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Northern Ireland Assembly

Monday 14 June 2021

The Assembly met at 12.00 noon (Mr Speaker in the Chair).

Members observed two minutes' silence.

Speaker's Business

Ministerial Resignations: Mrs Dodds and Mr Weir

Mr Speaker: I advise the Assembly that the Minister for the Economy, Ms Diane Dodds, and the Minister of Education, Mr Peter Weir, resigned their offices at 10.15 this morning.

Ministerial Appointments: Mr Frew and Miss McIlveen

Mr Speaker: Further to that, I advise the Assembly that Edwin Poots MLA, as nominating officer for the DUP, nominated Paul Frew MLA as Minister for the Economy and Ms Michelle McIlveen MLA as Minister of Education. Mr Frew and Ms McIlveen each accepted the nomination and affirmed the Pledge of Office in my presence and that of the Chief Executive at 11.00 am.

Assembly Business

Committee Chairperson and Deputy Chairperson Resignations

Mr Speaker: I have also been notified this morning that Mr Paul Givan has resigned as Chairperson of the Committee for Justice; Ms McIlveen has resigned as Chairperson of the Committee for Infrastructure; Mr Mervyn Storey has resigned as Chairperson of the Assembly and Executive Review Committee; Mr Paul Frew has resigned as Deputy Chairperson of the Committee for Finance; Ms Pam Cameron has resigned as Deputy Chairperson of the Committee for Health; Mr William Irwin has resigned as Deputy Chairperson of the Committee for Standards and Privileges; and Ms Joanne Bunting has resigned as Deputy Chairperson of the Audit Committee. All those resignations take place with immediate effect.

Committee Chairperson and Deputy Chairperson Appointments

Mr Speaker: At the same time, I received notification from the nominating officer for the DUP that Mr Mervyn Storey has been nominated to fill the vacancy of Chairperson of the Committee for Justice; Mr Jonathan Buckley has been nominated to fill the vacancy of Chairperson of the Committee for Infrastructure; Ms Pam Cameron has been nominated to fill the vacancy of Chairperson of the Assembly and Executive Review Committee; Mr Keith Buchanan has been nominated to fill the vacancy of Deputy Chairperson of the Committee for Finance; Mr Christopher Stalford has been nominated to fill the vacancy of Deputy Chairperson of the Committee for Standards and Privileges; and Mr William Irwin has been nominated to fill the vacancy of Deputy Chairperson of the Audit Committee. All those changes take place with immediate effect.

I am satisfied that all the requirements of Standing Orders have been met.

Personal Statement from the First Minister Arlene Foster

Mr Speaker: I received a letter from the First Minister, the Rt Hon Arlene Foster, notifying me of her resignation, under section 16B of the NI Act 1998, with effect from 1.00 pm today, 14 June 2021. Mrs Foster also sought leave to make a statement, and I will call her shortly. However, before doing so, I am sure that Members will want me to convey the Assembly's best wishes to her as she leaves the office of First Minister.

Mrs Foster (The First Minister): Thank you very much, Mr Speaker. As you said, I have tendered my resignation as First Minister of Northern Ireland, effective from 1.00 pm today. I thank you and your office for the opportunity to address the Chamber one last time, and I promise not to sing. *[Laughter.]* Colleagues inside and outside the House know very well that all periods of leadership must come to an end. That is why, when we are privileged and, indeed, honoured to hold such a position, we must not waste a moment in frivolous brinkmanship but forge ahead on behalf of those whom we represent.

Whilst I will miss the exchanges from this seat, I look forward to fresh challenges. This will be my last speech in this forum, but I plan to continue to speak up on behalf of women in public life, as well as our children, by seeking better protections for everyone on social media. When I was at school, bullying occurred, but when children stepped off the bus, their home was a safe place. Today, our young people have no escape. The bullies follow them right into their bedroom, and we must act.

A former Member of the House said to me last week that my closing speech should be in the style of Father Ted Crilly when he received the Golden Cleric award. However, after a moment of reflection, I thought perhaps not. Some of the younger faces here will be puzzled by who Father Ted was and even more puzzled by the name of the award. Suffice to say that, just like all politicians who resign, I will now spend more time with my family. My lovely mum, my darling husband and my three beloved children will see more of me, whether they like it or not.

[Laughter.] It is just as well that I am such a good daughter, wife and mother. Those of us in public life know that we cannot fully function without the support of our loved ones, and I have had that support in abundance.

I wish my successors as party leader and First Minister well. I thank politicians from right across the political spectrum for their good wishes. I have been overwhelmed: even some in the naughty corner found something good to say. If only we had said all those nice things two years ago, it would have saved us a lot of time.

My reflections today will be broader more than personal, with an eye to the future of the Assembly and Northern Ireland as part of the United Kingdom. My time as Northern Ireland's First Minister may have come to a close abruptly, but I remain someone with a passion for service, Northern Ireland and the Union. This particular chapter may be closing, but I intend to write some more in the years ahead, for I have unfinished business to ensure that Northern Ireland succeeds in its new century. I believe strongly in the good sense of the people of Northern Ireland to continue to recognise the value of our place in the United Kingdom as a distinctive and integral element of that union of nations. That UK has seen us through the worst ravages of the COVID-19 pandemic with unprecedented financial support, our incomparable National Health Service and a national vaccination programme that is the envy of the rest of the world.

As you are aware, Mr Speaker, I was first elected to the Northern Ireland Assembly in 2003. Since then, I have had the great privilege to be a representative of Fermanagh and South Tyrone: my home constituency and somewhere, with its diverse population and beautiful countryside, of which I am tremendously proud. I was pleased to show it off one last time as First Minister when the deputy First Minister and I hosted the British-Irish Council (BIC) meeting on Friday past. In 2007, when devolution returned, I was appointed Minister of the Environment, and, from there, I went on to become Minister of Enterprise, Trade and Investment. It was a role that I loved, as it allowed me to speak positively about, and be an advocate for, Northern Ireland across the world. The highlight was 2012, when we showcased Northern Ireland during the Our Time Our Place campaign. Transforming Invest Northern Ireland, building up our tourism industry, inviting international investors to come to Northern Ireland, and creating more and better jobs for our young people are all achievements that I look back on with pride.

