate family member who works in the legal profession.

As the Minister outlined, the statutory rule will extend the provisions of the Coronavirus Act 2020 that allow courts and statutory tribunals to receive evidence through audio or video links beyond this month, which is when they are set to expire. The Committee initially considered the rule at its second meeting, which was on 22 February. Members noted that the rule was the latest in a sequence of statutory rules extending those provisions. The Committee further noted that, while the Examiner of Statutory Rules raised no concerns regarding the technical aspect of the rule, her first report had drawn attention to a number of statutory rules that are subject to the confirmatory resolution procedure, including this rule and those that preceded it. The Examiner stated:

"The confirmatory resolution procedure is used for more significant exercises of delegated powers. Positive action by the Assembly is required for the subject statutory rule to continue in force."

She also stated that the use of successive statutory rules has:

"had the effect of ensuring that, where an individual rule ceased to have effect, its provision nevertheless prevails in the statutory rule"

that followed it.

Members also noted that, towards the end of the previous mandate, the predecessor Committee considered the proposal for one of the earlier rules to extend similar provisions. At

that time, the Committee was advised that the extension was part of a two-stage legislative approach, whereby the provisions would initially be extended by subordinate legislation and a Bill would be developed in order to make a permanent provision for the use of audio and video links.

The current Committee agreed to ask the Department for its views on whether the continued use of the powers in the Coronavirus Act 2020 is appropriate and proportionate in the post-COVID environment. The Committee also requested an update on the Department's plans to make permanent provision for the use of audio and video links. The Department's response was considered at the meeting of 29 February, when the Committee was advised that the Minister was satisfied that there remains a clear role for the continued use of the provisions in order to tackle the backlog of cases that have accrued during and since the pandemic and that may take until 2028 to clear without extra resources. The Department also advised that it is the Minister's intention to include provisions for the wider use of live links in the first Bill that it plans to introduce, which is anticipated before the summer recess. The Committee was assured that reliance on the powers that are in the Coronavirus Act 2020 is, therefore, an interim arrangement.

Having considered the response from the Department, the Committee agreed that it was content to recommend that the Assembly approve the statutory rule. Before I conclude, I will say that, at its last meeting, the Committee discussed with departmental officials another proposal to further extend the provisions. The officials reiterated that they expect the permanent provision for live links to be in the first departmental Bill. However, it is unlikely that the necessary provisions will be drafted in time for inclusion in the Bill as introduced but will instead be tabled as amendments at Consideration Stage. I recognise that most Committee members are broadly supportive of the principle of the use of live links and agree that they should be a feature of our court system. While I thank the Department for its candour, bringing forward provisions at Consideration Stage is, nonetheless, far from ideal, as it means that those provisions cannot be included in the Committee's call for evidence and the Committee will not have the opportunity to undertake proper scrutiny at Committee Stage.

Mrs Long: I thank the Member for giving way. I am aware that that concern was raised at the Committee. I want to reassure the Committee and, indeed, the Chair and Deputy Chair about

that point. It is the Department's intention to share an early draft of the regulation that we intend to bring through the legislative amendment. That will, I hope, allow the Committee to take evidence on that matter as well. It is simply to do with the finalising of drafting and the resource available, which mean that it will be delayed beyond the point at which the Committee starts its consideration. However, we hope to be able to share an early draft so that you can consult on that too.

Ms Bunting: I am grateful to the Minister for her clarification and assurances, because the issue caused the Committee some consternation. No doubt, we will return to that discussion at a later stage. As you will appreciate, Minister, I will make some remarks on it as I continue. In the interim, on behalf of the Justice Committee, I support the motion.

I now turn to my remarks in my capacity as an individual MLA. First, I extend my best wishes for a speedy recovery to Mr Long. We served together on Castlreagh Borough Council and worked well there for many years. I was very sorry to hear of his recent ill health. I trust that the Minister will pass on my good wishes to her husband.

While, on a personal level, I support the principle and the requirement for live links and audio links, my issues are more around process. I remain concerned about the continued extension of emergency powers long after the pandemic, particularly since, by their nature, they were not rigorously scrutinised. Having been assured that provision would be made in the first Bill, some of us were somewhat taken aback to discover that the intention was only to bring forward such provision at Consideration Stage by way of an amendment. Again, I am grateful to the Minister for her clarification on that. There are some issues around live links that should be properly scrutinised to better inform guidance and practice, improve consistency of application and use, and consider equality of arms issues.

In addition, when one calculates the time frame involved to scrutinise and progress what, I anticipate, will be a sizeable first departmental Bill, one sees that it is inevitable that yet further extensions of the emergency coronavirus provisions will be required. It begs the question as to why a smaller, stand-alone Bill is not being brought forward and why, as a result of their inclusion in another sizeable Bill, in a most unusual step, the provisions will not be included in the Bill as printed and so will not be included in any calls for evidence. However, the Minister has clarified that.

It is important that we move away from reliance on emergency legislation deriving from the pandemic. Where legitimate and beneficial changes have been found that can be built upon and legislated for properly, we should do that at the earliest opportunity. I have made my point about my preferences. Nevertheless, I understand the need and the requirement for live links to continue. In that circumstance, I support the extension.

Miss Hargey: I start by echoing earlier remarks. My thoughts are with Michael, Naomi. It was good to see that he was out on Friday. I hope that he makes a full recovery.

As was touched on, we discussed this at the Justice Committee last Thursday, and concerns were raised about the Coronavirus Act being used. We asked the Department to ensure that a permanent mechanism is brought forward. That was raised with the Department at the past few Justice Committee meetings. It responded positively to say that legislation would come forward in the next few months. I welcome the Minister's interjection to say that we will see that in draft form, because it is important to ensure that the provisions are as robust and effective as possible and that we have an opportunity to scrutinise them as early as possible.

Like others, I believe that, in the short term, there is no option but to extend the current provisions to allow live links, because they are critical and must be maintained, albeit they need to be enhanced. They allow our courts and tribunals to receive audio and video evidence, wholly or in part, via the live-link mechanism. Therefore, extending the provisions is essential, especially for victims of crime. That was echoed by the for Victims of Crime Commissioner Designate at the Justice Committee last Thursday, in subsequent reports on the issue and in the consultation that has taken place.

We need the provisions because they reduce the impact on people, especially the most vulnerable. That is an area that we will want to look at as more permanent legislation comes forward. They also, importantly, allow children to give evidence in a child-friendly and neutral environment. Again, ensuring access to justice and that it is child friendly is a critical part of the overall system, so we need to make sure that the interim measures continue in that vein.

It is important to meet the Victim Charter obligation. We had an in-depth discussion on the role of the charter, and providing victims with waiting areas separate from those for

defendants is critical. Live links can play a role in that.

1.15 pm

In the short term, it is essential that the provision continue, but we need more robust primary provision. I welcome the Minister's words on that today. We need to make sure that the permanent provisions have enhanced participatory rights, particularly for victims; that there is greater planning and coordination around them; that they are rights-based; and that we embed a culture of rights in the justice system more widely. It is important that we use the opportunity over the coming months, as we start to scrutinise legislation, to look at effective learning and best practice from across these islands and beyond.

I welcome the fact that we are moving on the issue to give certainty to the service and, importantly, to those who utilise live links. I would like to think that we will get early sight of the drafting so that we can scrutinise it. We all want to ensure that we have more effective measures that enhance the role of live links for victims, defendants and others and that we speed up the justice system overall.

Thank you very much, Minister, for tabling the order.

Mr Dickson: I thank the Minister for the work that she has done on the order and for the clear explanation that she gave to the House to assist us in its delivery.

I have no intention of going over issues that were raised in support of this by the Chair and vice chair of the Committee, but it bears consideration that, when we had the Commissioner Designate for Victims of Crime before the Committee last week, she spoke passionately and gave great examples of the work that live links can deliver, particularly for victims of crime.

It is important that we allow the legislation to go forward, imperfect though it is. The vehicle is not one that, I think, anyone in the House is comfortable with, so I welcome the Minister's statement that she intends to introduce permanent legislation in a Bill that will cover concerns, particularly the area of concern that was raised at the Justice Committee last week. The Minister has made a clear statement to the House today that an early draft will be provided to the Committee. That should allay any concerns that the Committee has and allow us to consult on the legislation. The Minister also

touched on the vital point of judicial oversight of the use of live links.

With those few words said, I am pleased that we are in a position today to support the order. We welcome the fact that a pathway has been set out clearly for the delivery of live links to take us into the future, and we welcome all the comments that have been made in the Chamber.

Mr Deputy Speaker (Mr Blair): All Members who were listed to speak have done so. I call the Minister of Justice to conclude and make a winding-up speech on the debate.

Mrs Long: Thank you to the Members who participated in the debate for their contributions. The near-universal consensus of the Assembly is that we would have preferred to do this by primary legislation but recognise that it is important that we are able to maintain the provisions while that legislation is being developed.

I will touch on a number of issues. The question was asked, particularly by the Chair, about why this could not be done more quickly through having a stand-alone live links Bill. Unfortunately, unlike the Department for Communities, which has now ceased using Coronavirus Act (CVA) provisions to facilitate hybrid council meetings and is doing that through regulation, we have no other primary legislation in the justice field that would allow us to introduce similar secondary legislation. It has to be done by primary legislation and therefore will take considerable time.

We also need to accommodate it alongside other legislative requirements that the Department faces. I would prefer it if new primary provision for live links were in place sooner rather than later, but the reality is that we have another shortened mandate in which to push through legislation, plus a backlog of legislative changes from the previous mandate that still need to be progressed. I have therefore approved a legislative programme for my Department that will allow us to progress those outstanding legislative changes through a mixed-content justice Bill, as well as delivering on my legislative priorities of a sentencing Bill and a hate crime Bill. I would much prefer to have a series of smaller thematic Bills, but the reality is that we do not have time to do that in this mandate; I wish it were otherwise, but that is where we are.

I also want to make sure that the legislation that we introduce is robust, future-proofed and takes account of learning from the past few years. It is

not simply a question of replicating what was in the Coronavirus Act and turning it into primary legislation; it is a more complex piece of work. For example, we have consulted publicly and had significant engagement with stakeholders, and, as the Deputy Chair mentioned, we have kept abreast of developments in other jurisdictions. We aim to share the draft clauses with the Justice Committee in time for them to be considered during the Committee Stage of the justice Bill. I will write to the Committee well in advance of that to set out the policy approach that we will adopt.

I reiterate that we want there to be proper scrutiny of the legislation. We want the opportunity to engage with the sector, and we want what we produce to be robust. In the interim, however, it is important that we get this extension and future extensions that will guide us through to the point at which the new legislation is in place. To lose live links would not only set back the recovery of the justice system and slow down the delivery of justice; it would represent an impediment to many of the more vulnerable victims and witnesses who participate in the justice system. In certain categories of domestic abuse cases, for example, it would place back in the defendant's hands power over whether remote access to the court is allowed. That would be a regressive step, given how far we have proceeded on that over recent years.

I hope that I have answered any questions that Members have and satisfied them of the importance of the order being approved today. As Members, we often hear victims and witnesses comment that the criminal justice system does not focus on them or work well for them. I want to reassure Members that this motion is particularly targeted at making the journey of those victims and witnesses through the justice system as stress-free as can be, to make a positive difference to them, to help us to address the challenges presented to the justice system over recent years, to contribute to the modernisation of our courts and to ensure the smart use of the resources that are available to us. I thank Members for their support.

Question put and agreed to.

Resolved:

That the Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals) (No. 2) Order (Northern Ireland) 2023 be approved.

Coronavirus Act 2020 (Extension of Powers to Act for the Protection of Public Health) (No. 2) Order (Northern Ireland) 2022

The following motion stood in the Order Paper:

That the Coronavirus Act 2020 (Extension of Powers to Act for the Protection of Public Health) (No. 2) Order (Northern Ireland) 2022 be approved. — [Mr Swann (The Minister of Health).]

Mr Swann (The Minister of Health): Mr Deputy Speaker, I will explain more in a moment, but, at this stage, I confirm that I will not move the first two statutory rules — SR 2022/224 and SR 2023/050 — but will move SR 2023/139.

Motion not moved.

Coronavirus Act 2020 (Extension of Powers to Act for the Protection of Public Health) Order (Northern Ireland) 2023

The following motion stood in the Order Paper:

That the Coronavirus Act 2020 (Extension of Powers to Act for the Protection of Public Health) Order (Northern Ireland) 2023 be approved. — [Mr Swann (The Minister of Health).]

Motion not moved.

Coronavirus Act 2020 (Extension of Powers to Act for the Protection of Public Health) (No. 2) Order (Northern Ireland) 2023

Mr Swann (The Minister of Health): I beg to move

That the Coronavirus Act 2020 (Extension of Powers to Act for the Protection of Public Health) (No. 2) Order (Northern Ireland) 2023 be approved.

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

Mr Swann: Thank you, Mr Deputy Speaker, for your indulgence. First, by way of clarification,

Members will note that there were three statutory rules on the Order Paper. After they were first submitted a number of weeks ago, it was confirmed to my Department late last Friday evening, as I understand it, by Assembly authorities that there was no legislative or legal need or, indeed, basis to move the first two, not least due to the time frames involved. Whilst, in the circumstances, I would have preferred to have moved them to allow for further debate, I understand that it is not an option available to me. Nevertheless, in relation to the third statutory rule, I will begin by briefly setting out the background to the debate.

As Members will be well aware, the current primary public health legislation in Northern Ireland, the Public Health Act (Northern Ireland) 1967, does not enable us to protect our citizens in the same way as other parts of the UK. Faced with the impact of the pandemic, the Coronavirus Act 2020 (CVA) inserted temporary powers into the Public Health Act to enable my Department to bring health protection regulations to the Executive and the Assembly for consideration. The purpose was to protect our citizens from infection or contamination relating to coronavirus in Northern Ireland.

Members will also recall that, whilst restrictions were ordinarily based on professional medical and scientific advice, ultimately the decision to proceed or not was a matter for the Executive and the parties that were represented in it. Whilst the making of the regulations was something that we never envisaged having to do, they were crucial in the response to the pandemic. The virus changed rapidly over time, and the regulation-making powers enabled us to react quickly within days, sometimes even hours. Members will recall that schedule 18 to the Coronavirus Act inserted powers into the Public Health Act that enabled the Northern Ireland Department of Health to make health protection regulations for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence of the spread of infection or contamination in Northern Ireland.

The CVA powers were due to expire on 24 March 2022. However, Members will recall that, by way of contingency preparedness and so that the powers provided by the CVA did not lapse, the powers have since been extended on a number of occasions, for a time frame of six months each time. Today's debate, therefore, is about ratifying one of those decisions, one of the three extensions that were decided on in the absence of a functioning Assembly and Executive. In particular, the third listed statutory rule is amending the expiry date of section 48 of

and schedule 18 to the CVA from 24 September 2023 to 24 March 2024. Ideally, I would not be standing here asking for retrospective approval, but the reality is that Northern Ireland is uniquely legislatively disadvantaged compared with England, Scotland and Wales. They have legislative options open to them that are not available to us in Northern Ireland. With so much disruption and the stop-start nature of the operation of the Assembly and Executive, we regrettably remain at a major legislative disadvantage.

Throughout the pandemic, the Chief Medical Officer (CMO) and the Chief Scientific Adviser (CSA) provided robust expert advice to support the people of Northern Ireland and to help us navigate the unprecedented challenges that the pandemic presented to us all. Both have advised that today's extension until later this month is necessary. However, I need to be honest with Members and say that they are also clear that, until a permanent legislative change is made, putting Northern Ireland on a similar footing to the rest of the United Kingdom, further temporary provisions are likely to be required. Not having the full range of public health interventions immediately available in the event of a significant variant of COVID-19 emerging would pose a significant gap in policy- and decision-makers' ability to respond.

I have absolutely no plans and certainly no desire to introduce regulations, and, even if the highly unlikely were to happen and restrictions were considered necessary, it would be a decision for the Executive to take collectively.

That should not detract from our responsibility to be prepared to respond to the disease. It is fair to say that the level of risk from COVID-19 has significantly reduced, but the virus continues to evolve, so it is only right and sensible that we maintain the ability to respond to it.

1.30 pm

Locally, our Public Health Agency continues to monitor the situation. The UK Health Security Agency also monitors data relating to variants in the UK and internationally. Our genomic sequencing continues to be a key process in identifying new variants, but it takes time, with potentially weeks' worth of information needed before a variant can be determined as being common. Other, more immediate indicators may require us to act swiftly to protect our citizens, but, without the extended powers under the Coronavirus Act, there is a significant

risk that we would not be able to respond at the required pace.

I remind Members that, during the pandemic, the regulation-making powers enabled us to react quickly, within days or even hours, to protect our citizens. Let me be clear: if the House does not extend the powers, they will fall on 24 March 2024, and, at that point, Northern Ireland will be at a disadvantage to other parts of the UK in our readiness to respond to any significant variant of concern. Responding from that position would require new primary legislation to enable regulations to be brought forward to the Executive and the Assembly. Although that could be achieved, it is impossible to say with absolute certainty how long the process could take. Certainly, any decisions in Northern Ireland could not be taken in tandem with the other parts of the UK or of these islands.

Extending the powers under the Coronavirus Act 2020 until a permanent solution is in place will simply provide us with the ability to quickly bring health protection regulations to the Northern Ireland Executive for their consideration, where the information available to us and public health advice indicates that we need to rapidly respond to a new variant. As I said, any health protection regulations would require Executive approval followed by presentation to the Assembly. My Department is moving at pace to bring forward a permanent solution through a new public health protection Bill, and I intend to seek agreement from Executive colleagues in the coming weeks to launch a public consultation on those policy proposals before the summer, with a view to the Bill being introduced in the autumn of this year.

I am fully committed to delivering a permanent solution, but it will take time. With no functioning Assembly for almost two years, we were robbed of the opportunity to make progress up to now, but I am determined that we will move as quickly as we can. Therefore, after due deliberation and taking into consideration the advice of the Chief Medical Officer and Chief Scientific Adviser, I advised the Health Committee and my Executive colleagues that, subject to today's motion being passed, there will be a need for further provisions while we continue to progress the delayed permanent solution that I have set out.

Finally, the extension of the powers is about being able to protect our citizens should the worst happen. It is merely our insurance policy to ensure that we can, if we absolutely have to, respond to protect our citizens. I therefore commend the order to the Assembly.

Ms Kimmins (The Chairperson of the Committee for Health): I welcome the opportunity to outline the Committee for Health's consideration of the rules before I speak as a Sinn Féin MLA.

As the Minister outlined, section 48 of and schedule 18 to the Coronavirus Act 2020 inserted powers into the Public Health Act 1967 to enable the Department of Health to make public protection regulations:

"for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination"

in the North.

In the previous mandate, that allowed the Department to bring forward rules relating to domestic restrictions, travel restrictions and the use of face coverings. At the end of the previous mandate, the Minister brought forward a rule to provide that section 48 and schedule 18 should not expire but be extended by six months to 24 September 2022. The result of that has been three further extensions to prevent those sections from expiring. The first six-month extension was to 24 March 2023, the second was to 24 September 2023, and SR 2023/139 extends that period to 24 March 2024.

The Committee, at its meeting on 22 February this year, agreed to note the first and second extensions, as the time frame that they covered had past. The Committee was then briefed on the third, and current, extension rule by departmental officials. At the briefing, members asked officials whether it was the Minister's intention to bring forward a further regulation to extend the date beyond the 24 March deadline. Officials advised that the Minister had not decided at that stage whether to request a further extension and that any decision would be based on up-to-date public health advice.

Members then asked officials for information on the current trends in COVID; whether we are seeing any increase in hospital admissions or outbreaks in care homes; and how COVID is monitored and new variants picked up. Officials advised that the situation is constantly monitored and that there are no significant new variants or any significant increases in cases. Members also asked about the alternative if this rule is not approved by the Assembly. Officials advised that legislation could be introduced at pace but that it would take a number of weeks to do so.

Following the briefing from officials, the Committee agreed to defer consideration of the rule and write to the Minister to seek further information on whether it was his intention to bring forward a new rule to further extend provisions. The response from the Minister was considered at the Committee meeting on 29 February, and that response indicated that he was minded to seek a further extension until a permanent solution is brought forward in a new public health Bill.

At the Committee meeting on 29 February, a number of members indicated that they felt uncomfortable supporting the extension and that they did not have enough information to make a recommendation to the Assembly. Therefore, the Committee wrote again to the Minister to seek further clarification on the time that it would take to bring forward legislation; whether new primary legislation would be required; the timescale for the public health Bill to be introduced; and the current level of risk from new variants of COVID.

The Committee considered the Minister's response at its meeting on 7 March, and members felt that they still did not have enough information. The Committee agreed that, as the debate was taking place today and Thursday was the last Committee meeting before the debate, it would note SR 2023/139, as there was not enough time to get further clarification on some issues. I am sure that Committee members will raise those matters during the debate, and, should the legislation not be approved, I would be grateful if the Minister could outline what advice he received on bringing forward legislation and what discussions took place with the Office of the Legislative Counsel to identify possible options.

I will now speak briefly as Sinn Féin health spokesperson. The COVID-19 pandemic was one of the most serious global health emergencies that we have faced. The virus wreaked havoc across the world and caused thousands of deaths across Ireland, North and South, alone. The restrictions introduced to control the spread of COVID-19 were needed, and, at the time, they were necessary to protect the most vulnerable. However, as we have been advised, thankfully, COVID-19, while still present, has largely been contained through the roll-out of vaccinations and the hard work of our Health and Social Care staff.

As stated in the Department's briefing to the Committee, there are no significant new variants and no significant increases in COVID-19-related hospital admissions. I understand

that the public health Bill that the Minister is working on will have significant public health provisions to allow him or subsequent Ministers to act in public health emergencies, should they need to. That would potentially negate the need for these extensions. However, we also take on board that the public health Bill will take some time, and it is also important to note that, if we were to face a similar public health emergency again, it would be crucial that the Assembly and Executive could respond in a timely and effective manner to protect the lives of our public.

I have one last question for the Minister. Whilst I appreciate that he is taking into account what is happening across the water, do we have any information on the preparedness across this island, as an all-island approach will be important in any future pandemic or similar incident? I look forward to hearing the rest of the contributions, and I thank the Minister for his contribution so far.

Mr McGrath: This is a difficult motion to support. Time and time again, all of us, from all parties, stood in the Chamber when these regulations were brought forward, and we all said that they were anti-democratic and against the normal process. However, we accepted that we were in a worldwide pandemic and that the regulations were therefore necessary. We got that then. We understood what we were facing at that stage. It was quite clear. However, now, we are where we are today. It is March 2024. In around two weeks' time, it will be four years since that night when a whole raft of regulations was enacted that had a serious impact on people's freedom, their freedom of movement and their ability to gather. It seriously impacted on people's lives. Our constituents were on the phone with us and sending us emails, telling us that they did not like what was happening. The majority accepted that there was a reason for it, yet we are now in this state.

In 2023, the World Health Organization downgraded the global pandemic; it is no longer a pandemic that we face. It said that it no longer qualifies as a global emergency. The question has to be this: if we are not facing a global emergency, why are we looking to extend emergency powers? Think about those powers. They mean that a decision that impacts on everybody could be taken in a room and enacted, probably that very same day, and it would be weeks before we got an opportunity to discuss it or debate it in the Chamber. It just does not feel like the right way in which to do things that, several weeks after the decision has been made and implemented and people's daily lives have been impacted on, we then get

the opportunity to come to the Chamber and have that discussion.

During COVID-19, Departments spent almost £5 billion on various initiatives, with almost £1.6 billion being spent by the Department of Health. If those powers were not in place and we were spending that level of money, I suspect that we would have many deliberations in the Chamber and much discussion in Committees on how that level of money would be spent. We were in a different place then, and those decisions were taken quickly as a result of having those powers. Between March 2020 and October 2022, 51 ministerial directions were issued; more than in the previous 10 years put together. We were absolutely in a different place during that time. We are not in that place now.

In the Committee, we asked — the Committee Chair referred to it — why a piece of emergency legislation could not be brought to the House if it were required. We passed a Budget — spending of £28 billion — in two days. Two days is what it took. When we reflect on the period of COVID-19, we know that it took weeks to build up to the stage of needing some form of legislative cover to be able to take decisions: the World Health Organization will have referred to it as a global emergency; it will have upgraded it to a pandemic, and time will have been taken to go through that process. If that process began, I am quite sure that, here, we could get through a 24- or 48-hour process to be able to give the Executive the ability to take the decisions that they need to take.

We all remember that, towards the end of the pandemic, countless people contacted us to tell us that they were not happy with how we carried out the process of short, sharp and immediate decision-making. I will finish by stating the fact that it was needed then. We do not need it now. We will get a number of weeks' lead-in time to the potential need for it again. We will have an opportunity, because the Assembly can take decisions quickly if it needs to. With that lack of information, my party finds it difficult to support the motion.

Mrs Dodds: Before I address the SR, I want to say that the Minister did an incredible amount of work during the COVID pandemic.

Those were very difficult days for the Minister and the wider Assembly and Executive, but most of all for our constituents, the people of Northern Ireland. We are debating whether we should continue COVID powers: that is a really significant step forward for us and shows that we have, in many ways, left some of this

behind. However, we are all mindful of those families who still grieve and those who lost their lives during an extraordinary and terrible time for our community in Northern Ireland.

The SR that the Minister has moved asks us to extend the regulations until 24 March. However, the Minister made it clear, in the Chamber today and in his notes to the Committee, that he intends to continue to extend those until, I presume, there is a more fulsome public health solution to the issue. That is where a lot of our problems and difficulties lie. Certainly, on these Benches, we are uncomfortable about extending that precedent, which was meant for extraordinary times, when we are now talking about the lesser threat of COVID. As the Member who spoke previously said, the World Health Organization has, thankfully, downgraded that pandemic. For those on these Benches, that is extremely uncomfortable.

When the laws were introduced, we were told that they were time-limited and would not be extended for one moment longer than they were needed. It is important that we all hold on to that. Members across the House — the Member who spoke previously mentioned it, and many on these Benches have indicated it as well — have said that our constituents find these restrictions undemocratic and, in many ways, draconian in respect of our freedoms and liberties. While they were necessary at the time, I wonder why we would want to retain legislation like that on our statute book.

During the Committee meeting, officials from the Department briefed us on the issue. They were asked specifically about COVID, and, as the Hansard report shows, they said:

"There have not been any significant increases",

and that flu in our communities is more pressing for the health service at the moment. The officials also said:

"There are no significant new variants at this point."

Therefore, we are certainly in a much better position than we would ever have been.

To sum up, I confirm that, on these Benches, we are extremely uncomfortable with the legislation. We find it incredibly difficult to support. We would like a more permanent solution. The Minister needs to address the issue, make the solution permanent and come at it as quickly as he can. In the meantime, in

common with other Members who have spoken, we do not support the motion.

Miss McAllister: Like Members who have spoken previously, I will talk about the uncomfortable position that we all found ourselves in when the pandemic first came around, back in 2020. We recognise that the decisions were taken on very difficult terms but that they were necessary to deal with the situation which we found ourselves in. All the parties in the Executive felt that we were in uncharted territories but that we had to manage it as best we could. Like the three previous contributors, I highlight the point that we now live in what is almost a post-pandemic era, so to speak. Although some Departments make everyday use of the Coronavirus Act, we are in a different situation with the order that the Minister moved. I have one question, an answer to which I seek from the Minister in his winding-up speech. It relates to whether these orders — . Sorry, I must remember that only one order has been moved. It relates to the effect from the order falling. What consequences will that have on lives in Northern Ireland and, importantly, on the Department of Health?