Oscar Wilde, who was educated in Fermanagh at Portora Royal School, suggested:

"a dreamer is one who can only find his way by moonlight, and his punishment is that he sees the dawn before the rest of the world."

Throughout my time in Enterprise and since, I have continuously been impressed by the ingenuity, innovation and aspiration of all our people, but especially our young people. I say this to those potential young leaders: hold on to your dreams, because, by doing so, you are halfway there.

I was appointed to the Finance and Personnel Ministry in 2015 and then, in January 2016, became First Minister of Northern Ireland, which is something that a little girl growing up in Fermanagh could scarcely have countenanced. I trust that my contribution has served as an encouragement to others, and the role of females in public life is something that I will continue to champion.

Following the 2016 Assembly election, I agreed a joint statement for the newly elected Executive with the then deputy First Minister, Martin McGuinness. That was commonly described as a joint commitment to getting down to business. It was a statement of intent to focus on the issues of common concern rather than on the wedges that can divide and to show once and for all that devolution could deliver change, not just more of the same. It is my deepest regret that the opportunity to fulfil that purpose was denied by a series of events. When faced with false allegations of corruption, I defended myself vigorously to clear my name. No one should have to tolerate such assaults on their character, but misleading interviews and salacious claims that would not survive the glare of an inquiry created a febrile atmosphere that coincided with the declining health of Martin McGuinness. The result? A crisis that led to the unnecessary loss of devolution. Those were lost years for Northern Ireland, and it was a period when public services inevitably slumped backwards. Alongside ongoing negotiations to restore devolution, where no sign of a workable agreement was evident, we secured the Democratic Unionist Party's confidence-and-supply agreement to help fill the political vacuum and public-service consequences.

Over £1 billion extra in resources was provided in those years in key areas such as health, education and jobs, but the solutions that it provided and the difficulties that it mitigated were still outstripped by the problems from having no functioning Assembly or Executive.

12.15 pm

That confidence-and-supply agreement will leave a legacy but also highlights our challenges. Some £150 million has been rolled out via Project Stratum to bring broadband to rural areas and leave Northern Ireland as the best-connected region in Europe. When it is completed, the project will be transformational to our economy. We ensured that the purse strings were loosened by the Treasury to enable £500 million to be used to help shared housing and education schemes. We delivered £50 million over five years to help mental health. I note that that money has been critical in recent announcements by the Health Minister. Mental health must be a priority for the House because it touches all of us.

For all those like me who queue along the Westlink each morning, there was £160 million funding to build the York Street interchange. Yet, like too many projects, it has been tied up in legal wrangles. Too many infrastructure projects are being swallowed up in the courts. We need to improve the expertise in infrastructure delivery. We need better infrastructure for the next generation, but key projects being delayed by 10-plus years is unsustainable.

The confidence-and-supply agreement delivered a ring-fenced £200 million for transformation projects in our health service. That money was used just in advance of the pandemic and, undoubtedly, helped to bolster the health service. Rather than just spending more money, we need to dedicate money to look solely at how the health service can do things better. That must continue.

The long and tortuous negotiations between 2017 and 2020 ultimately delivered the New Decade, New Approach (NDNA) agreement. Any agreement involves compromises but NDNA had two central pillars that, I believe, remain important: ambition for devolution and a new cultural deal. The breadth and depth of issues that NDNA set us all to deliver on would have been enough to fill an entire term or perhaps more, let alone two years of government. However, we had much to make up for from the lost years. We needed to use the momentum of a new agreement to push Northern Ireland forward as quickly as we could to get down to business.

However, once again, events intervened. As we restarted devolution, the new and deadly COVID virus was beginning to spread and would sweep across the entire world. It was an unprecedented challenge for us all at every level and in every aspect of our lives, but it was a challenge that we needed to face up to and

rise to together. As we gradually emerged from its shadow, we began to raise our eyes to how we could drive the COVID recovery forward, with much of what we set out in NDNA being relevant. The opportunity to contribute directly and lead that recovery will be for others.

The second core component of NDNA is the new cultural deal. The issues of culture and identity have been a running sore through the past few decades, which is why a cultural package was needed in order to move forward comprehensively and sustainably. I repeat that it is a cultural package: far too many in the Assembly and outside it present its content as one-dimensional, when it never was and never could be. That contributes to a negative and unhelpful public discourse when we have proposals to advance all. Too often, a demand to advance Irish identity and the language of equality saw simultaneous calls to reduce or denigrate other forms of expression. That was always a destabilising approach in a society that is seeking healing. It risks simply creating a new dispossessed community. The cycle needs to be broken. That is why my team and I sought and secured a cultural package that would see a range of measures to advance identities and protect them for future generations. That was the only model for success — not one step forward for some and one step back for others. That will be the basis for sharing this place that we all cherish and take pride in.

The package includes an office of identity and cultural expression and an Ulster-British commissioner, underpinned by legislation. It includes support to celebrate, commemorate and reflect on Northern Ireland's centenary. It sees legal and institutional protections for veterans. It includes harmonisation of flag days. It will build for the future with the Castlereagh Foundation. It includes new and broader investment for Ulster-Scots broadcasting, and, yes, it also includes a commissioner for the Irish language.

The recommendations of the Commission on Flags, Identity, Culture and Tradition (FICT) are to be taken forward as well. I encourage all of you to do all of it, to take it forward in its totality and to speak of and implement it as one complete, independent package: a new cultural deal for Northern Ireland's new century.

Let us realise in every corner of the House that people live here who have an Irish identity or a British identity and there are some who have a British and an Irish identity. Some are British and Northern Irish, and new identities are emerging, but, for all of us, this is a place called home. We can poke each other in the eye and

have a competition of "My identity is better than yours", but it is only by respecting each other's identity that we will move forward. The beauty of the Union is that we can have all our identities and live here side by side.

My last major event was, as I said, the British-Irish Council, hosted in my home county of Fermanagh. Those who attended got to see its beauty and to enjoy its warm welcome. The BIC is built on equal recognition and respect for a range of political institutions across the British Isles. Each is given their place, each voice is valued and each makes their contribution, and the balance is what makes it work. Sadly, broader politics in Northern Ireland — between the UK and Ireland and the UK and the EU — is out of balance: an imbalance created by the protocol. In any negotiation, when one of those at the table is perceived as weak, the clear temptation is for others to take full advantage. However, such short-term advantage comes at the cost of long-term harm to relationships. It is not a real partnership. Imbalance and instability are built in that will fester and deteriorate. If Brussels continues to think that the protocol is enough, it is in denial. Imbalance and instability in the context of Northern Ireland is a truly dangerous cocktail. Northern Ireland is part of the United Kingdom and needs to be treated as such. If the EU does not do that, the UK will have a practical, political and moral obligation to act to protect the everyday life of everyone in Northern Ireland.

I may no longer be in a position of political leadership, Mr Speaker, but rest assured that I will contribute in whatever way I can to see Northern Ireland advance socially, politically, economically and culturally as part of the UK. I firmly believe that strong, functioning and successful devolution is vital to that and to building the success of Northern Ireland and what it is capable of in its new century.

Samuel Beckett — also educated in Fermanagh — wrote in 'Waiting for Godot':

"Let us do something, while we have the chance! It is not every day that we are needed. Not indeed that we personally are needed."

He continued:

"But at this place, at this moment of time, all mankind is us, whether we like it or not. Let us make the most of it".

Let us be generous. Our Lord taught us the parable of the Good Samaritan, and I am sure that we have all heard it. Remember that two

people passed by. They closed their eyes to the injured Jewish man. I have not always made the right calls; none of us is perfect. At the end of the parable, Our Lord asks, "Who is your neighbour?" — the one who stopped to offer help. Remember, stopping meant the Samaritan reaching out across the religious divide and meant him reaching into his own pocket and paying a price to provide shelter for the injured man. Our Lord concludes the parable by saying, "Go and do likewise." Mr Speaker, let us be good neighbours. Thank you for allowing me to speak. Over and out. *[Applause.]*

Mr Speaker: I remind the Assembly of the convention that, when a Minister makes a statement on their resignation, there will be an opportunity for others to comment afterwards. In order to be as fair and inclusive as possible, I have decided to adopt the procedure regularly used in Matters of the Day by allocating the next 30 minutes or so for others to speak. I ask that Members limit their remarks to three minutes.

More often, the focus of the Assembly is on political differences and debating how to respond to the challenges of the day. However, on other occasions, the Assembly rightly puts those issues aside and recognises the contribution made by individuals. Today is such a day as we recognise the service the First Minister, the Rt Hon Arlene Foster MLA, has given to the Assembly and to our society as she prepares to leave office.

Before I open the Floor to Members, let me make some remarks on behalf of myself and the Assembly. Arlene Foster was elected to the Assembly in 2003. As she recounted this morning, she has spent the majority of that time holding ministerial office as Minister of the Environment, Minister of Enterprise, Trade and Investment, Minister of Finance and Personnel and, of course, First Minister. She was the first woman to hold all of those roles and, indeed, is the longest-serving female Member of the Assembly since it was established. I know that, alongside her overall contribution, that is a legacy that she will be particularly proud of.

Arlene has been a key player in the journey since devolution was restored in 2007, and I have witnessed that at first hand in a series of continuing negotiations since then. Let me, as one of the few remaining Members who was elected in 1998, say this also: there has never been any shortage of people offering advice or criticism on every issue and situation throughout the process, and that is often a very good thing. As I have often said, the world and

his granny will always have something to say. However, there are only a few individuals — Arlene being one — who have had to carry the burden of leadership and balance personal views, individual party views and mandates. The reality is that nothing in the Assembly can be achieved without building agreement. That has been evident during the pandemic, and the role Arlene has played, with others, in getting us through this difficult period will be remembered, in my view, in a positive manner.

We recognise that with that responsibility there are high and lows, so I also acknowledge the sacrifices that have come with that for Arlene. Our outgoing First Minister has been vocal about the toxic influence that social media often has on our political discourse, and many of us stand with her on the need to tackle that. I want to record that the negative aspects that unfortunately now come with being in the public eye cannot have been easy for her or her family.

Undoubtedly, Arlene, many in the Assembly and others outside will have views on what has passed over recent years. However, for today, let me say, both as Speaker and personally, "Arlene, we thank you for your public service". It is not for me to comment on recent events, and you referenced that in your rendition of 'That's Life' on Friday in a better way than any of us could have done. For the next verse of your life, we wish you and your family all the very best. Congratulations and thank you.

I have the names of some Members who have already indicated that they wish to speak. I ask all Members who would like to contribute to rise in their place, and I will endeavour to accommodate as many as possible. Of course, the briefer you are, the more opportunity there will be for others to say a few words.

Mr Poots: I thank our outgoing First Minister, the Rt Hon Arlene Foster MLA, for her very considered and, indeed, powerful speech this afternoon. Arlene and I have worked together since 2003, and we have had much common ground over those years. Arlene is a unionist, and she is also a devolutionist. I believe that has, largely, been built on the fact that she and her family came through troubled times. She, like me, is a child of the Troubles, and we had a similar circumstance in that the Troubles visited our homes. Thankfully, in both instances, there was no loss of life, unlike what happened to others, but nonetheless it had a powerful impact on each of us. For Arlene, I believe, ensuring that we have peace and a way of working with each other in Northern Ireland was a powerful part of what she sought to ensure in her politics,

and it led her to work with people who would have been regarded as enemies.

Over the course of her career — she has had a hugely successful career — she spent many years working on the economy. Week after week, job announcements were going out in the local media. Considerable work was carried out to ensure that people in Northern Ireland had better opportunities in life through those job opportunities, and she drove that forward in a very powerful way.