I focus on that issue because a lot of Departments rely on the regulations that were made in the past few years. Their content has become part and parcel of everyday life in Departments. We have just debated the use of live links in the Department of Justice, but there are also issues around hybrid meetings in the Department for Communities, and other issues can be added to that list. It is more about living in a post-pandemic era, in which there has been cost-effectiveness and positive effects from the regulations that were put in place. There have been things that have benefited not only society but how the Executive can manage matters.

I recognise that we had two years of a suspension, and I respect the fact that any Bill that must be introduced is not ready to be introduced, but, like the other contributors, I hope that the Minister can understand the discomfort and unease over the situation in which we find ourselves, whereby we are essentially approving powers that enable a decision to be taken that would enter us into some sort of pandemic response again.

When officials came to the Committee, we asked direct questions about the effect of COVID and the variants that are currently in Northern Ireland. We were told that there are no variants that are causing immediate concern. I therefore ask the Minister to outline the difference that introducing enabling legislation

would make, or the impact that it would have, if he did not have the order in place. If it did not exist, what difference would it make to dealing with any future pandemic that might arise? We have moved on from where we were in 2020, and, especially for us as a liberal party, decisions to impose any regulations on society cannot be taken lightly. The order's full impact must be considered, and we therefore want to see primary legislation introduced. I understand, however, the position in which the Minister has been put as a result of our not having an Assembly. I look forward to hearing his response to my questions.

I also reiterate, alongside Health Committee members, that this is an uncomfortable order. It does not sit lightly, given its impact on freedom of movement and its restrictions on everyday life, especially for a party that values the role that everyone plays in society. I look forward to hearing the Minister's winding-up speech.

Mr Chambers: As many Members who served in the previous Assembly can confirm, there is often a sense of déjà vu when such extension orders are discussed. Although it seems rather odd to discuss extension orders not long before they expire, that is the rigid legal and legislative cycle in which we find ourselves. As the Minister set out, we in Northern Ireland have a legislative deficit when it comes to the adaptability of our current public health legislation. Other nations can respond at pace if need be, but it is a simple matter of fact that, without these extension orders, Northern Ireland could not do so.

Although, thankfully, the risks most associated with the previous pandemic remain low, equally, we have a responsibility to maintain a level of preparedness and resilience in order to protect our citizens should a significant variant emerge.

Indeed, the public inquiry is rightly examining the overall UK response to the pandemic, and I can only imagine that it would take a dim view were we to deliberately leave ourselves legislatively exposed at this point.

The Health Committee has received verbal and written briefings over recent weeks. It is clear that it is the view of the Chief Medical Officer and the Chief Scientific Adviser that the extension orders are necessary and prudent. Whilst MLAs are right to push and probe, many of us took a united position throughout the pandemic that we would respect the integrity of that expert advice.

Mrs Dodds quoted from Hansard the briefing that we received from Department of Health

officials. The officer who was reported in Hansard as saying that there was no variant of the virus on the horizon was giving an honest answer to a fair question, but he is not the Chief Medical Officer, nor is he the Chief Scientific Adviser. Those are the people from whom I would tend to take advice.

I sincerely hope that none of these Department of Health extension orders ever needs to be utilised, but if they are, we need to be clear about the process that will be undertaken. Despite what a small cohort of Members in the House may believe or, at least, try to make others believe, absolutely no restrictions could be introduced without them first being discussed and agreed in the full Executive. The extension orders are merely enabling powers that could permit decisions to be taken at future meetings. Whilst we are right to be sensible and have the ability to respond to all eventualities, what is not helpful are high tales and misinformation as to what decisions, such as those being taken today, do or do not mean.

Whilst I know that some people like to portray themselves in a certain fashion or speak into an echo chamber, ultimately, as legislators, we need to be mature in our deliberations and reasonable in our public commentary. Sweeping statements and exaggerated claims may generate some Facebook likes and social media retweets, but they do little to contribute to what should be a serious topic. I appreciate that some will argue that legislation can be introduced quickly if ever needed, but surely due diligence would dictate that it is better to have it in place, ready to be utilised if and when required.

Others will argue that there is no sign of a new COVID variant on the horizon. The Building that we stand in today has fire extinguishers dotted throughout its corridors and rooms. Why are they in place? The answer is simple: they are there to help fight and contain the, hopefully unlikely, outbreak of a small fire that might grow into something more serious. Equally, we have defibrillators dotted around the Building: why are they there? They are there to provide urgent medical intervention in the event of someone suffering a cardiac arrest. It is all about being prepared for events that, we all hope, are unlikely to occur, but, if they do, we have the means to hand to respond.

Mr Deputy Speaker (Mr Blair): Order. I am afraid that I have to interrupt the Member. As Question Time begins at 2:00 pm, I suggest that the Assembly takes its ease until then. The debate will continue after Question Time, when

the next Member to speak will be Alan Chambers to continue his remarks.

The debate stood suspended.

(Madam Principal Deputy Speaker [Ms Ní Chuilín] in the Chair)

2.00 pm

Oral Answers to Questions

Justice

Madam Principal Deputy Speaker: Question 12 has been withdrawn.

Stalking Protection Orders: Applications

1. **Ms Ennis** asked the Minister of Justice to outline how many applications there have been for stalking protection orders (SPOs) since they were introduced. (AQO 134/22-27)

Mrs Long (The Minister of Justice): I am pleased to advise that the stalking protection order provisions contained in the Protection from Stalking Act (Northern Ireland) 2022 came into operation on 19 October 2023. Consideration of the circumstances in which applications may be made to the courts for an SPO are an operational matter for the police. Although I cannot comment on operational matters, I understand that each incident of stalking that is reported to the police is assessed to determine whether an SPO application should be progressed. I also understand that, while an order has not yet been made or imposed by the courts, there are currently eight cases that are under active consideration for an SPO at this time. In line with the reporting requirements in the 2022 Act, my officials will be working with operational partners to coordinate a detailed report on the operation of the new offence of stalking, the new offence of threatening and abusive behaviour and the operation of the stalking protection order provisions of the Act for publication later this year.

Ms Ennis: I thank the Minister for her response. Having sat on the Committee in the previous mandate, we know the serious psychological effects that stalking can have on victims. Can the Minister outline what wrap-around services, protections and supports are in place for people who apply for a stalking protection order or who have been the victim of a stalker?

Mrs Long: Wrap-around services are not directly the responsibility of the Department of Justice. However, as you are aware, there are other advice, guidance and support institutions for victims of crime, some of which give priority to victims of domestic abuse and stalking. As part of the domestic and sexual abuse (DSA) strategy that I hope to introduce shortly with the

Minister of Health, there is the possibility, obviously, for us to look into that space. Hopefully, the Executive Office's Ending Violence Against Women and Girls strategy will also be able to feed into that conversation, but it will normally be a matter for other Departments to take forward the support services rather than the Department of Justice itself.

Ms Egan: Last week, I was speaking with a PSNI officer who was telling me how effective the new legislation on stalking has been. Minister, you mentioned the domestic and sexual abuse strategy: could I have an update on that, please?

Mrs Long: As Members are aware, the domestic and sexual abuse strategy was in development just prior to the collapse of the Executive. It is now well advanced. The intention is that we will bring forward a cross-departmental strategic response to domestic and sexual abuse led by my Department and the Department of Health with input from the Department of Education, the Department for Communities and TEO. We hope to publish jointly in the next financial year, so later on in this calendar year. It will take forward a range of work to protect and support victims and to address abusive behaviours that will benefit all victims of domestic and sexual abuse. The actions under that strategy will be funded by a cross-cutting DSA ring-fenced budget set aside by the Executive and will cross over with the Ending Violence Against Women and Girls strategy to make sure that there is not duplication and that it is streamlined.

Ms Hunter: Has the Minister had any conversations regarding laws and legislation with the Minister for Data and Digital Infrastructure on the role of social media stalking and unwanted messages and the impact that that can have on victims in Northern Ireland?

Mrs Long: I have not had such conversations since I returned to office, but I had extensive discussion with my colleagues in Westminster prior to the collapse of the Assembly. Obviously, the online harms Bill was one of the mechanisms identified to deal with online activity. I did not think that it went far enough and encouraged them to strengthen it further, but unfortunately that did not happen. By and large, social media and communications is a reserved matter, and, therefore, it is really only around the notifiable offences that can be undertaken either online or in real life that we will have that crossover.

Mr Beattie: Minister, you will know that I have raised the issue of victims' and witnesses' experiences of the Northern Ireland criminal justice system. Will you engage with the Northern Ireland Statistics and Research Agency (NISRA) to make sure that cases of domestic abuse and sexual crimes, including stalking, are contained in its reports?

Mrs Long: I would be more than happy to do so.

PSNI: Pay Settlement

2. **Mr Clarke** asked the Minister of Justice to outline what support she has given the Chief Constable to secure a pay settlement for police officers and staff. (AQO 135/22-27)

Mrs Long: I am committed to supporting the Chief Constable in delivering high-quality policing across Northern Ireland. A key component of that is a properly resourced and fairly remunerated workforce. In that context, I was pleased to secure an additional allocation from the Executive in February to allow the relevant pay settlements to be taken forward. I can confirm that I have considered and approved the recommendations for the pay award made by the Police Remuneration Review Body (PRRB), and my officials have invited the PSNI and Northern Ireland Policing Board to bring forward pay remits for their respective cohorts. However, while that additional funding was very welcome, it does not address the recurrent pressure that will arise in future years as a consequence of an award this year. Going forward, I will continue to work with the Chief Constable to develop and present a case to the Executive for additional investment in both policing and the wider justice sector. This is not just about policing but about an essential foundation of the just and fair society that we all aspire to.

Mr Clarke: I am sure that the Chief Constable will welcome your support on that. However, the officers who have waited a long time for their pay rise are now hearing that the budget is not recurrent. What continuing conversations will you have with the Chief Constable and the Policing Board to give them the assurance that the budget will continue in the future? Will you say more about the nature of the pay rise for the civilian staff, many of whom do different jobs, which have different risks, compared with the wider Civil Service.

Mrs Long: I am aware of the challenges, but I cannot give reassurance on recurrence because it is simply not in my gift to do so.

What may be possible will depend on the ongoing negotiations between the Minister of Finance and the Treasury. While I would be keen to see that money added to my budget next year so we can give that reassurance, I am not in a position to do that this year. However, in the interests of stabilising the workforce, which is critical, I believed that it was important that we moved on the pay even though it creates an unmet need in our finances next year, because, as I said at the beginning, we cannot have a decent police service unless we pay the staff and our police officers a reasonable salary. However, that will raise challenges for us next year due to the pressures on the DOJ budget. I look forward to members of the Policing Board and others in the Chamber giving us their full support on that.

Mr Nesbitt: If the Minister will allow me a bit of a stretch from Mr Clarke's original question, what is her attitude to the proposed review of the Policing Board?

Mrs Long: That is, indeed, a stretch. However, I am looking at the terms of reference of the review. I spoke to the chair and vice chair of the Policing Board recently and agreed that, with the return of devolution, it is for the Department of Justice to take forward that review. We are finalising the options around that.

Mr Allister: Is there any relief on the holiday pay issue that has arisen from court cases that said that holiday pay had to be based on year-round overtime? Some officers have been waiting for those holiday pay payments for many years.

Mrs Long: The process to arrive at a final resolution of that matter is still ongoing. Obviously, it is in all of our interests to resolve that as swiftly as possible. There will, undoubtedly, be financial pressures as a result of that.

Mr Dickson: Minister, do you agree that the Department of Justice has been chronically underfunded relative to other Departments? Indeed, that has been publicly commented on. Therefore, Minister, do you also agree that it is incumbent on all parties in the Chamber that are part of the Government to ensure that the Department of Justice has adequate funding?

Mrs Long: That is absolutely essential. My Department has seen a 3% uplift since devolution in comparison with a 68% uplift in the same year for the Department of Health and, I think, a 43% uplift for the Department of Education. We are talking about significant

differentials, and, unfortunately, while we have been effective at doing more and more with less and less, there comes a point when that is no longer possible. Where we make savings in the Department of Justice now, they are not savings; they simply push up costs for others parts of the justice system. We have gone beyond the stage of being able to simply discuss efficiencies, which I am always keen to do. We are now in a situation where we are discussing whether we want to have a justice system that is capable of delivering for people in terms of public safety, the preservation of life and the delivery of justice or whether we are willing to continue to asset-strip it and not allow it to continue.

Northern Ireland Troubles (Legacy and Reconciliation) Act 2023

3. **Mr Mathison** asked the Minister of Justice for her assessment of the impact the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 will have on her Department. (AQO 136/22-27)

Mrs Long: The Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 will end investigations by the PSNI or the Police Ombudsman as well as inquests that are not yet at the final determination stage in respect of Troubles-related incidents. The Act also prevents new civil claims from being brought forward from 17 May 2023. Instead, the Independent Commission for Reconciliation and Information Recovery (ICRIR) will review deaths and/or other harmful conduct during the Troubles period.

There continues to be considerable legal uncertainty around the new arrangements following the judgement handed down by the High Court on 28 February, which is being appealed by the UK Government. The judgement included declarations that a number of the Act's provisions, including those relating to immunity from prosecution, are incompatible with the European Convention on Human Rights and should be disapplied. It also concluded that the ICRIR is capable of carrying out investigations that are compliant with articles 2 and 3 convention rights. The Secretary of State for Northern Ireland has said that he remains committed to implementing the new commission. However, there remains a lack of clarity on what the operating model for the new commission will be; how it will interface with justice organisations; what the costs associated with that work will be; and how those costs will be funded. Therefore, I have written to the Secretary of State for Northern

Ireland seeking confirmation, as a matter of urgency, of the costs that may arise, especially for the 2024-25 financial year and the funding arrangements for them. I have also made him aware that, while the Act will shut down a number of investigations and future civil claims, there will be a continuing resource burden on justice organisations in relation to remaining legacy cases not caught by the Act's provisions, including inquests and other investigations that fall outside of the time frame of the Act, as well as several hundred civil cases that predate the legislation. There are therefore likely to be additional costs for justice organisations for as long as they are expected to service the commission and continue to deal with outstanding legacy cases.

It remains a matter of real regret to me —

Madam Principal Deputy Speaker: Minister.

Mrs Long: — that the legislation passed in Westminster. It has caused huge problems for the justice system.

Mr Mathison: I thank the Minister for her answer. Given the extensive financial and resource pressures on your Department, which you have outlined, do you have any clarity on the precise cost implications of the legacy Act for the criminal justice system?

Mrs Long: Currently, there is limited information available on how the ICRIR will deliver its role, so it is difficult to know what the costs associated with DOJ matters will be. There may be additional costs for justice organisations in servicing the ICRIR and dealing with matters that are not caught by the Act's provisions, but there is also the wider issue of being able to handle the data and other sensitive issues that would need to be passed across to the ICRIR so that it can take forward its investigations.

The legacy Act was not supported by Executive parties. It remains a UK Government policy change, so the costs associated with the outworking of that policy should, I believe, fall to other than the Executive.

Mr McGlone: Gabhaim buíochas leis an Aire. *[Translation: I thank the Minister.]* In regard to the recent use or, I should say, abuse of public interest immunity (PII) certificates to frustrate the inquest process, particularly the inquest into the murder of Sean Brown, will the Minister endorse the comments by Mr Justice Kinney on the establishment of a public inquiry into his murder?

Mrs Long: The issue of PII certificates is not a matter for the Department of Justice; they lie within the reserved domain of security. However, I believe that there will be many families, as a result of the legacy Act or other issues that have arisen in recent weeks, who will not be able to get the inquest that they wished and expected. Those families deserve to be treated with more respect and dignity than is currently the case. They should be able to access truth and justice in their cases.

Mr Beattie: I thank the Minister. Minister, in dealing with wider legacy issues, have you written to your counterpart in the Irish Government expressing your disappointment that they will not hold an independent inquiry into the Omagh bombing?

Mrs Long: I have not written to my Irish counterpart on that matter. I was due to meet her a number of weeks ago, but, unfortunately, that meeting could not take place. I hope to be able to raise it with her when I next meet her.

Body Scanners: Prisons

4. **Ms Ferguson** asked the Minister of Justice for an update on the use of full-body scanners within the prison estate. (AQO 137/22-27)

Mrs Long: X-ray body scanner technology was introduced in prisons in Northern Ireland in March and April 2023. Females, staff and visitors are not scanned, in line with the use of the technology in England and Wales. Since their introduction, there has been a marked reduction in the trafficking of drugs and other illicit substances into prisons, which means that those who work and live in prisons are safer. A positive indication from a scan is likely to result in restriction of association under prison rule 32. That allows prison staff to monitor the prisoner and for rescans to be completed until the risk of secreted items to the individual and the prison population at large can be mitigated.

The Northern Ireland Prison Service also notifies the healthcare in prisons teams from the South Eastern Health and Social Care Trust when a prisoner gives a positive indication from a scan in case there are any health concerns that need to be monitored and addressed.

2.15 pm

Ms Ferguson: There are concerns about the period of time that those who have been scanned and on whom something has been

found are kept in isolation. Can you provide any further detail on that, Minister?

Mrs Long: As I said, people are kept in the care and supervision unit until such time as they have passed the item that has been secreted inside them or have otherwise disposed of it. The Prison Service has no authority to remove items from inside a person, so it is a matter of the person being monitored until the scans are clear. The alternative would be to put that person back into the prison population and potentially allow them to take contraband into the prison system, which would cause more disruption and harm to other prisoners.

Ms Bunting: A significant problem remains with prescription drugs in our prison system, specifically those that prisoners look after and about which those in the Prison Service are not entitled to know because of patient confidentiality. What conversations has the Minister had with the Minister of Health to address that serious issue?

Mrs Long: This is an ongoing problem that we have had for some years, but we have no role in administering medication in the prisons. That role was handed over to the Department of Health and the South Eastern Trust a number of years ago. We are trying to refine the protocols so that conversations can take place between people in the Prison Service and the health service. That is important not just where prescription medication is concerned but when people have complex needs, which is increasingly a feature of the prison population. That has to be managed very carefully where an individual prisoner's data protection and privacy are concerned, which can create real complexities in how we are able to respond to those issues.

Mr Chambers: What plans does the Minister have to deal with any concerns that she may have about prison numbers outstripping the capacity of the prison estate?

Mrs Long: I believe that the Member tabled that as a substantive question to be asked later. However, there are real challenges with the size of the prison population. In March 2021, the total prison population was 1,401; on 1 March this year, it had risen to 1,879, which is an increase of 34%. Within that, about 36% of the population are unsentenced, so those prisoners are on remand. It is a real challenge, but we have already reopened two of the square houses that we closed when Davis House was built, and a third is being prepared

for reuse. The frank reality is that, when we get to the end of that process, we will have no space left. We are working with others on a prisoner population oversight group to look at what we can do to better manage that population, but, ultimately, those who are remanded to our custody need to be housed.

Antisocial Behaviour: Legislation

5. **Mrs Erskine** asked the Minister of Justice to provide an update on proposals to amend legislation to help tackle antisocial behaviour. (AQO 138/22-27)

11. **Ms Forsythe** asked the Minister of Justice to outline her plans to improve the justice system's approach to address antisocial behaviour in rural areas. (AQO 144/22-27)

Mrs Long: With your permission, Madam Principal Deputy Speaker, I will answer questions 5 and 11 together. I recognise that antisocial behaviour (ASB) in not only rural communities but any community can be a source of great anxiety and suffering to those who are affected. It is rare for community safety issues such as antisocial behaviour to be resolved by the criminal justice system alone. ASB requires partnership working across all the relevant agencies together with local and central government, which has the levers to put in place joined-up, long-term solutions to prevent incidents arising and to tackle their impact. With that in mind, my Department is undertaking a number of different strands of work on a collaborative basis.

We led a multi-agency, cross-departmental review of antisocial behaviour legislation that considered nine areas of potential change. The policy responsibility for those areas fell across the Department of Justice, the Department for Communities and the Department of Agriculture, Environment and Rural Affairs. On foot of that review and having identified four areas where legislative change may prove to be beneficial, my Department, together with the Department for Communities, launched a joint public consultation on proposals to amend legislation with a view to ensuring that the relevant authorities have effective and proportionate powers to tackle ASB and its effects on our community. We are analysing the responses, and policy options will be developed for consideration.

Mrs Erskine: I thank the Minister, and I congratulate her on taking up her post. I have not had the opportunity to formally do that.

Antisocial behaviour is a scourge on communities, and that has not been not helped by either the reduction in the numbers of neighbourhood policing teams or the pressures on policing. Can the Minister detail what she is doing to ensure that neighbourhood teams are retained in areas? I welcome the fact that she is working cross-departmentally on that. Can she detail any specific work being done with the likes of the Housing Executive or, indeed, any community and voluntary agencies to deal with antisocial behaviour?

Mrs Long: On the first of your two supplementary questions, frankly, it is not my job to direct where the Chief Constable deploys resources. That is a matter for him and him alone. With regard to neighbourhood teams, you will have to ask him where he is going to put his resources. However, I will work with him to ensure that the police are properly resourced, and I have made that case strongly today.

The work that we do in rural and urban areas is cross-cutting. It involves people from the Department for Communities, the Housing Executive and others. In the case of rural crime, it also involves the Ulster Farmers' Union, National Farmers' Union Mutual, young farmers' clubs and lots of other organisations that have a contribution to make in that space. It is something that we collectively, rather than simply the Department of Justice, need to work together on. We have very few operational levers. It is generally down to policing and justice agencies that are beyond our control.

Ms Forsythe: Specifically on antisocial behaviour in rural areas, it is my experience that people in those areas tend not to bother the police with what they see as less severe crimes. The underreporting of such crimes leads to the local police not knowing about the issues when someone like me raises them. Will the Minister consider an awareness-raising campaign for reporting disturbances, antisocial behaviour and minor road traffic collisions to assist rural police planning?

Mrs Long: There are a number of things that I will say to that. The first is that we are a member of the rural crime partnership. I mentioned some of the other members of that and what we are able to deliver in a rural setting. There is also a role for the PCSPs, which are funded by my Department, to do local awareness raising and provide schemes to encourage members of the public to report what they see and incidents that, they feel, do not need an immediate response. You do not have

to dial 999 when you see an incident; you can use the non-emergency line in order to let the police know what is happening in the area and, hopefully, allow them to factor that in when it comes to doing the rest of their work.

It is important to say that the PSNI and other partners in the national rural crime unit have been working together to look at things such as recent thefts and how they can be more innovative around protection and the prevention and reporting of crime.

Mr Brown: Does the Minister agree that antisocial behaviour is an incredibly complex area that cannot be tackled through legislation alone and that we need to focus on trying to deal with the root causes of the behaviour?

Mrs Long: My colleague raises a very valid point. Really complex issues underlie most offending behaviour, none more so than antisocial behaviour. On foot of a review that we have undertaken and the consultation, we are looking to bring forward some proposals for consideration.

Policing and community safety partnerships are also well placed to bring forward some of the operational response to community safety and antisocial behaviour across communities in Northern Ireland. It is important that we recognise the important work done by other agencies and the voluntary and community sector in that space. They play a huge role in not only developing appropriate actions to reduce the impact of ASB but engaging, long term, with some young people at risk of offending in order to deflect them from that.

Mr McGrath: We are moving perilously close to going back into the territory of the Minister saying that she is not the Minister for police. If the Chief Constable is looking for additional resources, will you work with him to gather resources to address antisocial behaviour, or does he simply ask for resources and you do not know what he needs to use them for?

Mrs Long: I am rather shocked that someone from the SDLP wants the Minister of Justice directing the police on operational matters, because, when it came to the Patten review, you were some of the most outspoken on the point that no future Minister of Justice should ever direct the police or interfere in operational matters. It is a very bizarre take. I am not the Minister for policing; my title is "The Minister of Justice". We do not have a Minister for policing in Northern Ireland; that is what the Policing Board does.

My conversations with the Chief Constable are constructive and helpful. He is working on proposals for what he needs. I am working with Executive colleagues to try to ensure that we can get as much resource as possible for the Department. I will not, however, be stepping in and directing the Chief Constable, nor would anybody want me to.

PSNI: Pensions and Injury Benefits

6. **Mrs Dillon** asked the Minister of Justice to outline what plans she has to introduce legislation to remove police pensions and injury benefits from the Policing Board's responsibility. (AQO 139/22-27)

Mrs Long: My Department has no current plans to introduce legislation or to amend existing legislation to remove injury-on-duty and pensions from the Policing Board's responsibilities.

Mrs Dillon: I wish the Minister well in her new, old post. Minister, I am glad to hear that your husband's health is improving.

This has come up repeatedly at the Policing Board, and I am sure that you are well aware of the issues involved. It is not appropriate for the matter to sit with the Policing Board. That is not the place for it to be. It should be with either DOJ or the PSNI. Will the Minister consider looking at the issues, because they are causing great consternation for officers and ex-officers and their families?

Mrs Long: I am very conscious of the issue. I have not received any such request from the Northern Ireland Policing Board. Were such a request made, I would have to consider its implications, set against my Department's current business priorities, but I would be happy to do so.

Miss McAllister: The Minister will recognise that, alongside the Policing Board, the Department has a backlog of cases concerning independent medical referees. How will she address the backlog of independent medical referee appointments?

Mrs Long: That is a really important issue. I am pleased to inform the Assembly that the independent referee assessment process recommenced on 4 March 2024. Moreover, the Department is in the final stages of procurement with a supplier for further resource to carry out that function so that we can resolve

the backlog. We are hopeful that we will be able to get started on that soon.

Mr Clarke: In response to Mr McGrath, you said that you are not the Minister for policing, which you are not, but it is, of course, a tripartite arrangement. On Linda Dillon's question about injury-on-duty, we have come across that many times — sorry, I should have declared an interest as a member of the Policing Board — whereby we are being asked to make decisions on medical grounds, when none of us has medical training. We are told that the matter has been discussed with the Department and that it is Department that should be introducing legislation. As far as we on the Policing Board are aware, the Department is aware of that. Is that true?

Mrs Long: If the issue is about reform of the injury-on-duty scheme, that is a separate issue. I was asked a specific question on whether my Department intended to relieve the Policing Board of its duties under the current injury-on-duty scheme, which is the running of the initial scheme. The Department runs the independent appeals process. I said that we had not discussed that issue. I have in front of me, Trevor, your correspondence from the Policing Board.

Magilligan Prison: Drug-free Wing

7. **Ms Sugden** asked the Minister of Justice to outline her plans to reintroduce a drug-free wing in Magilligan prison. (AQO 140/22-27)

Mrs Long: Many people come into our prisons with long-established addictions from years of drug use in the community. That results in the Prison Service, along with its partners in the South Eastern Health and Social Care Trust, investing heavily in supporting, and, indeed, in challenging, those people to address their addictions, which, all too often, are central to their offending behaviour.

As part of that approach, Magilligan operates two units in the prison whose entry criteria require an individual to be drug-free or to be engaging in programmes that support recovery from addiction. Those supportive environments help reduce demand while promoting the individual's self-esteem, family contact, release planning and throughcare with key partners in the community. The individual units provide 88 beds, and, against a backdrop of a significantly increasing prison population, there are no plans to expand provision in Magilligan at this time.