12.30 pm

I believe that history will be very kind to Arlene. It should be kind to her, because she has done a considerable amount of work to ensure that we move forward. Even after the difficult times of 2017, with the collapse of devolution, the commitment was always there to ensure that we could get back together again, we could take people forward again and the public had this place for us to make decisions on their behalf. How important that was as COVID came in, which we did not anticipate. We could not have done without the Assembly and the Executive taking us through the period of COVID. It was therefore critical that that happened, and she drove it throughout.

As we move forward, I believe that there will be new opportunities. I also believe that Arlene will have a role in public life yet again and that, in that role, she will again deliver very powerfully.

Mrs O'Neill: I want to make a few brief comments. I commend Arlene for all her years of public service. Being in public life is, as we all know, not an easy job at times. As Arlene acknowledged, it can be very challenging, with many highs and many lows. Public life is even more challenging for a female. Many sacrifices are made, and we have to deal with the additional burden of the misogyny that exists in society. If there is one thing that I can say that we have done well together, it is that we highlighted that on numerous occasions in taking up many platforms.

We came back into the restored Executive 17 months ago, although it feels like it was a lifetime ago. When we stood in the Chamber and made our public commitments on working together, it was very much a day of hope. We needed to deliver on power-sharing, which needs to deliver good politics for everybody. It also needs to be about tackling waiting lists, reforming our health service and educational reform. We were committed to doing all those things. Obviously, however, the pandemic hit

within a short number of months, and we very much put all our efforts and energies into trying to chart our way through that, which has been no mean feat. It has been extremely challenging. Arlene and I were certainly thrust into working very closely together over that time, to the point where Arlene joked at one stage that we were in each other's bubble. We were trying to do our best. That is the long and short of it. We worked together and alongside all our other ministerial colleagues to try to do our best to lead us through the pandemic.

Arlene, I wish you, your family and your beloved mother, whom you have spoken about on a number of occasions, the very best for the future. I hope that you get to spend more time with your family. I note the words in your final statement. You talked about the need for everybody to work together, to deliver for everybody and to come at things from the view that there is more that unites us than divides us. All those things are really important. This morning, I was reflecting on what I said in the Chamber when we re-established power-sharing. I talked that day about needing to work together on the basis of openness, transparency and accountability, in good faith and with no surprises, and that remains the position today. That is the only way in which we can share power together. All of us in the Chamber have been called upon to lead. That means leading and delivering for everybody. It means delivering power-sharing that is truly grounded in fairness and inclusion. That is certainly what I am here to do. I hope that we have willing partners with which to do so, because you cannot build power-sharing on broken promises. You must deliver upon agreements that are made. I am committed to doing that. I hope that others are, likewise, committed to doing it.

Finally, Arlene, every best wish for the future. I really hope that you get some special time with your family, regardless of whether they want to see you.

Ms Mallon: On behalf of the SDLP, I thank the First Minister for her many years of public service. While it will be obvious to many that there is much that we have disagreed on, as a female leader in politics, I want to acknowledge that Mrs Foster and her family have made huge sacrifices over many years. I have no doubt that, as a female holding ministerial office over many years, Mrs Foster has faced serious and, as yet, untold challenges, not least when it comes to sexism. However, I have no doubt that Mrs Foster has also inspired many young girls to realise that there should be no limit on their ambitions and that if they believe in

themselves, there is nothing that they cannot do.

Public service is never easy, politics is never easy, and the past few weeks will not have been easy for the First Minister and her family. Leadership is never easy, and leadership in a five-party Executive is not easy. After three years of paralysis, and in an unprecedented pandemic, it is incredibly challenging, as those who take up the mantle will know. At this juncture, it is important to reflect on the fact that devolution has been restored on the basis of a five-party agreement in New Decade, New Approach, and that all those commitments need to be honoured and delivered. It is only through the devolved institutions that we can deliver the change that our citizens deserve and need.

I close by wishing Arlene Foster well for the future as she embarks on this new chapter of her life.

Mr Beattie: First Minister, thank you. Thank you for your service; thank you for your commitment; and thank you for your sacrifices. I know that there have been many. We are both unionists, so we have a lot in common, but we also differ on certain things. However, we do so in the right way and in the right spirit to achieve the same purpose. You have carried yourself with the utmost dignity, even when that "et tu, Brute" moment came from those whom you would have called your friends. You held yourself with incredible dignity.

If there is something that I will reflect on in the months and years ahead, it will be how our First Minister went through this crisis, and the many other crises before, holding her head high. She should be very proud of that. It is noticed. It is noticed politically, and it is noticed by society, in general, not just in Northern Ireland, but further afield. There was lots to be done, but not all of it was completed. I will say this, though: that was a fine final speech. She could have made much mischief in the House — there could have been much for us all to scream and shout about — but she did not. She set a very clear path.

I finish by saying this to Arlene Foster — wife, mother, daughter: good luck in the future. Spend time with your family, look to your interests, and stand up for women in public life. That is incredibly important. You may have started in the Ulster Unionist Party and finished in the Democratic Unionist Party, but you will always get a nice cup of tea if you come to visit us. *[Laughter.]*

Mrs Long: Arlene and I entered the Assembly at the same time, in 2003, whilst the structures

were suspended. As a result, we have spent many long and, sometimes, tortured hours not only in the Assembly but in the various talks processes that have been required over the past 18 years to keep the institutions on track. The most recent of those talks led to me taking up a post in the Executive, so I start by thanking Arlene for her role in leading that Executive.

The role of First Minister and deputy First Minister is never easy in a five-party coalition that has such a diverse range of views. We knew that this term would be particularly challenging, given the strained relationships between parties after three years of suspension, the limited time that was left in the mandate and the demands of delivering the NDNA commitments to which we all signed up. None of us, however, could have predicted the pressure that COVID would add to the restored structures. It has often been difficult to make the progress that Arlene would have wished to make, but I want to thank her for her hard work over the course of this mandate and her previous roles in government.

It is fair to say that we have not always seen eye to eye. We have had our fair share of disagreements over the years. Some of those could even be described as heated, although I know that Members will find that hard to believe, given that we are both such shy and retiring characters. We have nevertheless been able to disagree and continue to work together to try to deliver the best possible outcomes for those whom we represent. There have also been many occasions when we have agreed and worked well together, particularly on the issues of social media abuse, sexism and misogyny, of which both of us, and many others in the Chamber, have experienced more than our fair share over the years. I am glad to hear that Arlene will continue to raise her voice in support of those issues and in support of women in public life.

The things that you remember most about people, however, are often not the big public events and set pieces but the quiet personal moments when you see the true measure of someone and who they really are. I will always recall that, on the day after I received my first death threat during the flags protests, Arlene was the first unionist politician who spoke to me to offer solidarity and support and to ask how I was. That small gesture probably meant more to me than she knew, but it stood out because she was one of only two people who did that on that day.

We also had opportunities for pleasant times. I recall the first time that the Tall Ships visited

Belfast in 2009. We had the chance to spend a rare relaxing day on the boats, with Arlene as the ETI Minister and me as Lord Mayor of Belfast. It was lovely to have that opportunity to get to know her and her little family — as they were then, although they are now all grown up — a bit better. I am sure that Arlene's mum, husband and three children are immensely proud of her achievements thus far. I add my best wishes to Arlene and her family as she moves on from not only her role as First Minister but her role in the Assembly. Arlene has made a huge personal sacrifice to serve the public over the past 18 years. Those of us in politics of course recognise the fact that her family made those sacrifices alongside her. I thank them for supporting her throughout that time and to wish them every blessing for the future, whatever that may hold.

Finally, after hearing Arlene's rendition of 'That's Life', I thought that it might be appropriate to finish with a quote from Frank Sinatra. I toyed with:

*"Start spreading the news
I'm leaving today",*

but, instead, I will simply hope that for you, Arlene:

"The best is yet to come".

Ms Bailey: On behalf of the Green Party in Northern Ireland, I also congratulate Arlene Foster, the First Minister for a short time to come. My colleague Rachel Woods and I have not had the experience of working directly with you, First Minister, but we congratulate you for your track record: the roles that the Speaker announced that you have already taken up, the roles that you have held as the first woman in Northern Ireland and for your track record of breaking so many glass ceilings.

I wish you well. The grace and fortitude that you have shown over recent times have been remarkable. I have absolutely no doubt that your time in public life is not done. We look forward to seeing the work that you do in the future. I know that you have a birthday coming up, so I take this opportunity to wish you a happy birthday, and I hope that you get to spend some good time with your family. I look forward to seeing what you take up next and to seeing you break many more glass ceilings for women in public life. Perhaps that will not be only in Northern Ireland, but I will wait to see. Good luck and thank you very much.

Mr Allister: I join others in sincerely wishing Mrs Foster and her family — the family are very often those least spoken of, and yet they share most of the burden — every good wish going forward as she retires from the office of First Minister.

Mind you, "retiring" is the last word that you would associate with Arlene Foster, but there we are.

12.45 pm

We have had many disagreements, and we still have, but Arlene conducted herself in office with considerable poise and presence that will not be easy to replicate. In all my dealings with her, I found her straightforward and honourable. I have known Arlene for many years, both in this life and in her previous life in the law.

It could not be said, though, that her removal from office was either straightforward or honourable, and it leaves a considerable scar on the body politic. We had a power grab with no perceptible policy change and, clearly, with no gaming of what would happen next, which means that, because of the absurdity of the system in the House, we are now back into ransom politics. The absurdity is underscored by the fact that a party that does not want Northern Ireland to exist, never mind succeed, now has a veto on whether her successor can ever take office. What an absurd system, one that enables that party — Sinn Féin — to make —.

Mr Speaker: Mr Allister, resume your seat for a moment, please. I remind you that you are here to pay your personal tribute to the outgoing First Minister, who is here this morning to make a personal statement. I ask you reflect on that, without necessarily extending your remarks beyond the contribution that Mrs Foster made this morning. The purpose of this morning is for a personal statement to be made by the First Minister as she retires from public life and leaves the Assembly. I ask you to reflect on that when concluding your remarks.

Mr Allister: We cannot look back without looking forward. We look back on the time of Mrs Foster as First Minister, and we now look forward to whether there will be another in that position. I make the point — it is clear and indisputable — that the absurdity of the system puts a question mark over that and takes us back into the doldrums of ransom politics. That is not a good place for the House to be.

Mr Weir: I have heard valedictory occasions such as this being described as the closest that you will ever get to being at your own funeral without the inconvenience of dying, but, if that is the case, I will slightly misquote Shakespeare: I come not to bury Caesar but to praise her.

I can rightly claim, I think, to be the person in the House who has known Arlene Foster longest; indeed, I knew her before she was Arlene Foster. She is a person who was shaped not simply by the events of the Troubles but by a loving family environment, which meant that she built strength of character and resilience but never at the expense of humanity or with bitterness.

I can recall the first time that I met Arlene, and, to slightly misquote The Human League, she was not quite working as a waitress in a cocktail bar when I first met her *[Laughter]*, but she was helping out her future husband Brian at the Wyvern Inn in Lisnaskea. That was in the days before she was at Queen's. I am not sure that it entirely fitted with the licensing laws, but I will leave that aside. Since that first meeting, I have known Arlene through her days at Queen's, her days at Windsor Avenue with Julie, Wendy and Joanne, her days in the Young Unionists, her days as a solicitor, her days in the DUP, her days as Environment Minister, Minister of Enterprise, Trade and Investment, Finance Minister and, finally, First Minister. I can reflect, as others do, on the many public achievements that she has been associated with, from the reform of local government to the massive boost that she gave to the economy as Economy Minister; from the confidence-and-supply agreement to taking us through the pandemic; to shattering the glass ceiling; and, indeed, most recently, having the guts to take on internet trolls.

I also reflect on the private Arlene. She has always been good company and good banter. I can remember a duet once that involved Arlene and Nelson McCausland. They sang 'Islands In The Stream', and, somehow, Nelson McCausland managed to sing Dolly Parton's part. *[Laughter.]* I remember also the many one-to-one private interactions that Arlene had with people and her many personal kindnesses. I was among the many who received the benefit of them.