Madam Principal Deputy Speaker: Claire, you have time for a quick supplementary question.

Ms Sugden: Thank you for your answer, Minister. I appreciate that there are people who enter prison with a drug problem, but an awful lot come out with a drug problem. Is enough being done to address the use of illicit drugs in prison?

Mrs Long: It is clear, if you look at the interim review report, that, although a lot of progress has been made — indeed, a new drugs response strategy has been implemented and embedded in Magilligan — there is still much work to do.

Madam Principal Deputy Speaker: That ends the period for listed questions. We now move on to 15 minutes of topical questions.

Operation Kenova: PPS Confidence

T1. **Mr O'Toole** asked the Minister of Justice whether she has confidence in the Public Prosecution Service (PPS), given the Kenova report, which is a shocking indictment of the brutality of the British state and the republican movement, and, in the words of the lawyer for the families, "the state and the IRA were co-conspirators" in the abduction, torture and murder of, in many cases, people who were entirely innocent, albeit would Jon Boutcher and Ian Livingstone express surprise that, despite the new evidence uncovered by Kenova, not one prosecution of a British soldier or a member of the IRA has resulted. (AQT 91/22-27)

2.30 pm

Mrs Long: I remind Mr O'Toole that the PPS is a non-ministerial department that is entirely separate from the Department of Justice. I do not answer for the PPS, I do not provide its funding and I do not deal with its issues. The Member asked me specifically whether I have confidence in the PPS: I do.

Mr O'Toole: This is an extremely important subject. By my count — the Minister can correct me, if this is wrong — at least three of the 10 recommendations resulting from Operation Kenova would, if enacted, relate to her Department. Will the Minister commit to legislating to provide procedural time limits in relation to judicial case management, to reviewing the PPS and to ensuring that it pays due regard to victims and their families in legacy cases?

Mrs Long: I have already made it clear that I have no powers to review the PPS, and I have no powers to direct the PPS. The PPS is entirely independent. It is funded by the Department of Finance — that comes directly from the Finance Minister — and is not part of the landscape of the Department of Justice. I recognise the seriousness of the issues that have been raised by Operation Kenova and welcome the publication of the interim report; I hope that it provides the families with some measure of comfort and value. What will not provide them with comfort or value is Members asking me to do that which I have no power to do.

Prison Staff: Sickness Levels

T2. **Mr T Buchanan** asked the Minister of Justice for her assessment of the long- and short-term sickness levels in prison grade staff. (AQT 92/22-27)

Mrs Long: Did the Member say "prison grade staff"?

Mr T Buchanan: Yes.

Mrs Long: Thank you. That issue is of ongoing concern, as the Member will understand. As prisons become more crowded, they become a higher-stress environment. I pay tribute to the work that our prison officers do daily in looking after some of the most complex and often difficult individuals in society but also providing those individuals with a rehabilitative environment. That is incredibly challenging, and, as a result, people will often either be injured at work or suffer significant stress. We have put measures in place, including providing access to the Police Rehabilitation and Retraining Trust and Prisons Well, which is concerned with looking after the mental health and well-being of officers, to try to address challenges with attendance. It is a challenging area.

Mr T Buchanan: I thank the Minister for her response. Has the situation been brought about as a result of a shortage of prison grade staff in our prisons?

Mrs Long: We continue to recruit actively to the Prison Service. Indeed, we have passing out parades in the Long Gallery almost biweekly, should any of you wish to go there to celebrate those who have committed themselves to working in the Prison Service. It is not simply an issue of lack of staffing. The challenge is that

the number of people in prison has increased. I said earlier that there has been around a 34% increase in the prison population. That leads to people having to double up in cells. During COVID, nobody was doubled up, other than those who had requested it. By contrast, a significant proportion of the prison population is now doubled up. All of that provides a challenge to those who look after people in our prisons. As I mentioned, we have also had to reopen the square houses, which we had hoped would be demolished by now, in order to provide additional accommodation. They are more resource-intensive. The issue is not a lack of officers, however, because we continue to recruit and train.

PSNI: Number of Officers

T3. **Mr Chambers** asked the Minister of Justice for her assessment of current police numbers. (AQT 93/22-27)

Mrs Long: Again, it is not my job to assess current police numbers. I will not demur from the current Chief Constable's assessment. He has said that he believes that police numbers are too low, and I think that most of us would agree with that on the basis of our experience.

Mr Chambers: Is the Minister aware of or has she received expressions of concern from business and community leaders who are calling for higher numbers of police officers on the ground? Does she share those concerns, and will she support all efforts to increase police numbers?

Mrs Long: The recruitment of police officers is an operational matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting their operational independence in this matter. I will continue to work with the Chief Constable to ensure that the Police Service is properly resourced for all aspects of the challenges that it faces. I have not had particular representation from the business community, but I am aware that, on other issues, the business community have made representation about, for example, the increase in assaults on shopworkers. There are some measures that the Department will be able to bring forward as part of a sentencing Bill to address some of those concerns.

PSNI: PTSD and Mental Health Services

T4. **Ms Sugden** asked the Minister of Justice, while appreciating that she has no operational

responsibility for policing, to state her view of the prevalence of PTSD in the police and officers' inability to access occupational health services and mental health services within their communities, given that those issues will affect numbers, which will affect public safety. (AQT 94/22-27)

Mrs Long: Again, the provision of support services for the PSNI is a matter for the Chief Constable and the Policing Board. It is not a matter for the Department of Justice.

Ms Sugden: I will reiterate the second part of my question. Given that sickness absence levels will affect policing numbers, which will then affect the ability to keep our communities safe, does the Minister have a view on the level of sickness absences in the police in relation to work-related stress — PTSD?

Mrs Long: It is not a matter for me to have a view. The issue is whether I have any responsibility or levers to control those matters, and I do not, because, as Minister of Justice, it would not be appropriate. I am sure that colleagues in the Chamber who are members of the Policing Board would be more than happy to follow up. We have been able to ensure that things like the Police Rehabilitation and Retraining Trust and other initiatives to support officers are in place. That is not something that I can do. It is, however, something that the Policing Board and the Chief Constable are acutely aware of.

Hate Crime Legislation

T5. **Mr Donnelly** asked the Minister of Justice to outline her plans for hate crime legislation, given that she will be aware that hate incidents and crimes are all too common in Northern Ireland, which has led to calls for a hate crime Bill. (AQT 95/22-27)

Mrs Long: One of my key priorities as Minister of Justice has been to improve support and legislative protection for victims of hate crime. Somebody being targeted because of who they are, where they are from or what they believe is unacceptable to us all. Obviously, the Department has been working to implement Judge Marrinan's report on his review of hate crime legislation and plans to modernise and strengthen a robust response to this through the introduction of a hate crime Bill.

With regard to the legislative programme and the available time that is left to us, it will be difficult to achieve as much as I would have hoped to have achieved, had we had a full

mandate of five years. However, I believe that we can bring forward a foundational hate crime Bill and, hopefully, introduce that to the Assembly in 2026. We are also looking at the scope of some additional victim provisions that may be able to be included in that Bill.

Mr Donnelly: Can the Minister clarify what the Bill will seek to do?

Mrs Long: The main aim of the Bill will be to ensure that legislation represents the most effective approach for the justice system to deal with criminal conduct motivated by hostility and to assist victims to seek redress through the criminal justice system. It will introduce a new statutory aggravation model that will see specific hate crime offending recognised in law and recorded on criminal records and ensure recognition of the hate crime element of any offence from the start of the process. It will also provide necessary powers to ensure that action can be taken against offenders. Current protected groups, such as race, religion, sexual orientation and disability, will be retained in legislation, and the Bill will allow intersectionality to be recognised and other protected groups to be added to that at a later date, should the evidence emerge. We are already exploring potential additions that may come forward as part of that Bill.

PSNI: Attacks on Officers

T6. **Ms Brownlee** asked the Minister of Justice, in light of the shocking statistics on attacks on the PSNI, to state what her Department can do to address the issue. (AQT 96/22-27)

Mrs Long: There are a number of things that the Department can do. First, I intend, as part of the sentencing Bill that I have planned as the second Bill in the mandate, to bring forward new provisions for emergency and front-line workers to ensure that the maximum sentence is increased for offences where someone has attacked a police officer, a member of the Ambulance Service or a member of the Fire and Rescue Service. It is not right that anyone going about their daily job and trying to protect people's lives should be subject to abuse. We need to give the courts the space to apply higher sentences in those cases.

Ms Brownlee: I thank the Minister for her response. Does she have a time frame for that or any idea when the legislation will be enacted?

Mrs Long: With the cooperation of your colleague who chairs the Justice Committee, we will, hopefully, get that Bill to the Committee next spring. Then, it will then be a matter of working through the consultation on that. Towards the end of next year, I hope that we will be in a position to put it on the statute book.

Sentencing: Knife and Drug-related Crime

T7. **Ms Ferguson** asked the Minister of Justice, after welcoming her commitment to longer sentences through stronger legislation, to commit also to stronger sentencing for knife and drug-related crime. (AQT 97/22-27)

Mrs Long: There are a number of complex parts to that. First, sentencing lies with the Lady Chief Justice and the judiciary, who are independent of my office. We can certainly, through a sentencing Bill, set the maximum sentences for an offence, but it is up to the judiciary, on the basis of what they hear and what they learn from the specialist reports that are put in front of them, to bring that to a conclusion in the sentences that are given. I hope, though, that the judiciary will take account of the Assembly's indicating with stiffer maximum sentences the severity that it attaches to those crimes.

I believe that the best way to deal with issues around drugs is through a harm reduction model and a health-based approach, not necessarily through stiffer sentences. Often, the people who come before the judiciary have relatively small amounts of drugs, but their drug taking and drug dependency have fuelled acquisitive and other petty crime. They need to be drug-free and to be supported through rehabilitation and harm reduction rather than to be further criminalised by the system.

Ms Ferguson: Thank you for that update. How effective is the harm reduction and rehabilitation model?

Mrs Long: There is space for additional cross-departmental working between the Department of Justice and the Department of Health. Many of the people who come into the purview of the Department of Justice do so as a result of the fact that they have fallen through the education system net and the health service net. They come to us with increasingly complex mental health and drug complications, often with learning difficulties or speech and communication difficulties. As an Executive, we need to look at how we will tackle drugs and drug dependency in a different way that allows

us to maintain the legal position that the drugs are class A, class B and class C, which is not in our gift to change because it is UK-wide policy, and to do the most effective thing. Basically, the approach cannot be effective if drug crime is increasing. The last thing that many of the people who end up coming into contact with the justice system need is to be in prison. They need to be in a medical facility, where they can detox and get the support and guidance that they need.

Arlene Arkinson: Public Inquiry

T8. **Mr McHugh** asked the Minister of Justice, having previously met the family, whether she will issue a decision on the request for a full, independent inquiry into the botched police investigation into the murder of Arlene Arkinson, who was murdered by the notorious child killer Robert Howard. (AQT 98/22-27)

Mrs Long: I will write to the Member, because that is a sensitive issue. I met the family and had a detailed discussion with them and their legal representatives. Complex issues are at play in that the way in which the original case was handled has contributed to the family's distress. I will write to the Member with my thoughts on that issue.

Mr McHugh: Minister, do you agree that a full investigation could lead to the discovery of Arlene's remains?

Mrs Long: One thing that I have done as a result of meeting Arlene's family and the families of Charlotte Murray and Lisa Dorrian is look at how we can incentivise through the criminal justice system the early return of the remains of individuals who have been murdered. It is a challenging space, but, in this mandate, we intend to bring forward a bespoke form of Charlotte's law that will allow us at each stage of the criminal justice system to apply more pressure to offenders. The difficulty, of course, is that, in my recollection of Arlene's case, the individual who was ultimately thought to be responsible has passed away.

2.45 pm

Madam Principal Deputy Speaker: We must move on to questions to the Minister of Agriculture, Environment and Rural Affairs.

Agriculture, Environment and Rural Affairs

Madam Principal Deputy Speaker: I will talk away here to let Andrew get into his seat. As question 1 has been withdrawn, when Andrew is in his seat, I will call Gary Middleton.

Marginalised Minority Community Support

2. **Mr Middleton** asked the Minister of Agriculture, Environment and Rural Affairs to outline what steps he is taking to deliver the marginalised minority community (MMC) support. (AQO 149/22-27)

Mr Muir (The Minister of Agriculture, Environment and Rural Affairs): I thank the Member for his question. My Department has a contract with six rural support networks to deliver the rural community development support service across all rural areas of Northern Ireland. Since 2020-21, my Department has provided additional financial assistance to rural support networks through those contracts to work with community and voluntary groups in marginalised rural border communities where capacity is weak. That financial assistance has enabled the rural support networks to provide tailored support to build the capacity of the community and voluntary groups in rural border areas to play a full and active role in helping their communities to grow and flourish.

My Department has also piloted a marginalised minority border communities digital access pilot scheme, which completed in March 2023. The main aim of the pilot was to support community groups to enhance digital access for those living in a rural border area. All those initiatives are ongoing through policy evaluation. I will give careful consideration to the needs of marginalised minority communities as I inform my thinking and take decisions on future policies.

The House will be aware that the Department for Communities has statutory responsibility for all communities, and it is my intention to engage with Executive colleagues to help to inform future policy direction and to ensure a better outcome for rural dwellers.

Mr Middleton: I thank the Minister for his comments, and I welcome the fact that the policy position will be reviewed. Will the Minister agree that, when it comes to funding, many rural communities feel disadvantaged in comparison with urban communities, particularly funding for community development? Will the Minister commit to

working with those communities to ensure that they get their fair share of funding and support?

Mr Muir: I thank the Member for his question. I agree with him. I met officials last week to discuss our overall rural development programmes and the policies around this. As Minister, I intend to bring a fresh approach to this to see what more we can do to ensure that rural needs are fully reflected by all Departments, because I am very conscious that this issue does not rest just with me.

The ending of the rural development programme, which ran from 2014 to 2020, is of concern to Members and to rural communities. I want to reassure the Member, and the rest of the House, that, despite the cessation of the rural development programme, the Department continues to invest in and support rural communities through a range of initiatives. Other Departments have a responsibility to step forward, but I want to take the lead on this, see what we can do on rural development and refresh our policy on that.

Ms Hunter: Minister, coming from a rural constituency, I welcome discussion about the fund. How is the effectiveness of the fund being measured to ensure that your Department is best supporting marginalised people in isolated rural communities?

Mr Muir: I thank the Member for her question. It is important that we evaluate a lot of these funds and see how effective they are. Some of them were cast in a previous era when we were a member of the EU, so we need to make sure that we are meeting the needs of rural communities. In rural communities, I am seeing a sense of isolation, and, at last week's Committee meeting, Patsy McGlone — rightly so — raised the issue of health service transformation and how we can ensure that we reflect the needs of rural communities as part of that. We need to do this evaluation, and we need to ensure that whatever we do is fit for purpose going forward.

Mr Blair: What plans, if any, does the Minister have to review the Rural Needs Act 2016? If such a review were to take place, what might it look like?

Mr Muir: I thank the Member for his question. I am very conscious that, under the Rural Needs Act, there is a duty on public authorities to have due regard to the social and economic needs of people in rural areas when exercising their functions. My Department continues to provide support to public authorities to help to ensure

that the Act is implemented effectively and delivers better outcomes for rural dwellers. The Department of Agriculture, Environment and Rural Affairs is not the only Department that is responsible for addressing issues in our rural communities. I intend to work with Executive colleagues. I am conscious of the Act, but I am keen to review it to see whether there is anything more that we can do in legislation within what is left of the mandate to ensure that the needs of rural communities are better reflected and whether the Rural Needs Act is actually fit for purpose.

High Hedges Act (Northern Ireland) 2011

3. **Mr Dunne** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the effectiveness of the High Hedges Act (Northern Ireland) 2011. (AQO 150/22-27)

Mr Muir: I thank the Member for his question. The High Hedges Act (Northern Ireland) 2011 is intended to provide a mechanism by which a complainant can resolve a problem that is caused by a high evergreen hedge through their local council if they have approached their neighbour and asked them to reduce its height but have been unable to resolve the issue through discussion. I recognise the problems that hedges can cause if they are neglected or allowed to grow unchecked, which can have a significant impact on householders.

Information that has been gathered on the initial functioning of the Act between 2012 and 2016 shows that only a small proportion of initial enquiries that were received by councils progressed to formal complaints. Further information for the period of 2016 to 2020 indicates that the number of formal complaints remains low. In addition, the number of queries that have been received by the Department annually is also small, with no significant issues regarding its operation having been raised. I have been presented with no evidence to suggest that a review of the high hedges legislation is needed at this time. I will, however, meet council chief executives in due course through their representative body, the Society of Local Authority Chief Executives and Senior Managers (SOLACE). I will be happy to discuss any issues that they have with the application of the Act.

Mr Dunne: I thank the Minister for his answer. Given that it can be quite a complex, long and drawn-out process for residents, does he agree that it could be made more effective and

streamlined, as well as being widened to deal with single problem trees that are over two metres, which it currently does not do?

Mr Muir: I thank the Member for his question. The legislation, as it is drafted, is meant to be a last resort in resolving those issues. Statistics that have been presented to me show that a very small percentage of people actually go towards using the legislation. I am happy to meet the Member if he has any particular concerns about expanding the legislation, but, currently, I see that the legislation is working. Perhaps, discussion needs to be had with councils on their operation of it. As someone who represents the North Down constituency, I know of some particular instances that the Member might want dealt with.

Mr Durkan: The Minister's interpretation of what constitutes a high hedge might be a wee different from mine. Has any analysis been done of the complaints and the reason why so many do not make the cut, for want of a better phrase, due to the non-inclusion of problem trees in the definition of a high hedge?

Mr Muir: I thank the Member for his question. The legislation states that the complaint progresses only if:

"the council considers—

(a) that the complainant has not taken all reasonable steps to resolve the matters complained of without proceeding by way of such a complaint to the council".

That is the bar that is set before it can go. Often, in life, if you try to discuss things before going towards a complaint, they can be resolved. That is why a number of complaints have not progressed.

Ms Egan: Does the Minister agree that overgrown hedges can cause real obstruction and accessibility issues when they block a footpath or road? Who is responsible for addressing that?

Mr Muir: I thank the Member for her question. Perhaps, that is one of the biggest issues in the correspondence that we receive as elected Members. The default go-to is the Department for Infrastructure. We need to find a way in which to ensure that those issues are moved along much quicker, because there are public safety concerns when that occurs.

Bovine TB: Compensation

4. **Mr Irwin** asked the Minister of Agriculture, Environment and Rural Affairs whether he will maintain the bovine TB compensation rate at its current level. (AQO 151/22-27)

Mr Muir: As Members will be aware, in September 2023, the Secretary of State for Northern Ireland directed my Department to consult on a proposal to reduce the compensation rate for cattle that are removed under the bovine TB programme. My party's position on the Secretary of State's stance on that and his intervention on revenue raising is completely on the record. The consultation closed last Friday, 8 March. My officials have now begun to analyse the responses. When that work is complete, they will provide a detailed summary for my consideration.

I am acutely aware of the devastating impact that a TB breakdown can have and the financial challenges that it causes for farmers and farming families. I, therefore, appreciate that any proposal that suggests reducing TB compensation will be extremely difficult for the farming community. The budget settlement for the next financial year will have a significant bearing on what my Department can do in that area and many others.

Mr Irwin: I thank the Minister for his response. Does he accept that if the Department goes ahead and cuts compensation to 75% of the value of the stock, it will create financial hardship for many families?

Mr Muir: I agree with the Member. It is not my proposal. The Secretary of State proposed to consult about reducing the compensation rate to 90% and then 75%. That was a consequence of this place not sitting and us being unable to make our own policy decisions. I am determined to bring a fresh approach to the issue and see how we can have a sustainable future for our farming community — and for my Department, but the focus is on the farming community.

As Members are aware, we have appointed a new Chief Veterinary Officer (CVO), Brian Dooher, whom I congratulate on his appointment. I have been engaging with my Department's permanent secretary. One of the first tasks that we have asked Brian to do is to take a fresh look at the whole issue of bovine TB and how we can provide a new way forward for Northern Ireland. He will get to work on that in the weeks ahead.

Mr McGlone: I concur with the Minister's congratulations to the new Chief Veterinary Officer, Brian Dooher. I have met him on a number of occasions, and I am sure that he will prove to be a capable and effective public servant.

We are talking about compensation. Can you tell us what advice you have taken on addressing the spread of TB, which is the real problem? What information have you sought to establish how TB has been addressed in other jurisdictions? What conclusions has the Department come up with as to the best and most effective way of eradicating the disease?

Mr Muir: I thank the Member for his question. I have engaged with my counterparts in Ireland and Scotland. I met Charlie McConalogue recently and my Scottish counterpart last week. We discussed the whole issue of bovine TB, which is multifaceted and complex. I am conscious that, whilst our herd infection rate is about 10%, it is 5% in Ireland and well below 1% in Scotland. Therefore, lessons are to be learnt from across the UK and Ireland. I have asked Brian to look at it and see how we can find a way forward.

I get Members' concern given the devastating impact that TB can have on a farm. When TB arrives, the impact on mental health, not just of those within that farm but of those in the wider community, is significant. We need to find a way to turn that around.

Mr Allister: It may not be the Minister's proposal, but he is the one who will make the decision. In that context, can he think of any justification for paying less than the market value?

Mr Muir: I thank the Member for his question. I am conscious that whilst we have a 100% compensation rate, it does not cover the full consequential losses to the farm business. The fact that it is referred to as "compensation" implies that we do not fully understand the impact that TB has on the farming community.

The budget I receive for next year will determine an awful lot of what I can and cannot do. I do not wish to change the compensation rate, but if the budget is slashed to the extent that I cannot undertake my statutory duties, I will be left with no other place to go.

Mr Butler: The Minister showed last week that he is keen to act and bring forward policies and legislation on matters that he takes a position on. The problem of bovine TB has been around

for many years. Will the Minister outline his ambition and what his policy changes will look like?

Mr Muir: My overall ambition is to eliminate bovine TB in Northern Ireland because of the impact that it has on the farming community and our budget. I must be science- and evidence-led, but I also need to bring stakeholders with me. That is why I did not come here today and announce initial decisions. I will engage with the new Chief Veterinary Officer on what options are available. I will bring options back to the stakeholders and make it clear that we need to find a way forward.

TB has been a real problem but it has now become really critical, particularly in Fermanagh, for example. We need to find a way forward but make sure that whatever we do is right and that we are not subject to successful legal challenge, as we were, for example, in relation to the wildlife strategy.

Climate Change Act (Northern Ireland) 2022

5. **Mr Donnelly** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the implementation of the Climate Change Act (Northern Ireland) 2022. (AQO 152/22-27)

Mr Muir: Progress has been made on key requirements of the Climate Change Act (Northern Ireland) 2022, but the absence of a sitting Government for two years has had a real impact on what I can do and what Government can do to implement the obligations set out in the Act. An extensive consultation exercise on public body reporting regulations, which took place last year, proposed 2030 and 2040 emission reduction targets and also carbon budgets.

I plan to bring proposals on public body reporting regulations and carbon budgets to the Executive and to Assembly colleagues for their agreement very soon.

3.00 pm

In addition, DAERA is leading the development of Northern Ireland's first climate action plan in collaboration with all other Departments. The plan will set out our collective approach to delivering the emissions reductions required to achieve our first carbon budget. The draft climate action plan will be consulted on for 16

weeks. The first climate action plan on which we will consult is dated 2023-27. The fact that we are in 2024 but consulting on a climate action plan that started in 2023 perhaps gives Members a sense of the impact of the collapse of the institutions.

Work is also progressing on the establishment of a just transition commission. I hope to issue proposals for that consultation later in 2024. I want to ensure that climate change and green growth considerations are central to all policy and budgetary decisions taken by all Departments across Northern Ireland. It is essential that an assessment of climate, environmental and just transition impacts be embedded in decision-making processes. I have already spoken to the Finance Minister about that. Delivering the transformational change that the Act requires will be extremely challenging, but it also presents significant opportunities for our economy, society and environment.

Mr Donnelly: What role should climate change have in a future Programme for Government? Is the Minister happy to accept an invite to a future meeting of the all-party group (APG) on climate action?

Mr Muir: I thank the Member for his question. The issue of climate change must be central to the next Programme for Government. It is my top priority as Minister, but it should be the top priority across the Government, because there are opportunities arising out of it. If we do not make the associated investment, we will not realise them. I would be delighted to go to one of the next meetings of the APG. It is an important APG. I know that you chair the group, and I will be glad to attend it.

Mr O'Toole: Minister, I welcome the fact that you have a commitment to the issue and that you have said clearly that it should be a collective climate action plan, that all Departments have a responsibility and that you will encourage them to take on that responsibility. To that end, in a written answer to me, the Minister for Infrastructure did not confirm whether his Department would meet its obligation under the Act to deliver on spending 10% of its budget on active travel in the next financial year. Further to your previous answer, will you commit to writing to the Infrastructure Minister to encourage him to ensure that that 10% is spent on active travel?

Mr Muir: I thank the Member for his question. It is important that all Departments live up to their legal obligations arising from the Act. I will

engage with the Minister for Infrastructure alongside the Minister for the Economy and the Minister for Communities, all of whom have significant input on the climate action plan, and with my other Executive colleagues once we are able to bring the plan to the Executive. That engagement will be ongoing. I know what my responsibilities are, but there are responsibilities across government and society. It is important that we all live up to them.

Mr Allister: The Minister knows what his responsibilities are, but has he costed them for meeting the 2030 targets? If so, what are those costings?

Mr Muir: Work is ongoing to scope out and refine the cost associated with delivering the commitments that will be set out in Northern Ireland's first climate action plan. Some of them will fall to DAERA, but other Departments will bear costs. The Department of Finance commissioned a Budget 2024-25 exercise for Departments on 18 February. My Department is firming up its projected costs and bids for next year as part of that exercise. They will be considered by the Executive along with bids from all Departments in due course. Projected costs for 2025-26 and beyond will be worked up as part of the Budget exercises covering those years. It is important that the costs and opportunities of addressing climate change be embedded in economic appraisal processes. It is also important to emphasise that those are upfront costs and that they represent investments in an improved society for future generations. The cost of delaying action would ultimately be much greater.

I add that the UK Government's financial settlement to Northern Ireland, which should allow us to live up to our climate change obligations and to take advantage of those opportunities, falls well short. It is about time that the UK Government realised that Northern Ireland is funded below its objective need and that we ought to be allowed to invest in our public services for the good of all the people in Northern Ireland.

Rural Micro Capital Grant Scheme

6. **Mr K Buchanan** asked the Minister of Agriculture, Environment and Rural Affairs to outline when the rural micro capital grant scheme (RMCGS) will be open for new applicants. (AQO 153/22-27)

12. **Mr Gildernew** asked the Minister of Agriculture, Environment and Rural Affairs to

provide a timeline for the restoration of the rural micro capital grant scheme. (AQO 159/22-27)

Mr Muir: With your permission, Madam Principal Deputy Speaker, I will answer questions 6 and 12 together. Both questions ask for updates on the opening of the rural micro capital grant scheme.