The one thing that I particularly associate with Arlene is loyalty: to her friends and family, to her beloved Fermanagh and South Tyrone, to the people of Northern Ireland and to the unionist cause. Loyalty sometimes comes at a cost, but that cost is always a price worth paying. As Arlene looks forward to the next

chapter of her life, I assure her that I remain not only her colleague but her loyal friend.

Mr Speaker: I assure Mr Weir that I will forward a copy of Hansard to Dolly Parton very shortly. *[Laughter.]*

Mr McGrath: I thank the First Minister for her work in various roles across the Executive and in the Assembly. I do not have any stories of duets or cocktail waitresses in bars. First Minister, I first met you in Newcastle, at the opening of the promenade. I remember taking time, as chair of the council, to bend your ear about the importance of advocating, through the review of public administration, that youth services remained within Education so that we could try to help, develop and strengthen them. That was the case, and I know that, as far back as those days, you have always had an interest in young people.

The issues that we have had to discuss in the Executive Office Committee, of which I am Chair, over the past year and a half have been difficult, divisive and, indeed, controversial, but you have been polite, courteous and friendly to me. It needs to be said that those are important attributes. Politics can be a difficult and dirty game. When you walk off the pitch knowing that you have done your best, worked hard for people and always done what you thought was right, you, at least, walk off that pitch with your head held high.

I commend you for your work in calling out social media trolls and the horrendous social media environment. I hope that you will be able to continue to use your voice and experience to call that out in the future, especially the impact that it has on young people. It can be absolutely life-destroying. It will be useful for people to know that somebody is speaking out for them.

As I am just a few short years away from being 50, I say this to the First Minister: you are still young, and you have a long future ahead of you. I wish you and your family all the very best in that future. Good luck.

Mr Butler: First Minister, I thank you for your fabulous speech, which you made with great dignity and courage. Like the Member across the Chamber, I may not have had the chance to work with you personally, but I have experienced your politics and seen what you have had to suffer over a number of years. Theodore Roosevelt, in a famous speech that he penned in 1910, referred to "the man ... in the arena"; in 2021, perhaps we need to talk about the woman in the arena. You are,

perhaps, a perfect example of how, in modern times, a woman can lead and lead successfully in, at times, the most difficult circumstances. That has been going on for a number of years.

Politics is a strange place. I remember that, in the 2017 election, I was up against a number of really good candidates in Lagan Valley. There was a white van with your face emblazoned on the side, and the caption was "Moving forward with Arlene". That was a considerable challenge for me as the Ulster Unionist MLA.

As a number of Members have pointed out, you have a fantastic online presence. I noticed today that you have 99,600 followers on Twitter. I hope that, by the end of today, you will have 100,000 and that you use that platform to reach out to young girls and inspire them further to challenge the narrative and the bullying and to challenge all the things in society that we seek to challenge together.

I hope that you do not mind if I call you Arlene at this stage. You know, because I have told you, that I have prayed for you many times over the years, as I have for Michelle and for many leaders. I have prayed for you more often recently. I hope that you have felt those prayers. I noticed that, at the end of your speech, you rightly gave God his rightful place. I offer you and your family this consolation. In 2016, I stepped away from the Fire and Rescue Service and a job that, I thought, I would have for life. I had huge ambitions in the Fire Service, but I believe that God took me in a different direction. What you may see as a pain is God perhaps saying, "I have something better for you" to you and your family. I really hope and pray that he does, Arlene, and I wish you all the best.

Mr Lyons: I am grateful for the opportunity to pay tribute to Arlene. I do so not only for myself but on behalf of thousands of people in my constituency, in my party and across Northern Ireland. Since the restoration of devolution, I have had a front-row seat as Arlene has served as First Minister. While many have evaluated and will continue to evaluate her legacy, no one can credibly question her commitment to and love for Northern Ireland and its people. It was that passion for Northern Ireland that contributed to her incredible target-busting success in bringing so many jobs, investors and tourists to Northern Ireland during her time as economy Minister. It was her love for this place and her concern for its people that was the driving force as she led us, as First Minister, through some incredibly difficult months as a result of the pandemic. I thank her most sincerely for her work, for the dedication that

she has demonstrated over so many years in public life and for the grace and class that she has shown in the last number of weeks. I also thank her family, for her sacrifices were theirs also. I know that she would not have been able to do the job without their love and support.

This is a bittersweet moment. There is clearly a sense of relief as burdens are laid down. There will be fewer demands on her time, and it is the end of many day-to-day frustrations. Of course, there will be no more Executive meetings, which, I can reveal to the House, are a test of patience and are invariably bereft of brevity: I am not looking at anybody in particular. While it may be good to have those over, it is bittersweet, because there is still so much work to be done. Not only are there the immediate challenges such as the pandemic and, of course, the protocol but there is a larger piece of work that needs to be completed. I know that Arlene wants Northern Ireland to be a place at peace with itself and a place where everyone can feel at home. That work is far from complete, and we have much left to do. Thanks to her endeavours and her encouragement of the next generation, there will be people on these Benches who will continue that work for a more prosperous, peaceful Northern Ireland at home within the United Kingdom that we cherish.

I wish Arlene well for the future, whatever it may hold. Much has been made of her vocal talents over the past few days. As one of the few who were fortunate enough to hear the First Minister's full rendition of a Frank Sinatra classic, I gently encourage Arlene not to put all her eggs in the entertainment basket and perhaps keep other options open at this time. In closing, I thank Arlene for the kindness, support and encouragement that she has shown to me personally, for her friendship and for all the work that she has done on behalf of our party, our country and all the people of Northern Ireland. Thank you.

Mrs D Kelly: I, too, joined the Assembly in 2003, although I had a bit of a blip between 2016 and 2017. I am grateful to the people of Upper Bann who put me back into this place. Over the past couple of years in particular, I am often asked by people, "What's Arlene Foster really like? Is she like that?". I usually start with, "Well, you know". I try to explain to people that many of us have a public persona. Over the past few weeks, I think, we have seen part of the real Arlene, from the class that you displayed in your song at the weekend to how you have dealt with the challenges. I am sure that even today has been another difficult day of many difficult days. Today, all your family will

be watching with some trepidation and hoping that you get through this afternoon OK. I am sure that they, like many others watching, can say that you did it with style, resilience and character.

1.00 pm

I hope that, over the coming weeks, months and, indeed, years, when, there is no doubt, you will have other causes to fight, you show a wee bit more of the real Arlene; the one who has that sense of humour and can make fun of herself as well as having a strength of character. I wish you well in the weeks, months and years ahead.

Mr Nesbitt: I believe that Mrs Foster and I first met on a trip to London in 1998. UTV took a number of critics to Downing Street to debate the Belfast/Good Friday Agreement with Tony Blair. At dinner afterwards, I said to Mrs Foster, "I understand that you have been tipped as a potential leader of the Ulster Unionist Party". She smiled sweetly at me and said, "Not after tonight". *[Laughter.]* I also recall, not long after I was first elected here, being on the radio, criticising the Department of Enterprise, Trade and Investment. Suddenly, I was not alone, because joining by phone from the back of her ministerial car was Mrs Foster, admonishing me and defending her Department. Figuring out that the best form of defence was attack, I suggested that I was getting somewhere because she was so angry. That was followed by a pause that was long enough for the programme host to wonder whether we had lost the line to Fermanagh. We had not. Mrs Foster replied — and, may I say, in a tone that you could not accuse of lacking in malice — by saying that that was not her being angry, and that, furthermore, I did not want to risk my luck by making her angry. *[Laughter.]* On Friday, like everybody else, I saw Mrs Foster be the exact opposite of angry as she sang Sinatra to Gareth Gordon. It reminded me of when I bumped into her in the corridor upstairs not long after I stood down as Ulster Unionist Party leader. She said, "Look, there is a man for whom the weight of the world has just been lifted off his shoulders". I hope that it is the same for you, Mrs Foster, because, whatever our differences down the years, public service is what we agree on, and you have given supreme public service.

I wish you well for the future as you open a new chapter, and, indeed, I believe, as you write some chapters. I will look forward to reading your book as much as I hope you look forward to reading mine. In the meantime, of course, we have a pub crawl to look forward to. Mr Aiken

has promised a pub crawl for former leaders of unionist parties. I can say only that the critics of your successor as leader of the DUP would say to Mr Aiken at this point, "We're going to need a bigger pub". *[Laughter.]*

Mr Speaker: That concludes the item of business. I invite Members to take their ease before we move on to the next item.

Matter of the Day

Undermining the Public Health Message

Mr Speaker: Colm Gildernew has been given leave to make a statement on undermining the public health message that fulfils the criteria set out in Standing Order 24. If other Members wish to be called, they should indicate that by rising in their place and continuing to do so. All Members who are called will have up to three minutes to speak on the subject. I remind Members that I will not take any points of order on this or any other matter until this item of business has finished.

Mr Gildernew: Go raibh maith agat, a Cheann Comhairle. The comments made against the Minister of Health in a nearby hotel recently were out of order and should and must be rejected. What we heard and saw was a direct verbal attack on the character of the Minister at the most inopportune of times.

Throughout the past year, we have faced real danger. The COVID-19 pandemic has put our Health and Social Care system at risk and posed a threat to everyone across our society. It has impacted our economy and every aspect of our social lives. It has also led to deaths across this island. NI Statistics and Research Agency (NISRA) statistics demonstrate that, as of last week, 2,976 people died here in the North, and 4,971 died in the Twenty-six Counties, giving a total of 7,917 people across this island who have lost their lives as a result of COVID-19. Every one of those was an individual whose death was a tragedy for a family.

We have asked so much of each other and of our community over this time, and the vast majority of people have observed public health guidance and acted according to the best interests of everyone across our community.

While Mr Swann and I have had exchanges that have been heated at times and the odd disagreement about a particular issue, we have been required to work closely together, to cooperate with each other and to challenge each other as we make our way through the pandemic. We may not have always agreed on particular issues, but our disagreements have been courteous, well intentioned and well mannered, as, I believe, they should be. I believe that what was said in the hotel about the Minister should be condemned by everyone.

A key point about this is that we are by no means out of the woods as far as COVID-19 goes. We continue to see variants of the virus emerging. They are more transmissible and are demonstrating signs of being more effective at escaping the vaccine. That presents significant public health concerns. We must continue to be cautious, and we must proceed in cooperation as the delta variant poses a significant concern.

In the weeks and months ahead, let us use the breathing space that has been provided to us by the successful vaccination programme and the lower infection numbers that we see at present to put in place the necessary find, test, trace, isolate and support apparatus that will help us to continue to ease restrictions, to reopen our society and economy, to stay reopened and to resume our lives as normally and safely as possible.

Mr Poots: I want to make it absolutely clear that what happened in the Europa Hotel was wrong. The Member of Parliament who was caught up in it was wrong in what he did. I welcome the fact that he apologised very quickly for what happened and is, therefore, seeking to put things right. I sincerely wish that Sinn Féin had apologised for its actions at the Bobby Storey funeral, where a far greater action took place, with a far greater demonstration of criticising the procedures that were put in place. Sinn Féin actually went out and defied the law and flew in the face of the law, and the deputy First Minister has yet to apologise.

I am very clear that we apologise on behalf of the DUP for the things that are done wrong, and I am happy to do that, as was the individual. We need Sinn Féin to demonstrate to the Northern Ireland public that it cares and apologises.

Added to that, we have an issue to resolve over the next number of days around our next steps in response to COVID-19. Those will not be dealt with on Thursday if a deputy First Minister is not in place. The question for Sinn Féin is whether a deputy First Minister is going to be in place. I will be putting forward a First Minister at the earliest opportunity so that we can deal with those issues.

There is the issue of the delta variant, and the concerns coming from the Chief Medical Officer and others about the number of people who have the delta variant. The question is this: is Sinn Féin going to do anything about that? Is it going to collapse the Assembly and not care about the health of the public? Is it going to care about the 335,000 people — is Mr Gildernew going to care — on a waiting list

which continues to grow? Are you going to ignore that? Are you going to deal with that? Are you going to walk away from this Assembly for political purposes?