My officials have completed an evaluation of the 2022 rural micro capital grant scheme. The findings, lessons learned and recommendations from the 2022 evaluation and the independent evaluation of the schemes delivered between 2016 and 2021 have been considered, and the business case proposing to launch the scheme in 2024-25 is at an advanced stage. Subject to my consideration and, importantly, budget availability, I anticipate being in a position to make an announcement regarding the scheme early in the new financial year.

Mr K Buchanan: I thank the Minister for his response. That is positive news that the scheme will be launched this year, and I assume that it will be. The scheme was to be launched last October, and I met your officials on several occasions to forward it. I want to emphasise that we do not want to miss any more time to get it launched and out into the community. The scheme does amazing work for a small amount of money in a lot of areas. I want the Minister to stand up to his commitment and release the money as soon as possible.

Mr Muir: I thank the Member for his question and for his engagement with me in previous weeks with regard to this. I met officials last week, and we talked about the scheme. It is my desire not to delay it and get it off the ground as soon as possible.

Mr Gildernew: I thank the Minister for his answers. This is a key scheme for some small groups, because it is the only one that they get. No groups received support last year. Will he, along with the timeline, look at putting in a second scheme in this financial year to support some of those hard-pressed groups?

Mr Muir: I will do whatever I can to ensure that financial support gets out to rural communities. The budget for next year will determine what I can do with regard to this. I also want to take a fresh approach. The scheme needs to go ahead, and we need to get the money out. It is about how we do grant schemes for rural communities. I want to make sure that we reduce the bureaucracy associated with such schemes. I know that an awful lot of work has to be done for relatively small amounts of money.

Let me add, however, that those small amounts of money have a great impact on communities, and it is important that we get that money out to those areas, because it has a real, transformative impact on villages and towns across Northern Ireland.

Mr Brown: I thank the Minister for his positive response regarding the rural micro capital grant scheme. Will he outline how the scheme will help rural community and voluntary organisations?

Mr Muir: I thank the Member for his question. The rural micro capital grant scheme will make small capital grants available to rural community and voluntary groups to purchase capital items that enhance and/or provide new services that can help to alleviate poverty, reduce isolation and improve health and well-being in their local community. This is a bottom-up approach that allows the applicant organisations to determine what they require to enhance provision of activities in their local area.

Rivers: Water Quality

7. **Ms Kimmins** asked the Minister for Agriculture, Environment and Rural Affairs to outline his plans to improve the water quality of rivers. (AQO 154/22-27)

Mr Muir: I thank the Member for her question. I am aware that water quality is not what it should be — that is a bit of an understatement, frankly. Work to improve the water quality of rivers will require collective action across government, the public and private sectors and wider society. I intend to bring the draft environmental improvement plan to the Executive for consideration later this month.

The plan, the first for Northern Ireland, lays out my commitment to improving water quality. As well as the environmental improvement plan, my Department has other related statutory obligations, including the requirement to publish and update a river basin management plan. This takes an integrated approach to the protection, improvement and sustainable use of the water environment. Before bringing the third-cycle river basin management plan to the Executive, I will need time to consider the outworkings of other relevant reports, for example, from the Office for Environmental Protection (OEP), that are due to be published in the near future, as well as the water quality review on Lough Neagh.

Additionally, I am keen to hear the views of key stakeholders, while being mindful of our budgetary position, to determine the most appropriate course of action for the river basin management plan. My vision is to have an environment where our water bodies are at "Good" status or better and support biodiversity and contribute to the health and well-being of everyone.

Ms Kimmins: I thank the Minister for his answer. In addition to finding that none of the North's rivers had an overall "Good" quality rating, the 'State of Our Rivers' report found that they achieved only a "Moderate" chemical status due to the presence of toxic chemicals in the water. Does the Minister have any other plans to address the presence of those chemicals such as per- and polyfluoroalkyl substances (PFAs) by, for example, following the European Commission's strategy to phase out non-essential chemicals or, at least, bringing us into line with the EU drinking water directive?

Mr Muir: I thank the Member for her question. When I met Charlie McConalogue, the Minister in the South, two weeks ago, we talked about that, because there are learnings that we can take from European Union policy on how we can ensure that our environmental standards are good in Northern Ireland. The 'State of Our Rivers' report was concerning but, sadly, not surprising reading on Northern Ireland. The Northern Ireland Environment Agency (NIEA) published the 'Water Framework Directive Statistics Report' in December 2021, which included the information that no river water bodies in Northern Ireland achieved overall "Good" status. At the time, my officials explained that that was due to the inclusion of so-called forever chemicals in the assessment. Due to the bioaccumulative and persistent nature of those forever chemicals, they are present in waterways across the world. They were detected at all monitored stations and resulted in the failures of all those stations. Those failures were extrapolated to all water bodies, and, hence, no surface water body achieved "Good" chemical status. It is an area of priority for me, and, if I get the chance at Question Time today, I have a few more things that I would like to say about Lough Neagh.

Mrs Erskine: Recently, Northern Ireland Water came to the Infrastructure Committee, and, during that evidence session, the chief executive said that we are overspilling into our waterways at a significant amount; in fact, she could not detail how many overflows there are in the NI Water system. That is hugely

concerning. What is the Minister's Department doing to speak with the Department for Infrastructure, and what is NIEA doing to tackle and deal with that issue urgently?

Mr Muir: I thank the Member for her question. I have concerns about the levels of overflows and the fact that we do not have reliable data on when that is occurring, and I will seek a meeting with Northern Ireland Water to discuss that. The issue of waste water infrastructure in Northern Ireland is concerning. It is not fit for purpose, and we are polluting our environment day after day on many occasions because the system is not up to scratch. We are also inhibiting housebuilding and economic development in Northern Ireland, and, as an Executive, we need to face up to that and ensure that we make the capital investment to ensure that we are not polluting our waterways.

Dr Aiken: Minister, you referred to Lough Neagh, and one of the major concerns about Lough Neagh is with the zebra mussel population. Is there anything specifically in how you will deal with water quality to deal with that particular challenge?

Mr Muir: I thank the Member for his question. Zebra mussels are part of a mix of problems that affect Lough Neagh, and, as I said, this month, I hope to launch an environmental improvement plan for Northern Ireland. That reflects the fact that it is not just the soil and bed of Lough Neagh that are affected; it is the catchment area that is going into Lough Neagh that is causing those issues. We need to launch the strategy, and hopefully the Executive will support me at the next meeting so that I can get that progressed. I hope to launch an action plan in April associated with Lough Neagh. Currently, there are about 100 areas of recommendations. We are distilling those down, and hopefully we will be able to progress those next month.

It is not that we are moving slowly on this. We are moving as fast as we can. We all know the issues affecting Lough Neagh. There is a significant issue with agricultural run-off; there is the issue of waste water infrastructure, which we have just talked about; there is the issue of ageing septic tanks; zebra mussels are contributing to the issue; and we have climate change. It will require extremely difficult decisions to turn this situation around. I am up for playing my role on this, but it will also require a cross-governmental approach, working in conjunction with non-governmental organisations, to see a way forward. The scenes from last year at Lough Neagh are very

likely to occur again this year. We have already had two reports of blue-green algae at Lough Neagh. The situation is as it has presented itself to me, but I am prepared to provide the leadership to steer a course out of this.

Test and Vaccinate or Remove: Results

8. **Mr Easton** asked the Minister of Agriculture, Environment and Rural Affairs to outline the results from the test and vaccinate or remove (TVR) wildlife intervention research. (AQO 155/22-27)

Madam Principal Deputy Speaker: Minister, a quick answer.

Mr Muir: The test and vaccinate or remove — TVR — research project was carried out over five years between 2014 and 2018. The project sought to capture badgers, test them for TB and then vaccinate those with negative results or remove those infected with the disease. It encompassed an area of approximately 100 square kilometres near Banbridge in County Down. During the project, 824 unique badgers were captured, some of which were captured and tested more than once.

In total, 1,520 badger captures were made, and 146 of those tested positive for bovine TB from the sett-side, dual-path platform blood test, which equates to 10.3% of total tests. Over the course of the project, 781 unique badgers were vaccinated at least once, while 108 infected badgers were euthanised in years 2 to 5.

3.15 pm

The data indicated that the intervention had little effect on the badger population size. That, combined with GPS recordings and badger genotyping, consistently showed no increased movement of badgers, which indicated that trap-side testing was a viable intervention. It is very important to note that although valuable field data and deployment experience was gained through the project results, it was not intended to evidence the effectiveness of TVR as a means of reducing TB in cattle.

Madam Principal Deputy Speaker: Sorry, Alex, there is no time for a supplementary question. The Minister has run over time for listed questions. We now move to 15 minutes of topical questions. Question 4 has been withdrawn.

Lough Neagh: Blue-green Algae

T1. **Mr McGlone** asked the Minister of Agriculture, Environment and Rural Development for more detail on the proposal outlined during evidence to the AERA Committee last Thursday, when members heard that his Department would avail itself of the small business research initiative to look at methods to deal with blue-green algae on Lough Neagh. (AQT 101/22-27)

Mr Muir: There are two aspects to that. The Agri-Food and Biosciences Institute (AFBI) has done a research study to give statistical evidence on what is contributing to the situation. We have rough percentages about what is contributing to the issues in Lough Neagh. The initiative that you referred to will be a two-year study to find scientific interventions that could happen on Lough Neagh. That feeds into the idea that there are no quick wins on this issue, but we are using everything that we can to find a way forward.

Mr McGlone: Gabhaim buíochas leis an Aire as ucht a fhreagra. [*Translation: I thank the Minister for his answer.*] Will you give us some idea of what the process will then be? Will the research be done, and, if potential good resolutions are identified in that, will there be invitations to companies that might fit the bill for those resolutions?

Mr Muir: I do not want to prejudge what it will say, and the action plan that we hope to launch next month will give a bit more information on that, but the interventions will require funding. Many people have been in correspondence with my Department to bring forward technical solutions or suggestions, which we are evaluating as well. However, there are key fundamentals, such as agricultural run-off, waste-water infrastructure and septic tanks, that we will need to take action on. I am very keen that we do that through a process where we bring people with us, through education and incentives, but, ultimately, enforcement will be required because those who are polluting our waterways need to stop.

Derelict Buildings: Council Action

T2. **Mr Robinson** asked the Minister of Agriculture, Environment and Rural Development whether he agrees that it is bitterly frustrating for those residents and businesses that have to live and trade beside unsightly derelict buildings, especially when local councils have very weak powers to deal with such buildings. (AQT 102/22-27)

Mr Muir: I understand the Member's question and the concerns that local residents will have on that issue. District councils are often the bodies with responsibility for enforcement in that area. If there are particular concerns, I ask the Member to write to me, and we can correspond and see what we can do about them.

Mr Robinson: Thanks, Minister. I was going to ask you whether, if I write to you, you will consider visiting East Londonderry? I would be very happy to accompany you in meeting with some of the businesses that have to trade beside such buildings.

Mr Muir: I am happy to consider the Member's invite. Obviously, if there is an ongoing investigation and enforcement action, we need to tread carefully. I am happy to speak to the Member outside the Chamber today on any particular issues that he may have.

Tree Planting

T3. **Ms Egan** asked the Minister of Agriculture, Environment and Rural Development to outline his plans to ensure that more trees are planted across Northern Ireland. (AQT 103/22-27)

Mr Muir: I thank the Member for her question. Tree planting is quite important to me and to tackling climate change. Increasing the area of forest and woodland is a key challenge and focus for my Department. We need to significantly accelerate the annual planting rates so that forest and woodland reach 12% of land area by 2050: it is currently at 8.6%. I intend to take that forward as a critical element of DAERA's contribution to climate change mitigation and the legislative obligations for a balanced pathway to net zero carbon emissions by 2050.

In line with the Climate Change Committee's (CCC) recommendation, the Department launched its 10-year Forests for Our Future programme for 2020 to 2030, which aims to plant 9,000 hectares of new woodland over that period.

Ms Egan: Thank you, Minister. That is very encouraging. In our constituency of North Down, volunteers have recently replanted a community orchard in Hunts Park, Donaghadee. Will you join me to meet those volunteers and see the brilliant work that they have carried out?

Mr Muir: I thank the Member for her supplementary. I would be delighted to do so. Many examples of community intervention are taking place here. With a small amount of grant funding, they are able to achieve quite a lot, not just on forestry cover but in bringing benefits to the local community. I would be delighted to get along to Hunts Park, an area that is being revitalised as a result of that work. I am very keen to take up that offer.

Madam Principal Deputy Speaker: Question 4 has been withdrawn.

Food Poverty

T5. **Ms Armstrong** asked the Minister of Agriculture, Environment and Rural Development to outline his role in combating food poverty, given that, later this week, a report will be published on the impact of poverty, with one of the keys issues being the cost of food. (AQT 105/22-27)

Mr Muir: Primary responsibility for addressing poverty rests with the Department for Communities. It is, however, anticipated that the forthcoming anti-poverty strategy will make specific reference to food poverty and insecurity. Food poverty is a multifaceted issue. It is recognised that no single Department has all the policy tools required to address it and that it is not simply a financial issue. A cross-departmental approach will be required when agreeing actions to address the issue, and it will seek to link to all relevant strategies, including the food strategy framework.

My Department provides assistance in areas such as the redistribution of surplus food through organisations such as FareShare, as well as providing a subsidised school milk scheme to contribute to efforts to alleviate food poverty. My Department is also leading on the Northern Ireland food strategy framework, which proposes a new whole-of-government approach to food in Northern Ireland. That new collaborative approach is about government working together to deliver better outcomes for the people of Northern Ireland. I look forward to receiving a briefing from my officials on the food strategy framework and how my Department can work with other Departments to address the fundamental issue of food poverty.

Ms Armstrong: Thank you, Minister, for your answers so far. Minister, you mentioned that the Department for Communities is responsible for the anti-poverty strategy. We have not yet seen a draft of that strategy. Will you write to the Minister for Communities to ensure that the

work that you are doing on food poverty will be included in it?

Mr Muir: I thank the Member for her question. I was alongside her at an event with Community Advice Ards and North Down. It was concerning to see that the pace that should be associated with an anti-poverty strategy is not occurring. I will write to the Minister about the need to urgently progress that. It is a matter of shame on government in Northern Ireland that people are forced into poverty. We need to find a way forward. We need the anti-poverty strategy to progress without any delay whatsoever.

Interdepartmental Working

T6. **Ms Forsythe** asked the Minister of Agriculture, Environment and Rural Development whether he has structures in place or plans for solution-based, joined-up working with other Departments and public bodies to deal with crossover issues of importance. (AQT 106/22-27)

Mr Muir: I thank the Member for her question. It is important that where there are issues that need a collaborative approach, we take one. Lough Neagh will, hopefully, be the example of how we do that. The way in which government in Northern Ireland is structured, with each Department being legally separate, can be a barrier in that regard. Financing can also become an issue: each Department holds its own budget. However, I will not hold back on wanting to work with other Departments on myriad issues, whether it is Lough Neagh, coastal erosion, climate change or so many others. Together, we can achieve a lot more.

Ms Forsythe: Does the Minister agree that where issues are considered dangerous, urgent or in the interests of public safety, such as the rapidly collapsing cliffs in Kilkeel, which I have liaised with the Minister on and thank him for his engagement on, the focus should be on recognising the issue and putting an action plan in place? Other bodies are passing around responsibility. We do not want to end up in a position where, ultimately, there is a crisis. You mentioned coastal erosion when you talked about collaborative working. I hope that some sort of action plan can be put in place.

Mr Muir: I am aware of those issues. There has been correspondence, including questions for written answer, about the matter. If the Member is free this afternoon, I am happy to meet her about that and see what more we can do. Public safety must be the priority of every Minister.

Bovine Viral Diarrhoea

T7. **Miss McIlveen** asked the Minister of Agriculture, Environment and Rural Development when he will enforce the compulsory removal of animals infected with bovine viral diarrhoea, given that he will be aware that the condition remains prevalent and its existence could disadvantage Northern Ireland's ability to trade. (AQT 107/22-27)

Mr Muir: I thank the Member for her question. I talked with the Ulster Farmers' Union about this at a recent meeting, and I have been engaging with veterinary colleagues on it. I want to be able to move on that matter without any delay.

Miss McIlveen: The Minister referred to the appointment of the new CVO, but I understand that there is a challenge in his Department to recruit vets. The salary is less competitive, and there are issues with people being recruited to other regions and the private sector. Given the importance of recruitment to his Department, will the Minister commit to a salary review for those positions?

Mr Muir: I am very conscious of the issue as our headcount for vets is significantly below what we need in Northern Ireland. I discussed it last week with my permanent secretary. I will have to engage with the Department of Finance on that because we will need to be able to attract and retain the best talent that we can. We have fantastic people working with us, but we need more people to come on board. I spoke to my counterpart in the South, Charlie McConalogue, about how people are leaving Northern Ireland to go to the South because of the better pay and terms and conditions that are there. That is not unique to my Department; it is also an issue for the Department of Health and the Department of Education.

This is fundamental, but we need the UK Government to understand the unique circumstances of Northern Ireland and to ensure that our funding settlement reflects them. Let us be clear about this: for every £1 that is spent in England, Scotland gets about £1.45, while we get about £1.21. There is a problem there, and, as a result, we are not able to pay people the correct salary.

Fallow Deer: Clondeboye Estate

T8. **Mr Mathison** asked the Minister of Agriculture, Environment and Rural Development to outline the protections that are

in place for fallow deer in and around the Clondeboye estate. (AQT 108/22-27)

Mr Muir: I know that the Member raised the issue with me previously and that it is a matter of concern. The Department has some powers over it, but it goes back to councils. Fallow deer are protected across Northern Ireland under the Wildlife (Northern Ireland) Order 1985, which makes it an offence to kill, injure or take the species during a specified closed season or at night. It also prohibits the use of certain firearms and ammunition to shoot deer. Additionally, it is an offence to take or remove any live deer or to mark or attach tags to them. The Police Service of Northern Ireland enforces the Wildlife (Northern Ireland) Order 1985.

My officials in the Northern Ireland Environment Agency, working closely with the PSNI, jointly chair the partnership for action against wildlife crime in Northern Ireland. That brings together statutory and non-statutory agencies and interested parties with the common goal of combating wildlife crime through education and publicity. Whilst the Clondeboye estate is a private estate, my officials are not aware of any reports of listed offences that would require additional protections for the estate's fallow deer herd. Any concerns should be reported immediately to the police.

Mr Mathison: I thank the Minister for his engagement on the issue. Will he provide an update on the plans to redevelop the Whitespots country park, which is in the area in question?

Mr Muir: That falls under the complementary fund and sits in my Department. It is progressing well, and I am happy to meet the Member about it to see what more we can do. It is an area that has real potential not just for Bangor but for Newtownards.

Bovine TB: Testing

T9. **Mr Harvey** asked the Minister of Agriculture, Environment and Rural Development, further to his earlier response to a North Down colleague in relation to bovine TB testing, to state whether he will continue with the Department's previous plans to enhance testing. (AQT 109/22-27)

Mr Muir: It is my desire to do that, but, as a result of the punishment Budget that the Secretary of State inflicted on Northern Ireland, during this financial year, my permanent secretary had to get us to live within the required budget limits. As a result, the testing

regime was reduced, which had a real consequence. A fundamental thing that we need to be able to do is go back to where the testing was previously. Hopefully, if I get the correct settlement, the budget for next year will enable us to do that.

Mr Harvey: Minister, could you provide me with an update on the challenges that have been presented by the outbreak of bluetongue on the mainland?

Madam Principal Deputy Speaker: Could you give a quick response, please, Minister?

Mr Muir: I am aware of the challenges that are associated with that, and I have had lots of correspondence about it. I get a variety of correspondence on the matter, and a significant number of people are concerned to ensure that bluetongue does not get into Northern Ireland. I know that restrictions on movement have associated financial hardships, but, as Minister, I need to ensure that we keep bluetongue out of Northern Ireland.

3.30 pm

Mrs Long: On a point of order, Madam Principal Deputy Speaker. I want to correct the record from earlier. I was asked specifically when, we felt, the provision to have live links as part of the primary legislation would become operable, and I said, I think, summer 2026. I can report that it will actually be summer 2025. When I said 2026, it seemed like a long way away, so I went back and checked, and it is summer 2025. Members who were concerned about the extension of the Coronavirus Act's cover for that may be relieved to hear that it will be sooner than I had anticipated.

Madam Principal Deputy Speaker: I thank the Minister for raising that point of order. I am sure that the record will be corrected. Will Members take their ease, please?

(Mr Deputy Speaker [Mr Blair] in the Chair)

Executive Committee Business

The Coronavirus Act 2020 (Extension of Powers to Act for the Protection of Public Health) (No. 2) Order (Northern Ireland) 2023

Debate resumed on motion:

That the Coronavirus Act 2020 (Extension of Powers to Act for the Protection of Public Health) (No. 2) Order (Northern Ireland) 2023 be approved. — [Mr Swann (The Minister of Health).]

Mr Deputy Speaker (Mr Blair): I call Alan Chambers to continue the remarks he was making before the debate was suspended.

Mr Chambers: Thank you, Mr Deputy Speaker. This is chapter 2.

The pandemic changed lots of things. It changed the way in which many people worked and how businesses traded. It is almost four years since we were told to stay at home to save lives. As a society, we were asked to do things that, only weeks before, would have been considered totally unimaginable. I never again want to experience a period such as that. Thanks to the brilliant work of our scientists and medical experts, the pandemic has been well and truly in retreat for some time. However, we must maintain a level of preparedness and resilience to protect our citizens should circumstances change.

That brings me back to an earlier point. In Northern Ireland, we find ourselves at a legislative disadvantage. Whilst England, Scotland and Wales could all move at pace, if needs be, if today's extension order is not granted, we could not. Indeed, in recent months, the main talking point has been the sea border that makes the movement of goods between Great Britain and Northern Ireland more difficult. The argument has been that it makes us different from the rest of the United Kingdom. If the extension is not granted, we will have created a health sea border in that our preparedness for a potential COVID outbreak will be different from that in the rest of the UK. I wonder if some see the irony in that position.

From the briefings to the Committee, it has been clear that some of our public health legislation is in major need of updating and amending. Thankfully, a public consultation on

the changes is about to launch. Ideally, the new public health Bill would have already been introduced and scrutinised long before now, but, unfortunately, that has not been possible following the latest two-year collapse of the Assembly. To those who speak most loudly against today's extension order, I simply ask them what their alternative is. Do they want to see people in Northern Ireland potentially left behind their peers across the rest of the UK, or, if they believe that other solutions should have been found, do some not see the contradiction in supporting the collapse of the very political institutions that would have been able to deliver them?

Mr Deputy Speaker (Mr Blair): Thank you, Mr Chambers, not only for your contribution but for your patience.

I call on the Health Minister, Robin Swann, to conclude and make a winding-up speech on the debate.

Mr Swann (The Minister of Health): I will refer to some of the points that Members made. The Chair of the Health Committee raised a number of general points. I thank the Committee for its collaborative working on these statutory rules, for the questions that its members asked and for the engagement that the Committee has had with my officials about due diligence, which I welcome.

A number of Members specifically asked what happens if the motion does not pass and whether emergency legislation could be introduced if needed. That point was raised by the Health Committee member from the Opposition. He misses the point, however, about the difference between introducing regulations, which could take two to three days, and having the ability to introduce regulations. The motion is about having the ability to introduce regulations, not about the regulations themselves. The Member is slightly mistaken in comparing the order to the Budget Bill, which was introduced in two weeks.

After 24 March, the provisions would fall, and Northern Ireland would then be at a disadvantage compared with other parts of the UK in its readiness to respond to any significant COVID variant or any emerging variant of concern. Responding from that position would require primary legislation to be passed before I could bring regulations to the Executive and, indeed, to the Assembly. I remind the House that, during the pandemic, the regulation-making powers enabled us to react quickly when needed.

Mrs Dodds, I think, asked when a public health Bill would be ready. I intend to seek agreement from Executive colleagues in the coming weeks to launch a public consultation in April or May on the policy proposals underpinning a draft Bill. I then hope to introduce a Bill in the Assembly in the autumn. We will see how quickly the Opposition can get that legislation through all its stages in the House.

The reason that I am not launching a consultation this month and am instead having to delay it for a short period is that there are important issues that I want to take on board. There is a four-nations review of the list of notifiable diseases and causative agents specified in our public health legislation, and I want to make sure that we align with the rest of the UK. A four-nations border health legislation subgroup has been established to review border health provisions across the United Kingdom as they relate to public health legislation. That is being done with a view to four-nations alignment.

Ms Kimmins (The Chairperson of the Committee for Health): I thank the Minister for giving way. Thank you for providing clarity on the difference between introducing regulations and introducing primary legislation. Can you indicate how quickly that could be done? A lot of Committee members have had difficulty establishing how quickly it could be done if needed.

Mr Swann: I thank the Committee Chair. We did engage on that point earlier today. As I said, I hope to launch the public consultation in April and May of this year. Once the consultation takes place, that will allow for the legislation to be introduced for debate in the autumn of this year. That will still not give me the power to introduce regulations, however. It is about starting the legislative process.

Mr McGrath: I appreciate that you are talking about this legislation. I am not talking about that; I am saying that, if it were required and the order were to fall, what timescale would be required for you to come here with another piece of legislation to enable you to take the decisions that you need to take? I do not mean the legislation that is going out for public consultation and will take until the autumn to go through its stages. If an emergency were to be declared, you could come to the House and lay legislation if it were prepped now and sitting ready to go, and it could be passed within days. Is that not correct?

Mr Deputy Speaker (Mr Blair): Before the Minister responds, I remind Members to address their remarks through the Chair at all times.

Mr Swann: Thank you very much for that reminder, Mr Deputy Speaker.

Bringing primary legislation through the House is not as simple as that. The Member knows well that it is not so simple to move at speed with what is needed. The motion is about giving us the power that will enable us to bring forward the regulations. The overarching framework for the legislation that will give us the ability to do that is already there. I do not see the cause for concern about having the ability to move at pace on that, if necessary, although, as I said in my opening comments, I hope that it is never needed again.

With regard to the question of whether that Bill could be expedited, my officials are working with officials from other Departments, given that the Bill will be cross-cutting in nature, and with key stakeholders prior to bringing draft proposals to Executive colleagues for consideration. That work requires there to be careful consideration of the issues and of how we manage future health security issues and threats. The dedicated Bill team in my Department is working to bring forward the draft public health Bill to update the Public Health Act (Northern Ireland) 1967, which needs dramatic alteration so that we can make those changes.

Mr Donnelly: I thank the Minister for giving way. For clarity — we discussed this at length in the Committee — is it fair to say that you could bring legislation to the Chamber very quickly, should an emergency situation arise?

Mr Swann: Yes, it is fair to say that we could introduce legislation, but it would take weeks to do so, rather than days, which is what this enabling regulation would allow for. This would allow us to bring forward the regulations rather than bring forward legislation to enable us to make regulations. In the case that the Member is talking about, we would need to have the overarching primary legislation that would give us the power to make regulations, and we would then have to bring forward regulations. Extending this power will allow us to take the shorter step of going straight to the regulations.

The Chair of the Health Committee asked what else was being done across all of this island specifically. My officials have ongoing engagement with their counterparts in the Republic of Ireland in relation to a proposed

health protective legislation framework. While the Bill that is coming forward cannot make provision for border issues, as they are reserved matters, that ongoing engagement is important to us and always has been.

There were a number of other points. I have already covered, in response to Mr McGrath, the question of why the Bill has been delayed. In response to Mrs Dodds's point, I appreciate the Member's position. I spent considerable time with her on taking these issues through when she was in the Executive. As Minister for the Economy, she was diligent and passionate about raising the concerns that her stakeholders raised with her. I will always say that I appreciate the respectful nature with which we were able to disagree during that time. I know where she and her party are coming from as regards today's issue, and it is more with sorrow than with anger that I appreciate their position on this.

With regard to Miss McAllister's point about where we are with introducing the other legislation, we have to look to what our ultimate aim is for public health legislation, as the Justice Minister was saying. That is why I am hopeful that our public consultation, which we will launch in April or May of this year, will allow us to address all those peculiarities and align us with the rest of our UK counterparts in having that primary legislation.

In closing, I thank Mr Chambers for his support and his comments recognising that we are doing this because we need to make sure that there is alignment across all four nations and that we can act in tandem, should an emergency present itself.

Mr Chambers: Will the Minister give way?

Mr Swann: I will.

Mr Chambers: If an emergency were to occur and the legislation that we are looking at were not in place, how big a distraction would the need to prepare legislation during such an emergency be for your Department and your officials?

Mr Swann: It would be a significant piece of work. It would involve taking everybody who is currently involved in drafting our public health Bill and diverting them, for a number of weeks, to produce emergency legislation to cover what might be a very short time needed to respond to a specific issue. Allowing these regulations to go forward, which would allow enabling

regulations to be brought, is a far better use of time and resources.

(Mr Deputy Speaker [Dr Aiken] in the Chair)

3.45 pm

In closing, I ask Members to be conscious that the decision of the House is whether it wants to maintain a level of preparedness and resilience to protect our citizens, should a significant variant of concern emerge. It is my firm view that we must retain these regulation-making powers and that we cannot risk being in a position where, taking account of the public health advice, we cannot immediately respond to protect the public health of the citizens whom we all represent. I hope that Members agree that this is the responsible approach, and I ask that you approve the order tabled for debate today.

I commend the order to the Assembly.

Question put.

The Assembly divided:

Ayes 7; Noes 65.

AYES

Dr Aiken, Mr Beattie, Mr Butler, Mr Chambers, Mr Nesbitt, Mr Stewart, Mr Swann.

Tellers for the Ayes: Dr Aiken and Mr Chambers

NOES

Mr Allister, Dr Archibald, Ms Armstrong, Mr Baker, Mr Boylan, Mr Bradley, Mr Brett, Miss Brogan, Mr Brooks, Ms Brownlee, Mr Brown, Mr K Buchanan, Mr T Buchanan, Ms Bunting, Mrs Cameron, Mr Clarke, Mr Dickson, Mrs Dillon, Mrs Dodds, Mr Donnelly, Mr Dunne, Mr Durkan, Mr Easton, Ms Eastwood, Ms Egan, Ms Ennis, Mrs Erskine, Ms Ferguson, Ms Flynn, Ms Forsythe, Mr Frew, Mr Gildernew, Miss Hargey, Mr Harvey, Mr Honeyford, Ms Hunter, Mr Kearney, Mr Kelly, Ms Kimmins, Mr Kingston, Mrs Little-Pengelly, Mr Lyons, Miss McAllister, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Miss McIlveen, Mr McReynolds, Mrs Mason, Mr Mathison, Mr Middleton, Ms Mulholland, Ms Á Murphy, Ms Ní Chuilín, Ms Nicholl, Mr O'Dowd, Mr O'Toole, Miss Reilly, Mr Robinson, Mr Sheehan, Ms Sheerin, Ms Sugden, Mr Tennyson.

Tellers for the Noes: Ms Hunter and Mr O'Toole

Question accordingly negatived.

Assembly Business

Mr Butler: On a point of order, Mr Deputy Speaker. Will the Speaker's Office rule on the Standing Order on ministerial statements? It is my understanding that if the Assembly is sitting in plenary format, ministerial statements are heard in the House.

Mr Deputy Speaker (Dr Aiken): Thank you, Mr Butler. I will make sure that that is passed to the Speaker's Office. To reiterate it, your point is that ministerial statements should be made in the House first. That is understood. Thank you.

Private Members' Business

International Women's Day 2024

Ms Hunter: I beg to move

That this Assembly recognises that International Women's Day is a global celebration of the social, economic, cultural and political achievements of women; believes that this day both serves as a powerful reminder of the progress made towards gender equality and highlights the work that still needs to be done; and supports action to break down barriers, challenge stereotypes and create environments where all women are valued and respected.

Mr Deputy Speaker (Dr Aiken): The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who called to speak will have five minutes.

Ms Hunter: The motion is about International Women's Day 2024. It is imperative that we not only reflect on the progress that we have made in advancing women's rights but acknowledge the challenges that persist at home and across the globe. Today, we not only reflect on and celebrate International Women's Day but honour the strength, resilience and achievements of women everywhere. This day holds immense significance, as it not only acknowledges the progress that we have made so far but underscores the journey ahead towards true gender equality in Northern Ireland.

In the North, as in many other parts of the world, women have played pivotal roles in shaping our society, culture and history. From leaders in politics to pioneers in the arts, from activists on the front lines to caregivers in our homes, women have continually broken barriers and defied expectations so often placed on them by society. That is why I welcome having the time to hold this debate and contributing to it. I welcome contributions that will be made by women across the House from diverse backgrounds, with different beliefs and lived experiences. Diversity makes us whom we are. It strengthens our places and our policies, and we must have women at the tables at which decisions are being made.

For generations, women in our society have carried so much on their shoulders. Trans-generational trauma has been carried on the

backs of women for generations here. I particularly note that, during the years of the conflict, women kept on going as mothers, grandmothers, community leaders, entrepreneurs and politicians, in what was an extremely difficult time. In every documentary about the Troubles that I have watched, there has always been a woman in the house, quietly keeping things going. Women were out on the streets fighting for peace as well, despite the horror and violence on our streets during what was an unbelievably difficult and tragic time in our history.

As we reflect on the strides that have been made, we cannot ignore the challenges that continue today. Inequalities still exist, barriers still stand and injustices still prevail. Women continue to face discrimination, harassment and violence, simply because of their gender. Misogynistic attitudes sadly continue to over-sexualise and objectify women, and those realities remind us of the urgent need to continue our collective efforts to achieve gender equality and to have early intervention in our education system — our schools — to tackle those mindsets and to ensure that women are respected and celebrated in the classroom, the home and wider society.

International Women's Day serves as a reminder of the work that remains for us to do here. It is a call to action for Governments, institutions and individuals alike to commit to tangible change. We must strive for equal representation in decision-making positions and processes, equal opportunities in education and employment, and equal access to healthcare and resources.

Members must continue to use our platform as women to tackle the grave issue of violence against women and girls in Northern Ireland. I welcome the fact that, in the weeks since this place has been back up and running, we have used that opportunity to talk about tackling violence against women and girls and to touch on the lives of those bright, talented, loved women whose lives were so tragically taken. That is really important. Their lives were taken from their family and loved ones. Today, when we reflect on celebrating women and on what it is to be a woman, I want us to remember them too, because I know that Members across the House certainly will not forget them and their stories.

Given its proximity to the motion, I mention the fact that, last week, funding was briefly cut for Nexus NI. Out of the victims supported by Nexus NI who have survived sexual assault, sexual harassment or sexual violence, 80% are

female. I am mindful that, when we talk about celebrating women, we want to ensure that we do all that we can to support women and girls who are victims and survivors of sexual violence. It is important that we all use our platform to ensure that that counselling for victims and survivors continues without lapse and that it is available to all without delay or denial. I am so happy, as are, I am sure, other Members, that the funding has been resumed and that victims of all genders who have survived such traumas will continue to be seen.

Women face many challenges in life, but period poverty is often a silent crisis that affects millions of women and girls across the world, including in the North. Sadly, even though the Assembly has come back, we have seen a cut of up to 40% to the resource behind the Period Products (Free Provision) Act (NI) 2022. No woman or young girl should suffer the indignity of being unable to access those products. I urge Members collectively to continue to raise that issue in order to ensure that we have the adequate funding that is necessary to change lives and maintain dignity.

Women and girls are forced to choose between buying menstrual products and meeting other basic needs, such as food or heating. That should not be the reality in the 21st century. Menstruation is a natural biological process, and no woman or girl should be either ashamed or disadvantaged as a result of it. We must work together to dismantle the stigma around menstruation and ensure that hygiene products are available, accessible and affordable to all women and girls, regardless of socio-economic background.

4.15 pm

As policymakers, we must prioritise health as a fundamental human right and take concrete steps to address period poverty once and for all. I welcome that, over the past few weeks, we have talked at length about women's health. That is a huge pillar: when we talk about the quality of life and celebrating women and what it is to be a woman, health is such a huge aspect of that. We continue to see and hear in our constituency offices and in the Assembly stories of women going weeks, if not months, struggling to get a diagnosis for things like endometriosis, PCOS and even issues around infertility and wider issues to do with reproductive health. We really must make the effort in the House, not just the women but the men, to push that to the forefront of Ministers' minds and make sure that it is well funded by the Executive.

I really appreciate the stories that have been told in the House of difficulties with those challenges, on things like miscarriages and baby loss. Members have been so brave in opening up and talking about those issues. It is educating me and other Members, and it opens up discussions that were once quite sensitive in society, from which people would hide and were quite stigmatised. Now, however, we see that wonderful, open discussion, which will greatly help women and girls who are listening to us to feel comfortable in sharing their stories and, on the wider issues of women's health, know what signs and symptoms to look for. I really wanted to include that.

Lastly, as we celebrate International Women's Day, let us recommit ourselves to the fight for gender equality and for justice. Let us work tirelessly to eradicate violence against women and girls in the North in all its forms, to ensure that every woman and girl living here can live with dignity, freedom and a sense of equality that they so rightfully deserve.

Ms Sheerin: I am delighted to support this cross-party motion celebrating International Women's Day, the theme of which this year was to inspire inclusion. When you think of what "inspiring inclusion" means, it is to involve everyone and include everybody to ensure that we can all access prosperity and that nobody is excluded from that — no woman or girl left behind, regardless of background. That means including our rural women, our women of colour, our LGBT women and our disabled women. The glass ceiling is not really broken if it is just cracked for some.

This weekend was an opportunity not just to celebrate ourselves and our mothers, sisters and friends but to acknowledge the work of those who came before us and those who worked so hard to achieve gender equality, from Mary Ann McCracken and Winifred Carney to Rosa Parks and Angela Davis and women across the world united in that struggle. The Assembly reflects the change that we see across wider society. In Sinn Féin, we have more female representatives than we have ever had. We are led by two brilliant women in Michelle O'Neill and Mary Lou McDonald, and a majority of our MLA team are women. It is the same across society: we see women taking top jobs across all sectors in the North, and that brings a perspective to the table that previously was not there. All of that is to be welcomed, but we still have problems, and there is still work to be done.

We still have a pay gap. We still see women held to a higher standard than men, and we still see misogyny and sexism normalised every day. Across the world, we have a presidential hopeful with multiple allegations of sexual misconduct against him, and yet he is still deemed a worthy candidate for the presidency, and women are supporting him. In the North, I am delighted that we are going in a different direction: we are going in the right direction. Some of the first commitments in this new mandate go to the very heart of what you would consider to be women's issues.

Domestic violence is endemic in the North. It is the second most dangerous place in Europe to be a woman, so I am glad that all parties have committed, as a priority, to delivering and fully implementing the violence against women and girls strategy. That is a particular priority for my party. We are all united in delivering the childcare strategy: we know that childcare disproportionately impacts on women. With the crisis in domiciliary care and respite services, again, it is the women in most homes who pick up the burden of that care. If we work together to prioritise gender equality, fixing those problems will come about naturally. Therefore, I welcome the motion and urge you all to support it.

Mrs Little-Pengelly (The deputy First Minister): I want to add some short words to the debate. International Women's Day is an opportunity to take some time to celebrate women, to mark the achievements of women and to call out the continued harms and challenges that many women face. I am deeply proud of being a woman, and, as I said last week, I am proud of being a strong woman, I am proud of being a feisty woman, and I am proud of being a fierce woman at times. Of course, we know that women come in many shapes and sizes, with many different views and perspectives. I also hope that I am a kind woman and a compassionate woman. We all know so many different people, and, of course, we do not all have to be the same.

As we celebrated last week, I highlighted the fact that it is called "International Women's Day" but it felt like "international women's week", and that is a great thing. Hopefully, that will continue to grow, perhaps even into "international women's month" as we continue to have events. It is a great opportunity to highlight so many different aspects. It was fantastic to see so many of our community organisations, groups and communities have all of those fantastic events.

I come from a long line of strong women who have shaped families, our communities, politics and the very fabric of this place that we call "home". I often say that conservative women or women of faith may not always feel the most welcome with some of the women's movements. Sometimes, we may feel that we are the wrong type of women for some of the movements. I have always stepped forward and said that there should never be a wrong type of woman. I know women who are conservative or deeply conservative or of deep faith, women of all types of faith or perhaps none at all. All women should be welcome as part and parcel of the campaign as we drive forward for a greater understanding and recognition of the incredible work that women do.

When I look back to my history, I note that the Ulster women's unionist movement was the biggest movement of women on the island of Ireland of its time and was one of the biggest movements across the world. By 1913, the Ulster Women's Unionist Council had an estimated membership of between 115,000 and 200,000 women. Those were women who led the way on a pre-partition island of Ireland, north and south, pushing for votes for women. They were women who were often well connected and used their position, their education and their opportunity to push for votes for women. It was the Ulster Women's Unionist Council that secured significant wins in Ireland, north and south, for votes for women. Of course, they did not just stop there. The unionist women of that movement, the biggest female political movement across these isles, went on to the Ulster covenant. A lot of people do not realise this, but the men signed the Ulster covenant and women had their own Ulster covenant declaration. An incredible 234,046 women came out to sign that declaration across this island. Again, that was an incredible role that those women played, shaping the politics of today and stepping forward at a time when many women were probably told to sit back and be quiet. I am incredibly proud of that history and heritage. I want more of our young people to understand and realise that about this place.

Mr Butler: I thank the Member for giving way, and I am sorry for interjecting in such a good speech. On Saturday, I met the deputy First Minister at a breakfast where I had two of my young children with me. Will she agree that one of the ways of breaking barriers and killing stereotypes is with young people? The introduction that I made to the two kids was that she is one part of the two most powerful women in this country at this moment.

Mr Deputy Speaker (Dr Aiken): The Member has an extra minute.

Mrs Little-Pengelly: Absolutely. It is fantastic to see so many women elected across different political parties. While I am incredibly proud of the heritage and history that I have and the incredibly strong women who played that role in shaping Northern Ireland, standing up for their politics and stepping forward, it is also about that message that we can be absolutely proud of who we are. I am not just proud of being a unionist; I am proud of being a woman. That means, of course, that we should have the confidence to embrace the stories, the heritage and the traditions of others. I love to hear the stories about our history and heritage — we have touched on some of them, and I have no doubt that we will hear many more — but, of course, this is about moving forward.

In closing, I want to champion all our mummies, grannies, sisters and friends, the people who are there for other women and who do incredible work. They are the bedrock of our schools, community groups, families and churches. This week has been a recognition of that, and I pay tribute to them. As we move forward together, I hope that we give that confidence to the new generation and that we see plenty of little female politicians coming up through the ranks in all parties.

Ms Armstrong: International Women's Day is a global celebration of the remarkable achievements of women across the world. I thank the Speaker for an inspiring event on Thursday evening, when we heard from civic female leaders about their roles in the judiciary, universities, the arts and sport. It was a very inspiring event. International Women's Day serves as a poignant reminder of the progress that we have made towards gender equality, but it also sheds light on the significant work that remains ahead of us.

The people elected us to the Assembly, and it is our duty to advocate policies and initiatives that break down barriers, challenge stereotypes and foster environments where all women are valued and respected. Emma Sheerin MLA has highlighted the debates that we have had in the Assembly since it finally started up again, and it has been wonderful to see women's health, violence against women and girls and childcare being discussed.

The Alliance manifesto outlined concrete commitments to address the systemic challenges facing women in Northern Ireland, and one crucial aspect is the childcare piece that others have brought up. Accessible and

affordable childcare is not just a woman's issue; it is an economic imperative and a fundamental pillar of gender equality. The importance of investing in high-quality childcare services is that it ensures that every child has access to the care and education that they deserve and empowers women to fully participate in the workforce. However, let us not forget carers. Sixty per cent of carers are older women like me. I am a carer. All carers should be respected. *[Interruption.]*

Mr Deputy Speaker (Dr Aiken): Sorry, Kellie, will you pause there? There is a lot of noise, and I can hardly hear you. That is disrespectful to you, so I will get that sorted out before I ask you to speak again. I will not take any time off, obviously.

The doors are now shut. My apologies. Continue, Kellie.

Ms Armstrong: Thank you, Deputy Speaker.

As I was saying, let us not forget carers, 60% of whom are older women like me. All carers should be respected and recognition should be given to them, like it is for mothers and fathers, to provide them with help and support. The Carers NI report entitled 'Careers or Care' confirmed that one in three women with an unpaid caring responsibility has had to give up work. How is that equality?

Furthermore, we cannot ignore the stark reality of the poverty that affects women in Northern Ireland. Statistics due to be released by the Northern Ireland Audit Office (NIAO) are expected to confirm that a significant number of women are living in poverty and are struggling to make ends meet and provide for their families. That is unacceptable in a society that prides itself on fairness and equality. We must take decisive action to address the root cause of poverty, including inadequate wages, a lack of affordable housing and limited access to essential services. Why is the anti-poverty strategy not being prioritised? The draft is awaiting publication. Adopting an anti-poverty strategy as something that underpins the next Programme for Government will help to lift so many women out of poverty.

International Women's Day serves as a call to action for all of us to redouble our efforts to advance gender equality and empower women from all walks of life. By supporting initiatives like childcare and addressing the pressing issue of poverty that affects women in our communities, we can create a more just and inclusive society for future generations. We all should remember that, in the House, not all

women are treated equally. Because of the way our system is built, the votes of some, like me, are not counted in the same way as the votes of others. If we are to be true to the spirit of International Women's Day, let us bring forward reform so that everyone is treated equally in the House.

Let us seize the opportunity to reaffirm our commitment to building a world where every woman is valued, respected and given the opportunity to thrive. Together, let us break down the barriers, challenge stereotypes and pave the way for brighter and more equitable future for all.

4.30 pm

Mr Deputy Speaker (Dr Aiken): Again, I apologise for the disturbance behind the Chair. It was disrespectful, and we will make sure that it does not happen again.

Mr Butler: First, I need to put on record an apology: I gatecrashed the women's caucus last week. I was midway through a handful of sandwiches, thinking that I was in an all-party group meeting. I was treated very kindly but told to leave the room, which I did.

It is my pleasure to speak today on this motion, which recognises International Women's Day 2024, and give it the full support of the Ulster Unionist Party. International Women's Day is a global celebration of the social, economic, cultural and political achievement of women. Although I know that here in Northern Ireland, right across the United Kingdom and here on the island of Ireland, much has been achieved in that battle to see gender equality and fair treatment, there is still much more to be done and more that we should do. The motion recognises the fact that the journey is still not complete. It identifies three areas for priority: breaking down barriers, challenging stereotypes and creating environments where all women are valued and respected. In fully recognising the journey and steps that still need to be taken to ensure that our young women, in particular, face no barrier to accessing their full life's potential, it would be remiss not to recognise the path that has been forged and the considerable walls that have already been demolished.

I have had the privilege to work with many amazing women in many guises over the years, from the women who put on the uniform of the Northern Ireland Prison Service and faced the same risks as I did to the women who put on their fire kits in the Northern Ireland Fire and

Rescue Service and risked their life to save others, in the same manner as I did. I will probably get into trouble for this, but I will read three names into the record: governor Amanda Allenby was fantastic and the best governor under whom I worked, and Kirstie Niblock — she got married recently to Thomas Niblock — and Linda McKane in Portadown were two of the best firefighters with whom I ever had the pleasure of working. I have also had the pleasure in this Chamber of, over eight years, working with some absolutely fantastic women. During those eight years, the Executive Office has had at least one woman and, more often, two, leading this place. That is to be celebrated. It is important to note that although 38% of our Members are now women, that is not enough. That should be seen as a floor, not a ceiling.

It would be remiss not to take this opportunity to remind ourselves of a trailblazer and pioneer — I would go as far as to say a revolutionary — who was fearless in her day. The descriptor, "From linen to the Lords" is one that some have given to the late Baroness May Blood. Baroness Blood was a woman who led an extraordinary life and is a leading example for all girls, including young girls, and women across Northern Ireland. She was the first female peer from Northern Ireland, and she used her title to help those from disadvantaged communities. I do not think that it was a title that she sought. Baroness Blood left school at 14 years of age and began working in her local linen mill. She then joined the Transport and General Workers' Union, which was fundamental in fashioning her trajectory. From a young age, Baroness Blood epitomised the struggle and fight as an advocate for women's and workers' rights and had a proven commitment to improving lives, which set her on her remarkable path. In 1996, Baroness Blood helped to set up the Northern Ireland Women's Coalition, giving women a voice in politics. It played a pivotal in the peace talks that led to the Good Friday Agreement in 1998. In 1989, Blood became a community worker on a project for long-term unemployed men. She also worked with the greater Shankill early years project as an information officer from 1994 to 1998. There, she helped to establish three community centres in the greater Shankill area. As chair of early years in Belfast from 2000 to 2009, she contributed to the well-being of many families and children.

Similar to me, Baroness Blood was passionate about early years intervention for children. She knew the importance of giving children the best possible start to life. Baroness Blood made significant contributions to the political landscape here in Northern Ireland. Her tireless

efforts in community work and political activism laid the groundwork for initiatives such as Sure Start. Baroness Blood was not simply a forerunner for workers and young people; she was a women's activist who challenged the status quo and male-dominated environments and managed to inspire future generations to show up and speak up.

I support the motion, and, in Baroness Blood's words and by way of encouragement to all women in Northern Ireland, I suggest a line worth learning: "Watch my lips, I'm speaking".

Ms Ennis: "Happy International Women's Day", or women's week, to everybody. I hope that everybody had a positive and enjoyable time over the weekend not only celebrating our achievements but advocating for greater equality. I want to use my time to highlight the inequalities that still exist for women in sport, but I also want to acknowledge and pay tribute to the organisations here in Ireland and across the globe that are working to end those inequalities.

I grew up playing competitive soccer and football at a time when there was little or no infrastructure and few facilities for women and girls to encourage us into the sports that we loved. That is why I am forever thankful to my parents, who encouraged and supported my talents. While things have, thankfully, moved on and improved since I was a kid, we need to make sure that being encouraged into sport becomes a matter not of luck but reality for all girls.

In recent years, we have seen the positive impact of national campaigns such as the national 20x20 initiative for women in sport. That seeks to highlight the impact of seeing and being role models and the essential part that they play in encouraging women and girls into sport. We know that that representation matters. It matters in sport, in politics and in all aspects of public life. I am a firm believer in the adage that says:

"If she can't see it, she can't be it."

I clearly remember being in my late teens or early 20s before seeing women's competitive sport on TV. Even now, no matter what sport it is or what team is playing, even though I am an ardent Manchester United fan, if I see women's sport on TV, I am transfixed and have to watch it, because that was just not the norm.

The importance of visibility in the future of sport in Ireland and across the globe cannot be overstated. If women and girls do not see

themselves reflected in sport, they may not realise their potential or recognise their talent, which is partly the reason why a large number of girls drop out of sport when they are in their early teens. We need to address why that is the case. There is a fundamental lack of understanding of women's bodies, such as the effect that menstruation has on athletic performance. The confidence that something as simple as having the right kit can give a young girl cannot be overstated.

I wish that I had more time to go into my personal experience and to give some examples of how, historically, the teams in the sports that I played were somehow less important than our male counterparts. We had hand-me-down kits, no access to proper training pitches and the added burden of having to raise funds for basic essentials such as jerseys and transport to games. The list goes on and on.

I think that the biggest indignity —

Miss McAllister: Will the Member give way?

Ms Ennis: I will. Go ahead.

Miss McAllister: I am sure that the Member is aware of this too, but does she agree that the policy decision in some local government areas to remove pitches for women's sport to facilitate the men's sport should absolutely be done away with? We know that that is happening in not only local government but private sporting areas.

Mr Deputy Speaker (Dr Aiken): The Member has an extra minute.

Ms Ennis: Thank you. I am not entirely aware of the specific area that the Member is talking about. When government money in particular is being used, it is important that it is built into the contract that facilities are not the preserve of men and that they should be for everybody.

As I said, probably one of the biggest indignities was being denied access to our prestigious county grounds for championship or national league games. While I am glad to see that more women's matches are being played on our county grounds, it was not that long ago that we had to rely on the generosity of individual clubs to provide their facilities so that we could fulfil championship fixtures. That is both embarrassing and unacceptable. I fully support the efforts that are being made to amalgamate the men's and women's codes in the GAA, and I hope that we will finally see the fairer

distribution of finances and resources. Equally, I am delighted that women's soccer teams North and South are finally and rightfully playing their games in the Aviva Stadium and Windsor Park and, hopefully very soon, in Casement Park. That should be the norm, not the exception.

We need to take every avenue that is open to all of us to promote the importance of representation for women in sport in all areas where decisions are being made. While we are using International Women's Day to speak about issues that matter to us as women, we need to make every day be about recognising integrity, authenticity and excellence in whatever form it takes. Maybe we could start by changing our language around how we speak about women in sport. For example, why does it matter what women wear? Maybe we could question why women gymnasts wear skimpy leotards while men wear trousers. Maybe we could all make an effort to attend one female-specific sporting event every month. We could maybe read more by female journalists, or maybe we could ask our clubs, no matter what sports we are involved with, how many training sessions and how much equipment, support and access the women get in comparison with their male counterparts. Maybe it is time for all of us to recognise our own heroes, because, after all, if you cannot see it, you cannot really be it.

Mrs Cameron: I wholeheartedly support the motion. I speak as a DUP woman, a unionist woman and an MLA for South Antrim since 2011, as you will be aware, Mr Deputy Speaker. I am still the only female to be elected to the House for the constituency of South Antrim. At 39 years old, I became the youngest and only ever female to serve as mayor of Antrim in 2010-11. Those facts clearly tell us that there is much more work to be done to ensure that women are properly represented in political life in Northern Ireland.

It is vital that we take part in the global celebration of the social, economic, cultural and political achievements of women. Sadly, there is still much misogyny around. Even on International Women's Day posts, we will all have seen too many examples of how some still simply cannot cope with the very idea that women are out of the kitchen and in the workplace, let alone in Government.

We need to support one other, push ourselves forward and ensure that our voices are heard loud and clear. I am glad that the Assembly has committed to urgent priorities, such as dealing with pay parity and pay gaps in our public services, affordable childcare, the need for a

women's healthcare strategy and the all-important issue of violence against women and girls.

Mrs Dodds: I thank the Member for giving way. We all sit here in relative comfort — some of us will feel that more than others — but many women across the world suffer violence for their faith. Last week, in northern Nigeria, 200 women were kidnapped by Boko Haram terrorists. Those women will suffer violence, rape and forced marriage. Does the Member agree with me that we also need to look outside Northern Ireland at the issues that women face in many countries today where they are persecuted for their faith?

Mr Deputy Speaker (Dr Aiken): The Member has an extra minute.

Mrs Cameron: Thank you, Mr Deputy Speaker.

I thank the Member for her valuable contribution. Of course, this is a global movement: International Women's Day, week and, possibly, month. Maybe we will just take the whole year in future. It is vital that the Member's points are taken on board. Absolutely, it is a global movement. We can complain about issues here in Northern Ireland, but they seem quite pathetic when you hear of the sufferings that happen across the world. We absolutely have to support all those women across the world in their plight.

In closing, I want to give a shout out to my mother for setting an example to me of what a hard-working, strong, fierce and caring mother should be; to my three sisters for the unwavering support that we all give to one other; and to my daughters, including my daughters-in-law, all of whom make me proud each and every day. To all of them, happy International Women's Day and week.

Ms Egan: I am glad to speak on the motion, and I welcome the fact that it has been signed by Members from across parties. I spent last Friday, International Women's Day, at an event organised by a local organisation, Kilcooley Women's Centre, which is in my constituency. The atmosphere at and spirit of the event captured everything that International Women's Day should be about. Local organisations and women from all backgrounds came together not just to celebrate how far we have come but to discuss what more we need to do and the challenges facing women today.

We heard from a senior PSNI officer who overcame an historically male-dominated

working environment, juggled the demands of training with a young family and prevailed over gender stereotypes to excel in her career. She now uses her role to help women and children who have been victims of sexual assault and rape. I was heartened to hear how legislation surrounding coercive control, stalking and cyber-flashing introduced by the Justice Minister, Naomi Long, in the last mandate were being effectively used by the PSNI to apprehend offenders.

We also heard from a woman who ran a successful local family business. She overcame adversity in the form of coercive control and now uses her experience to help others in our local community.

We are so lucky in Northern Ireland to have a strong community and voluntary sector that does the legwork when it comes to supporting and lifting up women. Whether it is through having an affordable social enterprise model of childcare, providing therapeutic support to those who have been subject to domestic abuse or having education and employment courses, we owe them the recognition that they deserve for their transformative work in communities.

There can be no doubt that we have made progress over the past century. Women now have more legislative protections than ever. We have the most representative Assembly in our history, and we enjoy freedoms for which those of previous generations had to fight. But there is so much more to do.

4.45 pm

Ms Hunter: I thank the Member for giving way. Would she agree that we are so lucky that we have, now more than ever, more female representatives and that, in order to ensure that we keep that momentum and increase the number further, we must address issues such as the public safety of Members and the lack of an efficient maternity leave for Members across the House, both of which play a negative role, as they put women off getting into politics?

Mr Deputy Speaker (Dr Aiken): The Member has an extra minute.

Ms Egan: Absolutely, and I thank the Member for her intervention. Advice that was given to me before I became an MLA was, "You cannot be what you cannot see". If we really want to have a representative society, whether in local government, in this Chamber or in Parliament, we need to make sure that this place is

accessible for women. That includes security and maternity provisions. I know that there are women in the Chamber today who did not avail themselves of those, and it has been a massive challenge for them.

As I was saying, there is a lot more work to do. One illustration of that is research published by the Royal College of Psychiatrists on International Women's Day. That research showed that the leading cause of mental ill health among women in the UK is violence and abuse, closely followed by relationship issues such as coercive control. With more women than ever before having been elected to the Assembly, I hope that we can come together and use the rest of the mandate to make progress.

We have many outstanding issues. The strategic framework to end violence against women and girls has still not been published. We are the only part of these islands not to have a strategy to end gender-based violence. Last month, we passed a motion supporting a women's health strategy, something that is desperately needed for women in our society who face health inequalities such as delays to cervical screening tests, inadequate diagnosis and care for endometriosis and treatment pathways for menopause. That is certainly not an exhaustive list of women's health issues that need to be actioned urgently by the Assembly and the Executive.

One of the biggest barriers to women accessing employment opportunities is accessible and affordable childcare. I was heartened to hear recent commitments from Ministers on that issue, but many families need intervention and support now.

I also want to speak about the women who have faced unimaginable abuse: the victims and survivors of the mother-and-baby institutions and the Magdalene laundries. Those women in Northern Ireland have been left behind. While the Republic of Ireland has made some progress on addressing that shameful part of our past, we still have neither introduced a redress scheme for those who were subjected to the trauma of those institutions nor installed a memorial to the victims and survivors. I sincerely hope that we can come together and deliver for those women as a matter of urgency in order to recognise and address the horrors that were inflicted on them.

I could talk about so much more, but I am constrained by time. I hope that the women in the Chamber work together with common goals to address historical injustices faced by women

and the current challenges in our society but also to celebrate how far we have come and to uplift one another.

Mr Kearney: Last Friday, International Women's Day was marked at Belfast City Hall with the unveiling of monuments to Mary Ann McCracken and Winifred Carney, two iconic Belfast women whose lives were dedicated completely to opposing slavery, exploitation, injustice and oppression. Both were champions of gender equality, anti-sectarianism and social and national emancipation. The struggle for women's rights is hundreds of years old. Many brave women through the ages have challenged patriarchy, class and inequality. Those achievements and that sacrifice deserve to be celebrated in appropriate and significant ways.

International Women's Day also points us towards what more needs to be done. In today's world, women continue to be denied economic, social and national freedoms. Nowhere is that more starkly apparent than in Palestine, particularly in Gaza. This year, there will have been no celebration of International Women's Day or of Mother's Day, particularly in the Gaza Strip. By 8 March — last Friday — Israel's war had killed 9,000 Palestinian women, with over 54,000 injured; 5,200 Palestinian women have lost their babies; 50,000 Palestinian women who are pregnant cannot give birth in a safe place because there are no hospitals, medical centres or safe places in which to give birth; 65,000 breastfeeding Palestinian mothers cannot feed their children properly or look after them safely; and, in the north of Gaza, 350,000 women and girls are starving. Half a million Palestinian women are homeless. The women of Palestine need to hear, see and feel our solidarity.

Chun críochnú, déanfaidh mé aithris anois ar an rann seo atá tiomnaithe do mhíneach mhná na Palaistíne. Cuisle na mban; aoibhneas na mban; cineáltas, cruthaitheacht agus samhlaíocht na mban; daoirse, streachailt agus fulaingt na mban; diongbháilteacht agus tiomantas do chearta na mban; macalla na mban; ré úr do mhná gan leatrom ná cos ar bolg; dóchas agus fíis na mban lenár linn; Ní saoirse mhná na cruinne go saoirse mhná na Palaistíne. *[Translation: To finish, I will now recite this reflection dedicated to the courage of the women of Palestine. The heartbeat of women; the happiness of women; the kindness, creativity and imagination of women; the slavery, suffering and struggle of women; dedication and determination for the rights of women; the echo of women; a new era for women without discrimination or oppression;*

the hope and vision of women in our time; the women of the world will not be free until the women of Palestine are free.]

Mr Nesbitt: I am happy to say a few words on the motion. I begin by thanking the deputy First Minister for mentioning the Ulster Women's Unionist Council, which produced some fine parliamentarians, not least Dame Dehra Parker, who became the longest-serving female in the Northern Ireland Parliament and who, like Robin Swann, spent time as Minister of Health.

At the end of last week, as International Women's Day was coming up, I got nostalgic thinking about my first job and my first boss. The job was as a sports reporter with BBC Northern Ireland, and the boss was the formidable Joy Williams. A woman becoming head of a sports department in the 1970s always seemed a remarkable feat, but, given what we now know about some of the attitudes and behaviours in the BBC at that time — I think about people like Stuart Hall, Jimmy Savile and Rolf Harris — her achievement, as a woman, of reaching that position in such a testosterone-filled environment was all the more remarkable. She liked nothing more than encouraging and mentoring young talent: you might think of George Hamilton, who had a stellar career with the BBC in London and then with RTÉ in Dublin; of Alan Green, who, for a long time, was one of BBC radio's top two football commentators; of Mark Robson, who no doubt commented on the semi-tragic events at Twickenham over the weekend; and of Jim Neilly, who has been going on for ever. Members will have noted that those were four men. Once again, it was a woman — an outlier — who brought them on.

I would like to talk about a concept that, I think, will eventually come to apply to how we do government in this place. That concept is gender budgeting. It is a way of promoting equality through fiscal policy by analysing and disaggregating data so that we understand the impact of our spend separately on men and women and can therefore take corrective action against imbalance. There will be an update on this on the 21st of the month from the Northern Ireland Women's Budget Group, but, just to illustrate, I have some figures that are maybe four or five years old. For example, If the UK Government invested 2% of gross domestic product (GDP) in construction, they would create hundreds of thousands of new jobs. Of those, 180,000 of those would be for women, but men would get 560,000 new jobs. If, on the other hand, you put that 2% of GDP into care — either social care or childcare — men would get 48,000 new jobs but the number of new jobs for

women would be 1,070,000. That is a swing of nearly 900,000 depending on where you make your investment.

I hope to bring a debate to the Chamber in this mandate to start the process of gender budgeting, and by "start" I mean let us start disaggregating the data. For example, a couple of years ago, the all-party group on sport took an interest in gender budgeting after a horrendous occasion when the Connacht senior women's rugby team had to get changed for an interprovincial match in a car park, surrounded by rubbish and rats, because there were no changing facilities for them. We started asking governing bodies about disaggregating their spending, and they were not able to tell us. They were able to say that they spent money specifically promoting our code — Gaelic football, association football or rugby union football — in schools for women, but, with regard to where the money goes into clubs, what percentage goes to the men's game and what to the women's game, they were not able to tell us. The first step has to be to encourage Departments to start disaggregating the spend so that we understand the impact that we have, differentially, on men and women. As I said, I hope to get the support of the House before the end of the mandate to start that process.

Mrs Dillon: I appreciate the opportunity to support the motion. The motion celebrates the social, economic, cultural and political achievements of women. We must remember that much of what we celebrate was hard won and hard fought for. On many occasions, it was fought for and won by victims and survivors in the North, across this island and across the world. Many of those victims were victims of state and church. Women and girls have suffered unimaginable abuses and repression, often at the hand, as I said, of state and church across this island and across the world. They are not abuses that were suffered in our historical past; those women and girls are here today. They are still fighting for justice. They went through mother-and-baby homes and Magdalene laundries, and they are still waiting for legislation to implement the recommendations of the truth recovery design panel. There can be no further delay. This must be implemented with urgency.

Those women and girls have laid bare the most horrendous abuses that they suffered. Those women speaking up has started a conversation that will ensure that all of the stigma and shame of what happened belongs to those who inflicted it, not those who suffered it. They were mothers. Yesterday, we celebrated Mother's Day. Those mothers did not get to celebrate

with their children, because their children were ripped from them. Those children did not get to say "Happy Mother's Day", because they never knew that mother on many occasions; they never met them. For those who were lucky enough to meet them, often they were so traumatised that they were never able to build a relationship. Those are the women and girls that we must remember on International Women's Day. I record our acknowledgement and thanks to them. We want to see the progression of the legislation. We must all support the women and girls around us and speak up when something is not right, because people knew what was going on and did not speak up and support those women and girls. The silence of all those who do not speak up for women and girls suffering abuse — whether in their home, their place of education, their workplace or anywhere else — offers protection for and compliance with the abuser.

We keep saying, "No more". "No more" means no more silence. Support women: speak up, and report abuse.

5.00 pm

I take the opportunity to acknowledge the women across the world who are suffering as the result of conflict, particularly, as Members have said, the women in Palestine. Today, we think of all the children who, yesterday, did not have their mummies to wish a happy Mother's Day and all the mothers who were not able to hug their children and enjoy being a mother. We think of them today.

There is a movement now that says, "Nothing about us without us". That means all women. All women need to be involved in conversations about what this place and every society across our world will look like. We need to ensure that women are heard here and everywhere else. That is our responsibility. It is not our responsibility only to make sure that we, our daughters and sisters have a good life but to ensure that every woman has a decent standard of life; that every woman has equality; that every woman has hope; and that every woman has a chance of just having a good life. That means not suffering abuse, not suffering at the hands of oppressive regimes and not suffering at the hands of genocidal Governments.

Ms Sugden: I appreciate the opportunity to take part in the debate on this cross-party motion to recognise International Women's Day. While it is a global celebration of the remarkable achievements of women throughout

history and an acknowledgement of the persistent challenges that women continue to face, International Women's Day is an opportunity to voice day-to-day issues that prevent advancement in gender balance in my constituency and across Northern Ireland. Despite the progress that we have achieved, women still confront systemic barriers that obstruct their full participation in society, such as gender-based violence, unequal access to healthcare and education and limited economic opportunities because the appropriate infrastructure simply does not exist.

"Inspire inclusion", this year's theme, directs us to invest in women in order to drive progress. We must make progress for gender equality but also for all aspects of society. When we invest in women, everyone benefits: individuals, families, communities and our public services. Imagine if we truly invested in childcare. As well as creating opportunities for women to participate fully in the workforce, that would yield a wide range of benefits for wider society. It would promote early childhood development, stimulate economic growth, further social equity and inclusion, support community well-being and advance gender equality. Childcare is a vital social and economic investment that will create a more prosperous and equitable society for all. I appreciate the commitment of the Executive to devise and fund a childcare strategy, but it is not happening quickly enough, and I encourage the Executive to implement interim measures to support women and their families until a full strategy can be realised.

Investment in women's health is also key to progress. Often, we forget that our role as MLAs is to improve public services for everyone in Northern Ireland. Half of that "everyone" are women, yet our services, health and social care in particular, do not serve them. We need to improve in areas such as mental health, reproductive health, family planning and menopause. We also need to understand conditions such as autism and ADHD, which present differently in women and girls. Research has, typically, focused on men and boys, so symptoms in women and girls are not necessarily picked up. I expect that there are many more examples of cases where inequality in research has meant women being treated less.

Specifically, we need services that recognise and support the significant changes that pregnancy makes to our bodies and minds. I became a mother last year, and I am so blessed with my beautiful Indy, but she did not come with a manual, or, if she did, she left it in there. *[Laughter.]* A lot of experiences are

unexpected, societal expectations for mothers are high, and every day is a palpable worry. Yes, that is life. Babies are born every day, many women came before me, and many more will come after me, but that, surely, is why we should support mothers — their immeasurable impact on all of us. Happy Mother's Day to all the women who love and care for us, but maybe our gratitude should start with the public services that they have long needed.

Finally, investing in women requires us to address the root causes of gender inequality, including harmful stereotypes and discriminatory practices. It involves challenging societal norms that limit women's potential and perpetuate gender-based violence. It is a powerful statement that our Executive, led by two very capable women, have prioritised a strategy that aims to change attitudes, value women and girls and stop abuse and violence.

It is not every man, and, indeed, men who abhor this behaviour as much as I do are so important in speaking out and supporting the strategy. I appreciate the male Members of the House who have taken the lead to support this work. They must be role models for boys and younger men, and there are great examples of that already, including the white ribbon campaign, through which local football teams, including Coleraine Football Club, have worn a white ribbon to send a positive message.

Investing in women is not only a moral imperative but an economic one. When we invest in the education, health and social and economic empowerment of women, we unlock significant potential to contribute meaningfully to our communities and wider society. Studies consistently show that societies with greater gender equality tend to have higher levels of prosperity and competitiveness, and I want that for my constituency in Northern Ireland. I support the motion.

Mr Deputy Speaker (Dr Aiken): I call Deborah Erskine to make a winding-up speech. Deborah, you have 10 minutes.

Mrs Erskine: Thank you, Mr Deputy Speaker.

On Friday, we celebrated International Women's Day, and, yesterday, we celebrated Mother's Day. This morning, I woke up to a Spice Girls song on the radio. That shows what I listen to in the morning, but it certainly was apt given the motion in the Chamber today. It takes me back to that 1990s movement of girl power. It might seem a bit frivolous to talk about that, but there is something in realising your true potential as a girl and a woman and the positive

force for nature that that can be. It is important that we make sure that we have aspiring role models in our society for young girls and women, and it is on all of us in the Chamber, male and female, to ensure that that is the case.

I want to ensure that there is true and genuine equality. I do not want to be just a tick box because I am a woman; I want my merits to shine through. It is important to recognise that. Last week, it was very positive to see the photograph of all the female MLAs. In 1998, just 14% of MLAs were women. Today, it is 38%, and we also have the first all-female Executive Office. That is a very powerful statement.

I could not stand in the Chamber today without recognising two women who were very influential in my life and who shaped my life in the home and politically. The first is my Granny Armstrong, who taught me the value of fighting for my place in the world and of never giving up in the face of barriers. The second is the first female First Minister of Northern Ireland, Arlene Foster, who recognised something in me that I did not. Without her encouragement, I would not be here today. It is about women looking out for women, and I hope that that continues to grow, but not only in the Chamber. It is important that we foster a legacy of mutual understanding and a willingness to work together, and I hope that that will feed out of the Chamber into the rest of society. I also hope that we deal with issues such as childcare, which is an important issue outside and inside the Chamber. We need to deal with that, and I hope that we can do that for all families.

I will move on to the contributions that were made during the debate. I thank Cara Hunter, who moved the motion. She pointed to the barriers that have been broken down and the need to do more in society. She also talked about period poverty, which is a huge issue that still needs to be tackled. She pointed to the open discussions that we now have about women's health, particularly on topics that were once taboo, and that is brilliant to see. That is really important. Emma Sheerin pointed to the theme of International Women's Day, which is to inspire inclusion. She also pointed to the change that there has been in society, the fact that there is still more work to be done and, of course, the strategies that are coming forward to support and help women.

The deputy First Minister pointed out the fact that we are celebrating and marking International Women's Day in so many different ways. It is OK to be feisty and strong as a woman and to put forward your point. I am

probably in that category as well. She also made a valid point about women of faith, who, sometimes, feel that they are on the margins of some women's movements. She mentioned the Ulster Women's Unionist Council. Some of my family members were part of it as well, which also helped to shape my political life.

Kellie Armstrong highlighted issues around carers, childcare and poverty, and the need to tackle stereotypes. I welcome Mr Butler's contribution as well. We welcome it and should actually recognise that, whilst it is important that we, as women, tap ourselves on the back, we also need to stand up and say thank you to the men who encourage inclusion and support women.

Mr Butler: I thank the Member for giving way. Does she agree that it is really important that men create that role model, particularly for young boys, which will be instrumental in breaking through the ceiling and challenging those stereotypes that, indeed, many of us grew up with?

Mrs Erskine: I thank the Member for his intervention, because he is absolutely right. It helps with education when it comes to tackling issues such as violence against women and girls. I also thank him for pointing out the contribution that Baroness May Blood made to life in Northern Ireland, and that of some of his colleagues in the Chamber, whom he mentioned.

Sinéad Ennis highlighted sport. I thank her for bringing that into the debate, because we have all been there. I enjoyed sports as a teenage girl, but, after that, it did not really go anywhere. As you can see by the look of me, I do not go running as much as I ought to. She laid down the gauntlet for us to turn up and support women's teams. That is an important challenge for us all to take on.

The junior Minister Mrs Cameron pointed out that she was the first female mayor in her council area. She also raised the issue of how some people still believe that a woman's place is in the kitchen. Unfortunately, I have also had those comments made to me. When I became an MLA, I was asked how my husband copes without me. My husband copes very well.

Diane Dodds made a poignant and valid point in her intervention. Whilst we are talking about the issues that we face here in Northern Ireland, there is a wide world out there, and we have to recognise that we must also work on ensuring that women and girls elsewhere have

the same rights and opportunities that we do. I thank her for that.

Connie Egan referred to events in her constituency. I thank her for pointing out the challenges that some women have overcome in her area.

Declan Kearney referred to the situation in Gaza and Israel. I hope that he will join me in condemning Hamas and the torture and rape of women that it carried out.

Mike Nesbitt highlighted how difficult it was for women in the TV industry. It actually still is. Particularly when women are commentating on sport, there can be commentary on social media. He also raised an important point about gender budgeting, which, I thought, was interesting. It is something that we could look at in different Departments.

Mrs Dillon pointed out historical and institutional abuse. I thank her for her powerful contribution on that. I know that she feels strongly about that issue. She has been a powerful advocate on it in the Chamber for quite some time.

It is really important that we use our voice to speak out for women who do not have a voice.

5.15 pm

Lastly, Claire Sugden stressed the need for investment in women in all aspects of civic society. That is a very important point. I will also just say that I saw a lovely photograph of Claire and Indy at the weekend.

We, as a Chamber, want to put on record our thanks to the many women in our daily lives who have helped and supported us and got us to this point. I thank Members for their contributions and for the motion.

Question put and agreed to.

Resolved:

That this Assembly recognises that International Women's Day is a global celebration of the social, economic, cultural and political achievements of women; believes that this day both serves as a powerful reminder of the progress made towards gender equality and highlights the work that still needs to be done; and supports action to break down barriers, challenge stereotypes and create environments where all women are valued and respected.

Assembly Business

Standing Order 10(3A): Extension of Sitting

Mr Deputy Speaker (Dr Aiken): Members, I have received notification from the members of the Business Committee of a motion to extend the sitting past 7.00 pm under Standing Order 10(3A).

Resolved:

That, in accordance with Standing Order 10(3A), the sitting on Monday 11 March 2024 be extended to no later than 8pm. — [Ms Ennis.]

Mr Deputy Speaker (Dr Aiken): The Assembly may sit until 8.00 pm if necessary. Members should take their ease while we make a change at the top Table.

(Madam Principal Deputy Speaker [Ms Ní Chuilín] in the Chair)

Private Members' Business

MOT Testing: Backlog

Mrs Erskine: I beg to move

That this Assembly stresses the importance of fair and timely access to vehicle testing across Northern Ireland; believes it is unacceptable that many motorists are facing lengthy delays to secure an MOT appointment; notes with concern the impact such delays have on those living and working in our communities, including in rural and hard-to-reach areas, as well as many businesses; regrets the costly and protracted delays in opening new testing centres at Mallusk and Hydebank; expresses alarm at increased fees for MOT testing in the absence of tangible progress towards ramping up capacity; and calls on the Minister for Infrastructure to bring forward an ambitious and costed plan to tackle the backlog in tests, cut waiting times, deal with "no-shows" and ensure fairer access for those who are currently disadvantaged as soon as possible.

Madam Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. As an amendment has been selected and is published on the Marshalled List, the Business Committee has agreed that 15 minutes will be added to the total time for the debate. Please start the debate on the motion, Deborah. Thank you.

Mrs Erskine: I declare an interest as someone waiting for an MOT test appointment and in that my husband's has relations who work in the Driver and Vehicle Agency (DVA) system. I make my comments as a Fermanagh and South Tyrone DUP MLA and not as Chair of the Infrastructure Committee.

The motion is of extreme importance to thousands of people in Northern Ireland. Fairness and timely access to vehicle testing across Northern Ireland is a simple ask. How we ensure that that happens needs to be dealt with. We can no longer hide the fact that our MOT system, as it is, is not fit for purpose. Change and overhaul is due.

I like to think of myself as someone who is fairly on the ball when it comes to my affairs, but, to be honest, remembering when my MOT test was due was not something that I ever thought about until very recently, when a letter dropped

through my door. For months — indeed, years now — I have been dealing with constituents who have been unable to get their MOT test on time. I duly went online to book a test for myself, and none was available anywhere at that stage. We have to ask why we have we got to that situation. That is not to mention the fact that drivers in Northern Ireland have seen an increase in pricing yet are not seeing any bang for their buck, so to speak, when it comes to accessing a test.

Last week, we found out that cracks have now appeared in MOT lifts. We await further testing on those lifts, but that issue raises a number of questions. Again, how have we managed to get to that situation? A crack in testing equipment is a crack, and that is not good enough, no matter what gloss people try to paint over it. The DVA chief executive came out and said that a 72-day wait for an MOT test is now the norm. It should not be, however, and we should not accept that. When we compare the number of full tests conducted at each of the DVA's testing centres in January 2024 with the situation in January 2019, we see that 10 out of the 15 test centre sites were operating at a reduced capacity compared with capacity five years ago. Last week, we were told by the DVA that 1.15 million tests have been carried out — the highest number on record — yet still we have an issue with our MOT testing service.

Let us be honest with ourselves: the crisis in MOT testing was brewing before the pandemic. Long-term neglect of the DVA estate initially led to the suspension of testing services in December 2019 and January 2020, owing to problems with lifts. In February 2022, I spoke in the Chamber about the effects of the problems in getting an MOT test, and I am still raising those issues in the Chamber today, particularly those that affect rural drivers and drivers who have to go further to access an appointment. How has the system got to the stage at which drivers may or may not be driving a car that is not roadworthy but may, unknowingly, find themselves on the wrong side of the law, through no fault of their own, because they have to travel such distances for a test? It is, frankly, appalling.

Furthermore, where is the regional balance? MOT test centres in the west have not had much investment in the past 10 years. There is genuine concern about regional inequalities, given that public transport routes are often less well developed in those communities. The implications of not being able to secure a test are therefore more profound. The role and value of that public service has been undermined by a failure to show the right

leadership to tackle the issue. I place on record my thanks to DVA testing staff for the work that they do. They are carrying out tests seven days a week, and we appreciate that, but something has to change.

Many have asked whether a framework based on private vehicle testing would provide better and fairer outcomes. I recognise that there is a challenge in that suggestion for the DVA and DFI. They must, however, be in a position to respond to that criticism and demonstrate why services ought to be managed and regulated in the way in which they are. I know that the Minister ruled private testing out yesterday in the media. We need to understand why, because there is an awful lot of public commentary today about privatisation and what that could look like.

Although I welcome what the SDLP amendment says, I wonder why we need another call for evidence on biennial testing. The SDLP's former Infrastructure Minister, Nichola Mallon, brought forward a call for evidence on the matter in August 2021, the results of which were published in February 2022. Interestingly, overall, the outcome in relation to private cars and motorcycles was clear, with some 88% and 77% of respondents respectively believing that MOT testing for those vehicle categories should be done on a biennial basis. Yet, at the Infrastructure Committee last week, it was interesting that officials stated that they are not looking into biennial testing at the moment. So, what is the Department doing to tackle this issue?

A survey by Northern Ireland's largest price comparison site, CompareNI.com, found that over half of Northern Ireland drivers — 58% — admitted that they were driving on roads past their MOT date as a result of booking issues. That means that more than half of vehicles here could be unroadworthy. The survey also found that 42% of drivers in Northern Ireland had to wait for a cancellation just to book an MOT slot. When it was possible to book a slot, 43% had to wait more than three months for their appointment. Those figures point to a critical situation.

Some drivers also stated that they have to visit their local repair garage for safety checks and other measures. That is right, and we welcome the fact that they are doing that to keep their cars roadworthy. That effectively, however, amounts to having to pay in lieu as well, as another cost added on to a valid MOT.

Simply stating that Mallusk and Hydebank will be open and all our problems will disappear is,

in some respects, wishful thinking. First, we need staffing capacity in the system, and, secondly, we need the plan going forward. I recognise that there were some 50,000 no-shows, and that is a problem as well. From this Chamber, we have to say, "If you have a MOT appointment, please turn up." We should be drilling down into those figures to find out why such huge numbers of people were not turning up for their MOT appointment. Was it that they got earlier appointments and the system did not correct the cancellations, or were there genuine no-shows? If so, what can we do to lower that number? Not least, do we need a public messaging campaign in relation to the matter?

I want to see improvements happen, and I am in solution mode. I want to see an ambitious, costed plan coming forward, whether measures need to be introduced temporarily or whether we need to see measures — we do need to see measures — implemented for the long term. We must grasp this issue here and now, before the situation gets any worse. I commend the motion to the House.

Mr Durkan: I beg to move the following amendment:

After "calls on the Minister for Infrastructure to" insert:

"commence a public consultation on biennial vehicle testing and to"

Madam Principal Deputy Speaker: Thank you, Mark. You have 10 minutes to propose and five minutes to wind up the debate on the amendment. All other Members who speak will have five minutes.

Mr Durkan: Vehicle testing is a topic that is always guaranteed to spark debate. Bizarrely, it seems to stoke a greater furore than access to healthcare or the bit-by-bit dismantling of our welfare system. I have received more messages ahead of this debate than I did on school uniform costs or tackling health waiting lists. I suppose that that is down to the frustration that is being caused by the current process, and the chances are that if you own a vehicle, you have been affected by these issues.

The new normal of a 72-day wait has been bandied about — that is for the lucky ones — but it is not normal. Just last night, I received an email from a constituent who had been trying for weeks to get an MOT appointment for their elderly mother's vehicle but has finally had to settle for one in Enniskillen, many miles away,

and five months away as well. The current system is proving stressful and time-consuming and is forcing people to take time off work to travel further afield for appointments.

These problems are not new, and while there are several, they have been compounded by a multitude of issues, be it cracks, COVID, the cost-of-living crisis or wider global economic issues. While significant effort and investment is being made to increase capacity, problems persist.

Since 2009, Northern Ireland has consistently had more private light-goods vehicles, pro rata, than Great Britain. We are a more car-dependent population, which is problematic in itself. That having been said, it is clear that the number of cars on our roads is growing year-on-year and that the required infrastructure — be that our road network or, in this instance, MOT testing centres — cannot and is not keeping up. Staff are working at full pelt, trying to get as many appointments through the doors as possible. Each year, the DVA is conducting record-breaking numbers of vehicle tests. Like the proposer of the motion, I place on record our appreciation of the additional work that they have undertaken, particularly over these past few years. Despite workers' Herculean efforts, the waiting lists remain too long.

5.30 pm

Doing the same thing over and over again but expecting different results is insanity. We need government to at least try to do things differently. Over the weekend, the Minister ruled out the use of private garages, and, while I share the Minister's view on privatisation, I urge him not to jump to any decisions until he listens to all the arguments that are put forward.

It is evident that major change is needed, even on a temporary basis, to tackle lengthy delays, and, on that note, I propose the SDLP amendment calling for public consultation on biennial testing for vehicles under 10 years old. Two years ago, DFI was to consult publicly on biennial testing, but that has not happened. As Mrs Erskine said, there was overwhelming support for the move in summary findings published in February 2022 following a call for evidence issued by the then Infrastructure Minister, Nichola Mallon. The next step was to be public consultation on specific proposals. The wheels were in motion, but at the Committee last Thursday, we learned that it seems someone has put their foot on the brakes. Can the Minister clarify whether he knows why the Department seems to have U-turned on this issue?

If this measure were introduced even temporarily, it would help massively to clear the current backlog. I am aware that there were dissenting voices from the automotive industry opposing two-year testing on safety grounds, and, of course, no one in here would wish to do anything that would compromise safety. However, the extent to which vehicle roadworthiness is involved as a primary or even contributing factor in collision causation is relatively minuscule. The bulk of road traffic collisions here are as a result of driver distraction or excessive speeding, and, according to the police figures for 2022, vehicle defects were cited as a causation factor for just 1.2% of all collisions. Moving to a two-year cycle could act as a pressure release valve to allow the completion of the new testing centres and an assessment of new testing capacity. Cars over 10 years old could continue to be subject to annual inspection, given their higher risk profile. We believe this to be a constructive and relatively easily implemented proposal that will provide immediate relief to staff and motorists alike, but at least let us have the conversation. I hope that Members across the Assembly will support us in this call.

Solving these problems requires new thinking. DVA continues to promote the new testing centres at Hydebank and Mallusk as its great white hope of a fail-safe solution. Notably — again, as the proposer of the motion said; we had not been comparing notes beforehand — there has been no recognition of need west of the Bann, despite the heavier reliance on private vehicles as a result of poorer connectivity and access to public transport in this locality. That having been said, I cannot accept that investment in these continually delayed projects will prove to be a panacea. Many questions remain unanswered. We have heard that DVA staff are conducting more tests than ever before, so how will these new centres be able to meet demand? Will staff vacancies be filled by staff redeployed from elsewhere? Will this result in a knock-on impact that will see the closure of other existing test centres?

How will those centres effectively improve capacity if we cannot recruit and retain the workforce that is needed to run them? It is short-sighted to throw more money at an issue without a comprehensive plan, but, hey, that is the way this place rolls.

Furthermore, is it envisaged that those centres will facilitate the introduction of diesel emissions testing? It would be remiss of me to not mention the DVA's 17-year failure to comply with that legal requirement. It is the subject of ongoing

legal action, so the Minister will be curtailed in what he can say about it, but it is unacceptable in anyone's book that that serious failing has been allowed to continue and compromise air quality and public health as well as the natural environment. The Executive need to live up to their environmental obligations, never mind their aspirations.

Action on the big issues is one thing, but there seems to be a general reluctance or recalcitrance to embrace even apparently simple solutions or improvements, such as earlier notification that an MOT test is due. Reminder letters are issued six weeks prior to an MOT expiry date, yet the online booking system permits customers to book for three months in advance. At last week's Committee meeting, it was inferred that issuing earlier reminders would place an even greater demand on the online booking system. I — I was not alone among Committee members — tend to disagree and am of the view that affording more time would allow motorists to plan and would save people from scrambling at the eleventh hour. It could also help to reduce the extraordinarily and unacceptably high number of no-shows.

Ms Armstrong: Will the Member give way?

Mr Durkan: Certainly.

Ms Armstrong: It might also help older people, like those in my constituency, who find driving long distances extremely difficult. When such people see that they need to travel from, for example, Newtownards to Enniskillen, they will decide that they are not going to go to the MOT test and will sit at home without a car.

Mr Durkan: I fully concur with that point. There are those, not just older people, who dread the use of the virtual highway to navigate the appointment system in the first place, let alone having to travel distances that are unacceptable and intimidating for those who are not used to them.

Lastly, the challenges with testing infrastructure, including hairline cracks on hydraulic equipment, could present serious logistical problems. Action is needed now to combat any fallout and further pressure on the system down the line.

The MOT process, in its current form, is not working. It is clear that a resolution requires a cocktail of measures from putting in more resources and recruiting more staff to potentially introducing biennial testing. I ask the

Minister and his Department to employ new thinking. We need to drive change, not stunt it.

Mr Baker: It is vital that the MOT backlog is addressed and that people are able to get their vehicles tested in a shorter time frame. Many people have been left frustrated when trying to get their vehicles tested since 2019, when cracks were found in 48 of the 55 vehicle lifts across the North. The outbreak of the COVID-19 pandemic caused further delays.

My office, like the offices of many other MLAs, is dealing with complaints and has advised constituents on the best way to access an MOT test. Many constituents worry about being penalised because they do not have their MOT in time. It is worth stating that the PSNI has agreed that drivers whose MOT has expired will not be penalised provided that their vehicle is roadworthy, does not have an off-road notification declaration and is insured and a test appointment has been booked. The lack of an MOT certificate will not necessarily invalidate your insurance, but it is important to check with your insurer. Many of my elderly constituents have needed help with the online booking system, especially if they needed an emergency MOT test because their tax was running out. My office has been more than happy to help in those situations, and we have managed to get constituents emergency appointments.

At the Committee last week, we heard from the DVA that it had conducted nearly 1.2 million vehicle tests last year, the highest number ever recorded. Last year, there were only seven days on which the DVA did not offer MOT appointments. The increase in capacity was achieved through a range of measures, including the recruitment of additional vehicle examiners, the use of overtime to provide cover for leave and offering vehicle test appointments on Sundays and bank holidays when testing was not normally available. I thank staff, who have been working hard since the backlog began, as well as during COVID, to tackle the challenges that people face in getting MOT appointments.

We also heard in the Committee that further recruitment went live in February to fill the staff vacancies across the DVA's network of test centres. Meanwhile, the plan for the new test centre at Hydebank in Belfast is nearing completion. The construction contract for the second new test centre in Mallusk has been awarded, and that new test centre is expected to be open in 2025. The DVA highlighted its frustration that the number of vehicles that failed to attend a booking appointment in 2022-

23 was the highest on record, at over 50,000. That is nearly a month's worth of bookings. While measures have been taken to increase capacity and tackle backlogs and the effort by the DVA staff must be commended, it is clear that the backlog still frustrates drivers and learner drivers across the North. My office will continue to support constituents who are struggling to get a booking, particularly those in need of an emergency appointment to get their vehicle taxed. I hope that the new sites and the recruitment will go some way to reducing people's frustrations and that they will help with the backlogs and waiting times across the North.

Mr McReynolds: I welcome today's motion. Similar to other Members, I start my remarks by putting on record my gratitude to DVA staff, who have consistently gone above and beyond during periods of significant disruption and rising demand. As we have just heard, 1.15 million MOTs were carried out in the past year, which is a 25% increase on the year before and the most on record. I commend the commitment and dedication of our staff across Northern Ireland.

Today's motion is important and welcome. Like all Members here, my inbox and social media have been flooded with messages and emails of concern and frustration about how difficult it has been to get access to a reasonable and timely appointment for vehicle testing. That has led to concern and anxiety for individuals and families who rely on their car for living and working in our communities, as the proposer noted in the motion. It has also led to completely unnecessary and lengthy car journeys in the face of increased congestion and cars on our roads. Just yesterday, for example, a friend messaged to say that he was booking his annual MOT but there were no appointments in any of our centres across Northern Ireland. They joked how they were considering a ferry to Stranraer. I heard a lot of that over the weekend. Another example was of someone living in Ballyclare being able to obtain one at Newbuildings. Another had to cancel their appointment due to illness but was then required to drive an hour from where they lived to get a last-minute appointment.

Another recurring issue is that of those who are unable to get an appointment. Unable, therefore, to renew their car tax, subsequently, they are being unfairly fined. I fully appreciate that that is the responsibility of the DVLA, but perhaps the Minister could tell us what he and his officials are doing to make the case to it to reiterate our different circumstances here and the challenges that many have been facing.

Another key issue that has been brought to my attention in the past few days specifically on this issue is the date of the renewal letters, as we have heard today. Perhaps the letters could be issued sooner so that people can be better prepared. Moreover, I would be keen to know whether temporary exemption certificates could again play a role in reducing waiting times if used in specific and limited circumstances. I would be grateful if the Minister could respond to that point when closing the debate.

As someone who is new to the Assembly and the Infrastructure Committee, I have spent my time over the past few weeks reading up on the issues facing the Department and the Minister, meeting officials and groups and looking back over the work of the previous Committee, which did great work on providing suggestions about how to improve the MOT testing system. I was pleased to see, as we heard from Mr Durkan, that the previous Minister, Nichola Mallon, conducted a call for evidence on the introduction of biennial testing, which is the subject of today's amendment. There are some good points in that document. Moving towards a consultation and potentially even a pilot would be a welcome and reasonable approach to explore, as it is clear that there are many adaptations that could be made to the current system to improve things.

As we have heard, there are various reasons for the current lengthy waiting times, from cracks in lifts to people driving older cars and more people driving than ever before. It would be remiss of me not to speak to that last point, given our reliance and dependence on private vehicles in Northern Ireland. I hope to always be a voice in the Chamber for public transport and active travel. A key part of the debate and discussion should always be addressing our reliance and dependency on private cars and ensuring that the public have access to good multimodal transport that enables them to move around, not least in the face of a climate emergency.

I welcome the motion and the amendment. I look forward to working on the matter in the Infrastructure Committee and to the Minister's response.

5.45 pm

Mr Stewart: I thank those who tabled the motion and the amendment, and let me say at the outset that the Ulster Unionist Party will support both.

As all those who have spoken so far have mentioned, this issue is massive in terms of the amount of frustrated correspondence that we get from our constituents, including by telephone. It has gone from frustration to fury for many of them as they continue to seek an MOT in a timely fashion. The big question that they ask is, "How can it be so difficult?". I have said before, including at the Committee last week, that the waiting time in the rest of the United Kingdom for an appointment is measured in hours or in a day or two, but here it is measured in months. We heard last week that the wait is 72 days on average. Anyone who tries to get on to the system today will see that not even one appointment is available. Last week, people were told that the first appointment would be in August but that they could not book it because it was too far ahead. That frustration has grown to fury, and people just want to know that a solution will be found and that we are working tirelessly to find it. I look forward to hearing the Minister tell us what that solution will be.

Some people are trying pitch this as a battle between those who are suggesting alternatives and those who want to retain the status quo. It is being pitched as a battle between public-sector workers and privatisation. That is not the case. I have said on record, as has every Member here, that the workers on our 15 sites work tirelessly around the clock, 15 hours a day, seven days a week, to do 1.1 million MOTs. However, that is not enough, because the backlog continues. There are more cars on the roads year on year. Unless someone in here can invent a nine-day week, the current system will not resolve the backlog, even with the proposed changes and the new sites at Hydebank and Mallusk. That is why we need alternatives. We should not rule them out but engage and look at what could be done.

At last week's Infrastructure Committee meeting, I suggested that we correspond with a number of people in dealerships to see whether they could do the MOTs but not privately. They send tens of thousands of cars each year to MOT prior to selling them, maintain them for five years through servicing them and, when they are due for the MOT, get it done through the existing sites and then they go into the private market for sale. If those dealerships could use their on-site facilities to take a chunk of the MOT out of the system, that could be a game changer. I have spoken to many dealerships, as, I am sure, has the Minister, and I know that they have the technology and are ready and waiting to do that work. Others would say that the dealerships would cooperate out of self-interest: I do not agree. They are

trusted to service the cars for five years, and, when the cars are sold, they come with a warranty. It would be in their interests to prepare and maintain the cars.

Mrs Erskine: I thank the Member for letting me intervene. We know that there are issues elsewhere with some of those things, so has the Member thought about what we could do from a Northern Ireland perspective to circumnavigate some of those? We cannot stick our head in the sand and pretend that there are not issues in places such as England, where the MOT is privatised.

Madam Principal Deputy Speaker: You have an extra minute, John.

Mr Stewart: I thank the Member for her intervention. We have heard that point. Northern Ireland is a small place, and we all know the mechanics who work on our cars. I can tell you now that, if anybody was at their work, within a day, it would be all over social media that they were taking the hand out of people. I truly believe that. That is why people should scrutinise what goes on.

Ultimately, we still need our cars to go to a mechanic for MOT prep anyway. The proposal that I am making is not to go to privatisation; it is about keeping the existing system with the workers who are running to stand still while, at the very least, letting the dealerships that have the technology and tools in place operate a system under licensing. We should even just consult on the matter.

Mr Boylan: I thank the Member for giving way. This has been an interesting debate. Will the Member tell the House what private operator or garage here is able to facilitate a modern MOT test? Would regulations or legislation be needed to allow them to do that?

Mr Stewart: I am happy to come back on that. I have spoken to a number of the big dealerships. I do not want to name them here, but I am sure that I can put the Member in contact with them, or we could bring them before the Committee. The Member asked whether they have the technology in place. If they did not have it, they would be more than happy to bring it in. Obviously, we would need to change regulations, because current legislation strictly guides how we do MOTs here. All that I ask for is a scoping exercise to see what is possible. Everything needs to be on the table. The Member made that point earlier. We need to look at every option, because just doing what we have always done will give us

the same results. If we continue to see more cars on the roads and keep the current system, I do not see how anything will change.

A couple of other points were raised. There is a massive impact on the digital highway of our system. Mechanics have told me that the number of people for whom they make bookings and from whom they take cash is going up, because some people do not have debit cards or access to the internet. We need flexibility in that.

We have heard much about the 50,000-plus people who do not turn up for their appointment. Again, that is frustrating. We appeal to anybody listening to do more to avoid that. However, we need to see a more flexible approach to cancellations. You cannot amend your booking less than, I think, 48 hours beforehand. The ability to transfer that to somebody who needs an appointment should be an option.

Much has been made of the tax issue. Last month, I spoke to a constituent whose car was three or four days beyond its MOT certificate, and, subsequently, their tax expired. They needed their car for work and drove to Belfast, where they were clamped, through no fault of their own, by the tax enforcement office. That is simply unacceptable, but it happens more and more. I appreciate that, if you contact the Department, you will get an appointment urgently. However, it can still take a few days, and it may mean driving to the far side of the country. It is not ideal. Another issue arising from the delays is that people are not able to avail themselves of roadside assistance.

Like I say, I support the motion and the amendment. I look forward to hearing from the Minister.

Mr K Buchanan: I welcome the motion. This is a timely opportunity for the House to recognise the problems that constituents across Northern Ireland experience in obtaining MOTs. It affects not only private vehicle owners but those in the car business, including second-hand car dealers and dealerships.

The crisis in MOT testing is nothing new, but it is now worse. Prior to the pandemic, there were already delays due to problems with MOT tests in Northern Ireland. MOTs were first suspended in January 2020 due to safety concerns about the equipment being used during tests when cracks were found in 52 of the 55 lifts at testing sites. What evidence can the Minister give that there is now no backlog directly related to COVID or the previous lift issues?

It is time for the DVA, the Department and the Minister to provide a step change or public confidence will continue to wane. Action and accountability must be the foundation of the Minister's actions from this point onwards. New hairline cracks have appeared in equipment across DVA testing centres. Have lessons not been learnt? The Department and the DVA should ensure that all equipment is fit for purpose. There should be adequate warranty and support from manufacturers to ensure that the equipment purchased is not affected such a short time after replacement. Is a contingency plan in place to ensure continuity in access to service if there is any damage or lift issues in the future? During the inspection of and repairs to any lifts with cracks, will all centres remain operational?

On a weekly basis, my office takes calls from private owners who are trying to access an MOT for their vehicle. Frustration is growing, as many are not able to get tests until July or August this year. Many are not internet-savvy, so they cannot use it to book or change their appointment. The phone line is also extremely busy. Those people are becoming increasingly frustrated, as they cannot rely on a good public transport system and, therefore, need their vehicle to carry on with their daily life. That is the case even more in rural areas of Northern Ireland.

I appreciate that there has been a slight increase in the number of vehicle tests in recent years, but, as with all businesses, the DVA and the Department should anticipate an increase in business. They should have in place a contingency plan and ensure that they have adequate capacity to respond to increasing needs.

Another common complaint I hear is that reminders about an upcoming MOT are being not sent, as stated by other Members. The whole system of reminder letters and bookings is not working. Sometimes motorists obtain a date that is so far in advance of their date of booking that they forget the date and time, leading to the number of no-shows that was discussed earlier. Will the Minister commit to looking at the issue of reminder letters in a timely manner?

Also, some in the second-hand motor trade have contacted me directly. Some businesses sell between 30 and 40 cars a month, and they find it difficult to obtain MOTs in a timely manner. Think of the difficulty of booking one test for a private individual, then multiply that by 30 in one month. One business owner told me

that it is a full-time job getting appointments and driving all over the country when they eventually get a test booked. Why do businesses such as second-hand dealers not have the same options as taxi drivers to access MOTs? Like taxi drivers, second-hand car dealers and dealerships require access to timely MOT appointments. Their livelihoods and jobs depend on sales, and any delay can affect not just the owner of the business but their employees, buyers and the local economy.

Businesses cannot be expected to travel the length and breadth of Northern Ireland to access MOTs for the vehicles they are trying to sell. Indeed, individuals have spoken about — I think other Members referred to this — the expense, the lost productivity and time and the environmental impacts of travelling back and forth across Northern Ireland.

Second-hand dealers experience the pain of trying to register a previously registered GB car on the system in Northern Ireland. That is the case for anybody in the trade who is bringing GB cars across. Registration, I understand, is done via a phone system. Dealers then have to navigate getting MOTs for those vehicles that they bring in from the mainland.

Is the Minister content that capacity is operating as it should? In a briefing to the Committee, it was indicated that over 1.1 million car MOTs were carried out between 2022 and 2023. Are the 15 centres staffed to the correct levels to achieve maximum output, and will the additional new centres be able to attract the correct staffing levels to achieve their possible output figures?

How has the current time of 20 minutes to test a vehicle been arrived at? Is it required? Can it be reduced? I refer Members to some recent figures. As Mrs Erskine previously mentioned, of the 15 test centres, two thirds were operating at reduced capacity from January 2019 to January 2024. Yes, overall capacity has been increased from 82,184 to 83,755 tests, but, at the Armagh test centre, for example, a total of 4,447 tests is now down to 3,600. Coleraine, previously at 5,800 tests, is at 5,300. As I said, two thirds of the test centres are operating at reduced capacity, although total capacity is up by 1,000, so I now ask the Minister —

Madam Principal Deputy Speaker: Will the Member bring his remarks to a close?

Mr K Buchanan: I hope that the Minister, in his remarks, will provide a solution for the general

public and those businesses that depend on MOT centres.

Mrs Erskine: On a point of order, Madam Principal Deputy Speaker. I came to hear the Minister respond to our motion in the Chamber. As I am sitting here, before the debate has even finished, news is breaking online of the proposals that the Minister is going to bring forward. It is really disappointing that it is the case that the media have sight of the proposals that were to be announced today before the House has had an opportunity to hear them from the Minister directly.

Madam Principal Deputy Speaker: The Speaker, last Tuesday, said that he would deal with any points of order that were raised today when he is back tomorrow, Deborah. If you are content, I will just leave it at that.

Mr Brown: I just had a quick check on Twitter to see whether any of my comments would be out of date by the time that my speech has finished, but I was not able to find anything just yet, so I will proceed regardless.

I support the motion, which gives voice to significant frustration and anger among the general public, who have had to face unacceptable delays to vehicle testing services for the past number of years. The Minister must take urgent action to deal with the issue. We welcome the motion's call for:

"an ambitious and costed plan to tackle the backlog"

and associated issues.

He would not be the first Minister to try to begin to address the problem. As Mr Durkan pointed out, Minister Mallon opened the call for evidence on biennial testing in August 2021, seeking views from individuals, industry and other key stakeholders. That call for evidence produced valuable data on the merits and levels of support for biennial testing as a possible solution. Any future consultation or legislation should seek to build on that.

On that basis, we support the call for further consultation in the amendment. It is disappointing that there was no time in the previous mandate to carry out that consultation exercise. It is also disappointing that, despite most political parties identifying biennial testing as a possible solution, only one managed to respond to the call for evidence. I take this opportunity to thank the current AERA Minister for his diligence in responding to it, and for

outlining our party's support for a trial of a four-, two- and one-year testing regime, depending on the age of the vehicle.

The call for evidence found that 85% of individuals would support biennial testing for private cars, with majorities also in favour of that for light goods vehicles and motorcycles. Although we recognise that there are legitimate concerns among industry, NIPSA and the PSNI about moving to a biennial system, we do, on balance, feel that a trial of that approach can be a solution to addressing the backlog without compromising road safety standards or negatively impacting on the private sector.

6.00 pm

It is clear that we must do something. In recent years, all of us will have been inundated with constituents who are at their wits' end, having spent hours trying to secure an appointment and potentially having to travel across the country, often months down the line, all the while dealing with the stress of not knowing whether their vehicle is roadworthy. The current system is simply not working. The backlog impacts rural constituents in particular, such as those whom I represent; as the motion correctly recognises, they are more likely to have to travel further or wait longer for an appointment to become available at their local test centre, with the associated costs and stress of that.

In recent years, I have basically given up on getting a test at the Downpatrick testing centre and usually have to travel to Ards as the next-nearest centre — although, given that the Member for Strangford is behind me, I will say that travelling up to Ards is, of course, always a lovely experience — but many others are not so lucky and will have to go much further than that for a test. Of course, the situation only got worse during the two years in which we had no elected Ministers to make the decisions to deliver change to the MOT system.

I believe that the Minister is right to rule out privatisation as an option. When our system is operating properly, it is far superior to the GB system. Northern Irish drivers often spend far less on annual repairs than those in GB, thanks to an impartial testing regime with no reduction in safety standards. There is no doubt that a full-scale move to privatisation could leave many road users out of pocket, with no standardised means of identifying the mechanical work that is needed to pass an MOT.

We need to make this system work, not scrap it. That is why we call on the Minister to urgently

implement a clear plan of action to tackle the backlog, address lift failures, sort out delays in new testing centres, publish clear and accurate data on average waiting times, tackle any staffing issues and, finally, introduce biennial testing, at least on a trial basis. I wish the Minister well in finally seeing those changes being implemented.

Mr Harvey: I welcome the opportunity to say a few words on this topic, and I appreciate the Minister's being in attendance to listen. In the previous mandate, we talked about having a 10-lane super-centre. That was talked about. I do not know whether that was or is a consideration. For years — as long as I can remember — waiting times were around a week til a month. It was recommended that you book your MOT a month in advance. I thought that it was interesting that Peter McReynolds said that 25% more cars have been getting MOT tests in the past year.

I have found that it is since the new booking system came into operation, by which you can book your car in for an MOT online, that things have started to go wrong. We had the COVID issues and issues with the lifts. Also, it is not good that there are no staff in our MOT centres. It used to be, in all our centres, that we could walk in and make an appointment. That was great, and a lot of people are now having issues. I am sure that we have all been asked, "Could you book an MOT for me?". That is an issue.

Our system is great. I love the way we do things. The system can be fixed. It is much better than the UK system. As I said, a lot more cars are getting tested for their MOT. We will end up driving our cars for 40 years, and they will end up being historical museum pieces. The way things are going, we will not have to worry about the MOT.

Dr Aiken: I thank the Minister for being here and Members for their contributions to the debate so far. Some of my constituents have been employed at the vehicle testing centre in Larne and have raised concerns about the safety standards of the equipment, the health and safety issues that they have faced and the fact that, with so many lifts and other pieces of equipment having been repaired, we are in a situation in which that equipment seems to have failed again. There seems to be an issue with quality control. As has been mentioned to me, Minister — perhaps your staff can address these issues — there are issues not just with lifts but with atmosphere control in the centres and with other forms of equipment.

There seems to be a considerable degree of disquiet that, despite the fact that repairs have been made, yet again we are seeing them failing, and failing at a fair degree of regularity. These are significant issues for the workers doing these really hard jobs in our MOT centres, and we have to address these questions. I would like the Minister to tell us here today that he is happy with the health and safety of all the equipment within those facilities. If those mistakes are found, who is actually accountable and responsible for it, because, having had these repairs done at considerable expense, how are we in a situation where they have broken again and nobody is being held accountable for it? Indeed, why are we not taking the people who supposedly did these repairs to court to get recompense?

Mr O'Dowd (The Minister for Infrastructure): Will the Member give way?

Dr Aiken: Certainly, Minister.

Mr O'Dowd: Just to clarify, what pieces of equipment is the Member referring to when he talks about "them" being broken?

Madam Principal Deputy Speaker: The Member has an extra minute.

Dr Aiken: Some of the issues have to do with some of the lifts that have shown cracks and seem to be cracking again, Minister. Maybe the Minister should — as I am sure he will, because he is a diligent Minister — make sure that he is well informed and that his Department looks very closely at the equipment in the MOT centres and tries to gain an understanding of what else is likely to be broken and where the problems lie. One of the things that we are trying to do is to make our MOT centres effective, but they have to be safe places for the workers in them. That is something that we need to do and concentrate on.

Mr Honeyford: I thank the Minister for joining us. I will start by following on from my colleague Peter McReynolds in acknowledging the great work that goes on by the staff. It has been acknowledged around the House that the staff in our MOT centres work in extremely challenging conditions that are not of their making. We have, potentially, the best record in Europe and across these islands with vehicle safety. When I have taken my car or my wife's car through the process, our MOT staff have always been professional and courteous, and they produce really high standards. I start by putting that on the record.

As has been said across the House, this is one of the issues that we get loads of calls and stuff about in the constituency office from people who are furious at not being able to get appointments or at receiving fines for not having tax because they cannot get the MOT. Those become issues and become real to people. If we look to delivery, this is an issue where the Assembly needs to start. I hope that if we focus on a few things at the start, this is something that the Minister can resolve quickly. I also appreciate that the Minister has only been in post for a matter of weeks. However, the Minister was in post before the DUP walked out and before the collapse, and he remained Sinn Féin's infrastructure spokesperson during that time. I enjoyed sitting with him at the monthly briefings with the permanent secretary at the time. This is an issue that needs to be resolved and brought forward quickly. I hope the Minister is in a position to do that and I wish him well with it.

The public does not really need repeated words; we have been hearing that since 2019. They need to see action on this. The kind of frustration throughout the public has been demonstrated and has been said here: it is action that people want to see. Solutions and ideas have been floated, so I am not going to go into those. DFI has said that capacity is the problem and that we are holding on to cars longer, and Peter referenced that earlier. What I find really concerning and surprising is that the Department had not worked that out years ago. The number of new cars being sold has been known for years and is announced annually. It is concerning that, as we are building new test centres, we do not even seem to know how many cars are going to need an MOT going forward. How, then, is that business model being put together to deliver the service in the first place?

I sit on the Public Accounts Committee, which is chaired by Daniel McCrossan, as do Diane Dodds and Cathal Boylan, who are all here. We argued and debated about what one of the first investigations should be for the Auditor General, and that was to look at a public procurement.

The fact that those new MOT centres have not opened highlights a potential major procurement issue. We have spent millions on new test centres, and we have not got them. Those centres have been delayed for years, and they are still not open. That prevents current test centres from being refurbished and updated. Maybe the Minister can confirm when the new test centres at Hydebank and Mallusk

will finally open. Recently, we were told that it would be in March of this year — this month — and now it is said to be 2025.

That raises a load of questions about whether the test centres have been designed and built for the year in which they will open rather than the year in which they were designed. There has obviously been a serious change in the service requirement of the MOT system since then. I question whether the business case to build the MOT centres was capable of fully servicing the situation that we are now in and providing the new capacity that we will need. The answer to that will bring in the matter of whether value for money has been achieved. The question then becomes one of why the procurement has been run by DFI and not been done centrally, and, as I said, whether the future has been built into the business case. The more of those questions you ask, the more questions you raise. I hope that I am wrong, but it seems like déjà vu.

I wish the Minister well, because I know that he will want to address and tackle the issue. The public need it to be addressed and tackled, and I hope that we can move on with the booking system so that we can get the service when we need it.

Mr Easton: My comments will be short, as many of the points have been clearly stated. There is no doubt that the current MOT system is broken. That stems from COVID, which led to a huge backlog of vehicles that were not able to get MOTs. That has led to a broken system, with a broken computer system that either does not work properly or cannot cope with the demand. I have been inundated with complaints from residents in my constituency who have had to wait weeks or months, a period during which they have needed their MOT certificates to drive legally. They have often had to travel as far as Enniskillen to get an MOT test. That, Minister, is not acceptable.

Three principal reasons underpin the importance of today's debate on the MOT. The first two are self-evident: road safety and environmental impact. The third reason that I will highlight is its importance to the economy. First, it is important to take ownership of the delays and accept the legitimate criticism and frustration of road users who are doing everything right but are being caught in the situation through no fault of their own. The situation is not OK. We need to look at why getting it right in a timely manner is important. Simply getting it right protects not only drivers but passengers and cyclists. It also protects the environment, and, while we may disagree on

the level of climate change, we must own our contributions to preventing environmental issues, through exhaust emissions in this instance. Furthermore, regular MOT testing extends the sustainability of the vehicle, leading to savings to the driver and less environmental impact from disposal and manufacture.

There is a need to plan. The old adage, "If you fail to plan, you plan to fail" is particularly relevant here. Accountability is critical. It is simply not good enough to charge increasing fees without showing evidence of quality services. Road users deserve better. With the cost-of-living crisis, the importance of the used car market is evident. Let us be consistent on the value that an MOT test brings to confidence in that market. It does so by giving the buyer confidence in the condition of the vehicle and by promoting the integrity and efficiency of the used car market, which is an important part of the economy across Northern Ireland and in my North Down constituency.

Other parts of the UK use reputable garages and dealers to deal with backlogs: why can we not do that? To not do so does not make sense to me. It is common sense that practical solutions need to be found. Let us get this right through collective action, planning and delivery to give us an effective MOT system that not just promotes delivery of a safer and greener Northern Ireland but contributes to our collective well-being. Let us use a bit of common sense, as the solution is out there.

6.15 pm

Mr O'Dowd (The Minister for Infrastructure): Before I enter the substantive debate, I say this to Members: yes, there was a press release prepared for the debate, but it was embargoed until 7.00 pm, so I do not know why it is in whatever media outlet it is in. I have asked my Department to follow that up, because I respect the Chamber, and, as would be expected, I have come here to respond to the debate and inform Members of my plans. I apologise to the House for that happening, and I will follow it up.

I thank Deborah Erskine, Keith Buchanan and Stephen Dunne for tabling the motion on MOT testing. There has been significant political and media interest in the delivery of DVA services not just recently but over the past few years, and it is timely that I address the Assembly to advise of the steps that the DVA has taken to increase its vehicle testing capacity and the further proposals to address the continued high demand for those essential services. As everyone knows, there is increasing demand,

and it is difficult to meet, but we have to plan for and meet that demand.

In 2022-23, as has been said, the DVA conducted over 1.5 million vehicle tests, which is the highest number ever recorded in a year. That was achieved by recruiting additional vehicle examiners and offering vehicle testing appointments on Sundays and bank holidays when testing is not normally available; indeed, DVA centres were open every day last year apart from seven days. Other than health services, I can think of no public service that is more accessible to the public.

Mr K Buchanan: Will the Minister give way?

Mr O'Dowd: I will give way briefly, but I will not give way again after that.

Mr K Buchanan: Nobody is denying the seven days or that people are doing a great job, but the figures do not lie. Two thirds of the centres are underperforming. They are doing fewer tests now than they did in 2019.

Mr O'Dowd: That suggests, Keith, that the staff working in those centres are underperforming, and I reject that. The staff are working hard and doing overtime. You cannot force staff to do overtime, but many staff are doing it. The centres that are open and the staff in them are performing a significant public duty, on many occasions, over and above the call of duty, and I commend them. Far too often, the debate has, understandably, been negative, and the butt of that negativity has been the staff. The staff are doing their job. We have to ensure that they are given the resources and the facilities to do that job.

The DVA continues to greatly exceed pre-COVID levels of vehicle testing as it tries to manage the continuing high demand for this public service. Disappointingly, over 50,000 customers failed to attend a booked appointment in 2022-23, which was also the highest number on record. In a survey conducted by the DVA, the most common reason given by customers was that they simply forgot, which calls into question whether the MOT test is too expensive. Customers said that they simply forgot about their test, their vehicle was not ready for the test or they had sold the vehicle. The DVA's new booking system has the facility to issue an email and SMS reminder to customers two days before their test is due. Previously, customers had to opt in to receive those reminders, but the DVA updated the system in July 2023 to issue the reminders automatically unless the customer chooses to

opt out. That appears to be having a positive effect that will, I hope, be reflected in future statistics.

The demand for MOTs is increasing, driven by increasing numbers of cars of MOT age on our roads. The cost-of-living crisis means that we own our cars for longer and more MOTs are required. Waiting times for vehicle testing therefore remain longer than usual, and, in some cases, customers may not be able to have their vehicle tested before their current MOT certificate expires. I recognise the frustration that that causes customers, often requiring them to make multiple visits to the booking system in order to identify a suitable appointment.

The DVA has taken steps to ensure that motorists are still able to use their vehicle when they are unable to secure an MOT appointment before their current certificate expires by securing the support of the PSNI and insurance companies. In addition, anyone who cannot secure an appointment before their tax expires or whose tax has already expired should complete a short-notice appointment request form for an urgent appointment. The DVA currently asks customers to contact them within five days of their tax expiring, but I can confirm that, with immediate effect, the DVA is extending that window to 10 days to provide more flexibility for customers and reduce any anxiety. When Members of the House are contacted by members of the public who are concerned about their tax running out, I encourage you to tell them that there are options available to them. The test will not always be at their nearest test centre, and it will not always be the most convenient, but options are available.

On that point, I find it remarkable that, as a society and as political leaders in society, we are comfortable telling people to travel significant distances to have a medical test or life-changing operation or treatment, but we are aghast — some Members in the Chamber have been aghast — at the fact that we have asked people to travel an extra distance to get an MOT test. That is one issue on which we could debate at length where our priorities are. I will give way quickly to the Committee Chair.

Mrs Erskine: I thank the Minister for giving way. The point is that we are telling people to travel on roads to access an MOT appointment when their car may be unroadworthy, and that they may be doing that unwittingly. I will just say that there is nothing wrong with travelling to Enniskillen for a test appointment.

Mr O'Dowd: Certainly, the legal position is this: even if you were to drive out of an MOT centre with an MOT certificate and you were stopped by the police the next day and they found a fault with your vehicle, that MOT certificate would not cover you. You are legally responsible for the upkeep of your vehicle at all times — at all times — so, on the idea that we are asking people to travel distances in a car that may be unroadworthy, I say this: they are legally responsible for that vehicle. They have to make sure that their car is roadworthy.

A Member: Will the Minister give way?

Mr O'Dowd: No, I have a lot to get through.

As with many public services — I remind Members that it is a public service, and it has faced the same crises and difficulties as other public services — the recruitment and retention of staff has become increasingly challenging for the DVA, given the competitive marketplace for mechanics. Positively, however, DVA vehicle examiners were regraded to the next higher grade in 2023, and the implementation of long-overdue public-sector pay deals will hopefully stabilise that position. The DVA has 55 staff vacancies across its network of test centres, and, through tackling pay, it has received 133 applications in its recent vehicle examiner recruitment competition. It is anticipated that successful candidates will begin to be posted to test centres from early June. That will provide additional capacity for vehicle testing across its network of test centres. I have asked the DVA to release additional appointments for those new recruits as soon as possible. Fifty-five new examiners will provide a hugely significant increase in appointments each year and are expected to have a positive impact for customers. The DVA is also recruiting new full-time examiners, who will take up positions from late March onwards. That will reduce requirements for dual role examiners to conduct driving tests, which will also have a positive impact on vehicle testing capacity.

To further increase vehicle testing capacity, the DVA is investing in new test centres, as has been said, with the construction of Hydebank test centre and new office accommodation at the same location commencing in January 2021. Members will be aware that that was in the middle of a pandemic, and we were dealing with a public health emergency and the many restrictions that that imposed on us all. Inevitably, that and other factors, such as a global shortage of construction materials, caused delays to the programme of works.

However, I am pleased to confirm that the construction works are now complete and the office accommodation is in use.

During 2021, considerable difficulties also arose with the equipment implementation contract. Having worked to resolve those issues without success, in February 2022, the DVA issued a notice of termination to the contractor. The contractor sought an injunction. It is a matter of public record that, in August 2022, the court found in its favour whilst applying conditions on the successful installation and commissioning of new equipment at Hydebank. The DVA has had to re-engage the contractor, agreeing measures to de-risk the project, and has since been progressing the delivery of a revised work programme with it. The contractor completed the installation and commissioning of new equipment and associated software at Hydebank in early February 2024. The DVA is working with it to complete user acceptance testing to ensure that the equipment functions in accordance with the requirements of the tender specifications. Once that is complete, the DVA will put the equipment and software through extensive stress and testing to ensure that it operates to the required standards in a simulated test centre environment. I am sure that Members will agree that it is critical to ensure that the new equipment at Hydebank has been assessed by DVA as safe and fit for purpose before the test centre can open to public vehicle testing.

On the point that Dr Aiken and other Members have raised, no lift equipment in MOT centres has failed. Minor cracks have been found in a number of the joints by an independent assessor who has assessed those cracks as being in the lowest category. The assessor has confirmed the health and safety of that equipment and that it can continue to be used. No lifts are not functioning as a result of the detection of those cracks. We have increased our maintenance check-ups. The maintenance and health and safety of any equipment in our test centres is paramount. All test centres are operating with the lifts in place.

The contract for the construction of a second new test centre at Mallusk was awarded on 25 January 2024. Work will commence on the site in mid-May, and the test centre is expected to open in autumn 2025. Once fully operational, the two new test centres at Hydebank and Mallusk will provide the capacity to test over 200,000 vehicles per year. DVA officials keep me updated on developments at Hydebank. Subject to successful testing and due diligence of the equipment, I hope to be able to update Members and announce the opening of

Hydebank test centre for vehicles later this year.

On increased fees, the DVA has not been immune to the increased costs that all organisations face. DVA staff costs, accommodation costs, contract costs and service costs have all increased significantly. The DVA operates as a trading fund. It is required to cover the cost of delivering services from the fees that it charges customers. Driving test and vehicle test fees have increased from 1 October 2023. Fees for the majority of driving tests had not increased since 2009 and for vehicle tests since 2005. The new fee of £38 for a car MOT represents good value for money and is below the comparative fees of £54-85 in Britain and €55 in the South.

I appreciate the frustration that many customers feel, but privatisation is not the way forward. Some Members have called for the adoption of a vehicle-testing model through a network of authorised test stations, similar to that in Britain. Let there be no mistake: that is a call for the privatisation of MOT services, which would take jobs away from valued public-sector workers and their families, the same public-sector workers whom Members are so quick to commend. I will never accept that approach, today or tomorrow. The existing legislative framework does not allow for it, and I have no plans to change the legislation. Indeed, Britain is an outlier in the private testing of vehicles in that manner. It is more expensive, and, as has been much debated elsewhere, there are concerns about fraud at a number of centres in Britain.

As I have said, DVA staff are working extremely hard to reduce waiting times through increasing capacity. I have asked officials to bring forward for my urgent consideration options that might help to relieve pressure on the system, such as the introduction of temporary exemption certificates and proposals to consult on biennial testing, which the amendment calls for. The proposers of the amendment will be aware that DFI undertook a call for evidence on the potential introduction of biennial MOT testing for private cars in 2021. As has been stated, there were over 1,200 responses. While many of the public support biennial testing, it has to be emphasised that the PSNI is opposed to such a measure, as is the insurance industry, which, in response to the call for evidence, said that, as well as the road safety issues, biennial testing may lead to increased insurance costs. I am sure that no Member wishes to increase the burden on hard-pressed workers and families by seeing insurance companies cranking up insurance costs.

As I have said, I will explore carefully all matters that have been raised today. It is my intention to ensure that we increase the number of MOT tests that the DVA can make available. There are measures announced today that can happen immediately; others may take a little longer. I have asked my officials to bring a report to me. I hope to report to the Assembly on these matters after the Easter recess, which shows the urgency of the matters involved.

I will quickly address a number of other matters. A number of sites have been proposed west of the Bann. Land has been purchased at Enniskillen and Campsie. Further financial clearance and a look at our business cases will be required to make sure that they are fit for purpose.

Harry Harvey talked about a 10-lane super-centre. I can advise him that we have eight- and nine-lane super-centres coming on board but not a 10-lane one. *[Laughter.]*

6.30 pm

Madam Principal Deputy Speaker: I call Colin McGrath to make a winding-up speech on the amendment.

Mr McGrath: Thank you, Madam Principal Deputy Speaker. The debate has been somewhat interesting, in that, before the Minister took to his feet to respond to it, we were able to read his remarks and see some of the things that he was going to accept. One was our amendment. That is welcome, but, as ever, the devil is in the detail, as the words that he used are, "I will explore". That means that the Minister will explore the suggestions, if they come from the Department, so we still have a bit of road to travel, and we will have to see how those things develop.

The interesting thing about the debate is that almost every contributor said practically the same thing. That places a bit of a difficulty on the Member who makes the winding-up speech on the debate, because there is bit of an onus to give feedback on what Members have said, but everyone said the same thing. I do not intend to rehearse the points in any great detail, but, in summary, Members are aware from their constituents that it is taking an absolute age to get an MOT test and that that can cause considerable stress and pressures, because it might not be done in time. People might have to take their cars off the road for a period while they get the right appointment or chase up an emergency appointment. We all have had such

individuals come into our constituency offices asking for help to secure appointments.

I am not an Infrastructure Committee member, but, reading across to the Health Committee, of which I am a member, we can think about many of those in the domiciliary care sector who are out working in the community and providing valuable community care. Often, representatives from that sector come to us and say, "If I do not get my MOT sorted out, I will not be able to do my work". That links to other professions as well.

It is really important to get access opened up for tests in a timely manner. As we sit here, we all know about the website to which you can log on to check when your MOT is due. The debate prompted me to do that, and I see that my MOT is due in eight weeks. I thought, "I had better get on to the other part of the website", which is where you book an appointment. Of course, I was presented with the fact that I need a booking reference number, which I will not have until I receive the reminder letter. I can see how I will start to move towards the territory in which it will be so late by the time I get the opportunity to apply for an MOT. I know that the Minister and others know the importance of an Opposition and that we need to be here. I will need that car to be able to come up to Stormont *[Laughter]* and carry out my work so that I can provide that scrutiny. I hope that, once I get the date for my appointment, I will be able to avail myself of that service, if needed, that helps people to get their test a little more quickly.

Those who are not necessarily as heavily involved in matters relating to infrastructure may have been struck, as I certainly was, by hearing that over a million tests have been carried out. That is really quite shocking, as it is such a large number. When one thinks about the number of test centres that we have, which is not huge, the fact that they are undertaking a million-odd tests every year is an achievement.

We know that the cost-of-living crisis means that people hold on to cars for longer and that, generally, newer cars are of better quality and are able to last a little longer. That is the main reason for our suggestion that we move to biennial testing, because we feel that cars up to the age of about 10 should be relatively safe. They will have warning lights that will come on and indicate that there is something wrong with the vehicle, and that should help.

The distance that some people have had to travel for testing was mentioned. One issue is that, because of the difficulties in the system, people are crossing each other. People from

Enniskillen might have to come to Downpatrick, which is a wonderful thing for them to do, but, likewise, people from Downpatrick might have to go to Enniskillen. If the systems were organised in a timely way, that would help people greatly, as they would be able to access their local MOT centre, resulting in minimal disruption. As was eloquently said, that means that, if there is a problem with the car, they will not be travelling 80 or 90 miles in a vehicle that may not be suitable for the road.

The arguments have all been well-rehearsed and made. We put forward our suggestion about biennial testing, and I welcome that the Minister has said that he will consider that if it comes up. I just hope that we can get it sorted out, because far too much time is being invested by people having to complain to their MLAs about not being able to access a timely MOT test. We hope that we can get that sorted.

Mr Dunne: I am very pleased to have tabled the motion, alongside my two colleagues Deborah Erskine and Keith Buchanan, on this very important and timely issue. I welcome the constructive debate in the Chamber today; many good and valid points have been made. I thank the Minister for his attendance today; it is appreciated. I thought that, when we saw the article coming through, he might not show and might miss his appointment here. We are glad, Minister, that you are here and we appreciate you listening to us all this evening.

There has been general agreement throughout the Chamber that the current system needs to be improved and that it is really not working as it should be, despite the efforts of the hard-working staff, which have been acknowledged here today. Trying to get an MOT appointment is a huge challenge for so many people, including for Members. It is one of the most common issues being raised in my constituency office.

Some colleagues have mentioned that the way in which the current system operates causes confusion for motorists. That is an important point, and it highlights why we need to see improvements in the system. People are asking whether their vehicles are legally roadworthy, whether they are insured and whether they can get taxed. Those are among the questions facing many motorists every day.

As others have rightly stated, it is important to acknowledge the work of the staff in our vehicle testing sites right across the country, and the fact, as was said by a number of Members, that over 1.15 million vehicle tests were completed during 2022-23. The fact that that is the highest

number of tests ever recorded in any year is testament to that work. Nobody here is disputing the hard work of the staff, and I certainly did not hear that in the comments made over the past hour-plus.

The pandemic, as it did across so many sectors, provided unprecedented challenges, but the time for using the pandemic as an excuse for a poor service is long over. Whilst the number of vehicle tests has increased, as was talked about during the debate, I feel that we had a lack of decisive action and solutions from the previous Infrastructure Minister. Many of these issues were on their desk at that time. Hopefully, however, the current Minister will surprise us all and will take real action to deliver an improved MOT service, which is so greatly needed.

Last week, at the Infrastructure Committee meeting, we heard directly from the chief executive of the DVA, who stated that a 72-day wait for an MOT test is now the new normal in Northern Ireland. Indeed, that statistic was carried on a number of local media outlets. Today, however, a constituent, whom I know quite well, contacted me to tell me that although he booked his MOT online today, the first date that he could get at his nearest MOT centre, which is in Newtownards, was 8 August, some 150 days from today's date. That is more than double the new normal, and that is unacceptable.

Something has to change, and we need to see innovative ways of doing things coming forward — not just being talked about, but being delivered. We need to see solutions. I believe that the Minister has an opportunity to demonstrate that he is up for action, and this motion affords him that opportunity. I welcome that he has come here today and made some commitments towards action.

It is interesting to note that the Newtownards MOT centre conducted the most tests, with almost 11,900 tests completed during the month of January 2024. That is to be commended. It is the centre that I am most familiar with, and it is used daily by my constituents in the neighbouring North Down constituency.

As was mentioned, the incredibly high number of missed appointments, with over 50,000 vehicle owners failing to turn up for their MOT, is a cause for concern. That is undoubtedly a contributing factor to the backlog, and we need to look proactively at ways to address that. I also welcome the progress on the new MOT centres and, hopefully, they can be fully opened

without any further delays. Mr Harvey might even get 10 lanes if he keeps pressing our new Minister.

Another issue that has been raised with me recently is the option of requiring new vehicles to have a first MOT after five years rather than four years. I think that that is a reasonable request, and it is interesting to note that, in GB, it has recently been increased from three years to four years. That shows a direction of travel.

I will now turn to remarks that have been made by a number of Members in the debate this evening. The Chair of the Committee for Infrastructure, Deborah Erskine, rightly raised the issue of new cracks appearing on the lifts. That is causing concern, despite what the Minister may have said today. It does create uncertainty, and it raises further questions across our community, particularly given the issues that everybody is so familiar with from a number of years ago. It is alarming, and there is that fear that it will ultimately have an impact on service. Mrs Erskine also highlighted the fact that over half of NI drivers admitted to driving without an MOT, according to a recent survey carried out by Compare NI. She also highlighted the real need for urgent action.

Mark Durkan highlighted the stress that is being created for people and the need for people to travel distances to try to get an MOT. He stressed how we in Northern Ireland are highly car-dependent. At our Committee meeting last week, an interesting statistic came through showing that the number of car users is up. I think that that is ironic, given the amount of money that has been spent on discouraging car use through active travel, cycle lanes and so on. Car use is up, and policy needs to reflect that. Mr Durkan, in speaking to his amendment, mentioned biennial testing.

Danny Baker talked about the challenges that elderly constituents face in accessing MOTs and about the recruitment issues that are being experienced at a number of our test centres across our country. Peter McReynolds highlighted concerns from his constituents about being unable to get their cars taxed and the need for earlier renewal letters. I think that that is an important point that should be taken on board. Mr McReynolds also talked about the reintroduction of the temporary exemption certificates, and I think that it is worthy to point out how they were useful, particularly during the pandemic. I think that everybody benefited from them, and that was an example of innovative ways and action points that helped people on our roads.

John Stewart talked about frustrations and the need for alternatives, and he talked about that during the Committee meeting as well. He also talked about not ruling out a role for car dealerships. I think that it is fair to say that Mr Stewart wanted that to be kept on the table. Keith Buchanan mentioned the previous lift issues and how confidence in our MOT system has been damaged. He highlighted the impact of the most recent cracks on our lifts and the challenges for second-hand car dealers. Indeed, the issue has been shared with me recently of how car dealers' livelihoods are reliant on being able to get an MOT for their vehicles. It raises the question of whether there should be a more dedicated system for car dealers, who are dependent on getting an MOT for their livelihoods. Mr Buchanan finished by talking about the worrying statistic that two thirds of our MOT centres are underperforming in terms of vehicles tested over the five-year period from January 2019 to January 2024. Hopefully, the Minister will have heard my colleague Mr Buchanan on that issue.

Patrick Brown talked about the call for evidence on biennial testing from the previous Minister, and he spoke of our system being superior to that of GB. That is an important point. There is a lot of merit in having the independence of our MOT system and the regulation and so on that comes with that. My colleague Mr Harvey talked about the recent changes to our MOT system and how improvements could be made, including the ability to book physically at our test centres rather than just online. Obviously, digital transformation has changed how so many of us do business, but I think that it is always important to point out that some people do not have that online access. Accessibility is an important point to note, so I thank my colleague Mr Harvey for outlining that.

Steve Aiken highlighted the significance of the failing lifts issue and the importance of staff safety. Unfortunately, he is not here to hear my comments. David Honeyford pointed out that the Infrastructure Minister has considerable experience, and I think that that is an important point. Minister, you are not one of the newest Ministers, in that you served as Infrastructure Minister after the May 2022 election, I believe, for a number of months. I think that that is an important point that Mr Honeyford made. We are watching you even more closely. It is important to say that. You served for a number of months as Infrastructure Minister fairly recently. Mr Honeyford also highlighted the rise in car ownership.

Alex Easton highlighted that the system is broken and the need for action.

6.45 pm

Overall, most will agree that we have had a constructive debate this evening. We now need to see action to improve our MOT system. It is important to acknowledge that there is room for improvement. Hopefully, we can improve our testing facilities and, ultimately, our test results. I trust that the Minister will take on board our motion. I commend the motion to the House.

Question, That the amendment be made, put and agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly stresses the importance of fair and timely access to vehicle testing across Northern Ireland; believes it is unacceptable that many motorists are facing lengthy delays to secure an MOT appointment; notes with concern the impact such delays have on those living and working in our communities, including in rural and hard-to-reach areas, as well as many businesses; regrets the costly and protracted delays in opening new testing centres at Mallusk and Hydebank; expresses alarm at increased fees for MOT testing in the absence of tangible progress towards ramping up capacity; and calls on the Minister for Infrastructure to commence a public consultation on biennial vehicle testing, bring forward an ambitious and costed plan to tackle the backlog in tests, cut waiting times, deal with "no-shows" and ensure fairer access for those who are currently disadvantaged as soon as possible.

Adjourned at 6.45 pm.