Mr Gildernew: Will the Minister give way?

Mr Poets: I cannot give way. That was noted by the Speaker.

There is legislation on health reform that needs to be carried out. If Sinn Féin is for real — you brought this forward today. I have given the apology. Let us hear your apology for your actions during the Storey funeral. Let us see you commit to actually tackling waiting lists, and let us see you commit to actually dealing with COVID-19 and not use one particular issue, on its own, to bring down this Chamber and its work for political purposes alone and to ensure that you can max out the benefits for Sinn Féin, no matter what harm you do to the Northern Ireland public.

Mr O'Toole: The images of what happened at the Europa Hotel, which were shared widely on social media over the weekend, would have been laughable were things not so serious. It would have been funny in a bleak, dark surreal way were the stakes not so high. Over 2,000 people in Northern Ireland have died from coronavirus. Over 7,000 have died on the island of Ireland as a whole, and over 120,000 across the UK. The idea that an elected Member of Parliament would take to a stage to ridicule a Health Minister and defy and undermine public health advice in that way is unconscionable. It is not funny, because lives have been lost and lives continue to be at stake. The delta variant is in this community. The threat to people who are not vaccinated — and to people who are vaccinated, because we know that the vaccine is not 100% efficacious — is real. We are moving out of restrictions, but there is real risk to people in the community.

What happened at the Europa Hotel was surreal, darkly laughable but totally unacceptable for any elected representative. Unfortunately — this has to be said — we have come to expect that kind of thing from the Member of Parliament for North Antrim, who has consistently demeaned his office. I welcome the fact that there has been an apology. However, the incident should never have happened in the first place and I cannot understand how any public representative could have thought that it was acceptable.

Although I have had several honest reasons to scrutinise the Minister of Health on issues on

which we have disagreed, including in relation to handling the coronavirus, most people accept that he has worked diligently to protect the health of all the people in Northern Ireland. He has taken decisions for the right reasons and has communicated them fairly. He has done so, on occasion, at political cost to himself. I respect that. He deserves so much better than the squalid spectacle that we saw at that hotel. It is also worth saying that people in Northern Ireland, frankly, deserve better standards in public life. Too often, they look in on this Chamber and what our politicians do and are scundered, to use an expression that we all know the meaning of. They are scundered, and they were scundered by what Ian Paisley did that night.

I should say, in parenthesis, that I love the music of Van Morrison. He is a deeply important artist to people on the island of Ireland and to people in Northern Ireland, particularly in Belfast. I hope that his legacy survives some of the, frankly, nonsense that he has been spewing in recent months. His legacy is important, but it is sad, I am afraid, what he has been indulging in in the last year. I do hope that his artistic legacy survives that. In conclusion, let the message go out from here that no elected representative should engage in squalid, right-wing nonsense like we saw at the Europa Hotel.

1.15 pm

Mr Chambers: I am not on my feet this afternoon to defend the Health Minister, because he does not need to be defended in the court of public opinion. His leadership and dignity throughout the pandemic have been beyond reproach.

What we witnessed in the Europa Hotel that night was childish, irrational, unfair and totally uncalled for. People say that you should try to avoid meeting your heroes because you might be disappointed when you do. What happened was a perfect example of that, if, indeed, any of us needed to learn that. The only saving grace is that it got little traction in the room, I am pleased to say. A few people applauded, but it did not get the traction that, I think, Mr Morrison thought it would.

You could maybe make excuses for people who are not public representatives and do not think about the consequences of their words, which is the case for Mr Morrison, but a Member of Parliament really should know the consequences of their actions and words and what the public reaction to them will be. I understand that the Member of Parliament has

apologised to the Health Minister, but he possibly also needs to apologise to the Minister's Executive colleagues, because he stood outside that hotel and said that the Executive "couldn't run a bath". That is hardly an endorsement of an Executive who have guided us and will continue to guide us through the pandemic.

We are talking about being "dangerous", and the message that went out that night was dangerous. It was an insult — a major insult — to all those who have lost loved ones during the pandemic and to the tens of thousands who made sacrifices to try to curtail the spread of the virus. At the end of the day, all Mr Morrison achieved was the loss of friends. I dare say that the MP for North Antrim possibly lost friends as well.

Ms Bradshaw: I thank Mr Gildernew, the Chair of the Health Committee, for bringing forward the Matter of the Day. It is important that we have an opportunity to discuss it in the Chamber.

I concur with Members' comments about the words and deeds of Mr Paisley MP as witnessed last week. We have to continue to play our part in communicating the public health messaging from the Executive, not least those of us who sit on the Health Committee.

The COVID-19 pandemic has no doubt been the most devastating public health crisis this country has experienced in a century. People have suffered terribly from catching the virus. Many of them, unfortunately, died, and their families remain in our thoughts. There are also those who have served our health and social care sector so valiantly over the last 15 months and those whose treatment and care was disrupted, with many still on waiting lists and experiencing pain and the associated mental health anguish as a result. What we saw last week was an affront to all those people.

The only positive throughout the pandemic has been that the vast majority of people have adhered rigidly to the public health restrictions and advice as they sought to protect themselves and their loved ones. While we have spoken many times in the Chamber about ways in which the communication could have been clearer and more expedient, we cannot fault those who worked at pace in the Department of Health, the Public Health Agency (PHA), the Health and Social Care Board (HSCB) and the trusts in order to get the message out. They did that against a backdrop of an ever-changing pandemic, more information and a greater understanding of how

the virus was spreading through our community and how its potency could be minimised through hygiene control and social-distancing measures.

Of course, the messaging was based on the most up-to-date medical evidence and health advice from those who are highly qualified, experienced and knowledgeable. Therefore, it has been deeply disappointing that those who hold positions of elected office, especially those with huge public profiles, have sought to undermine the public health messaging through their words and actions. Who do they think they are? We are public representatives. We are not virologists; we are not epidemiologists; and nor are we healthcare professionals.

As we continue to work our way through the pandemic, I sincerely hope that anyone who is tempted to speak out in defiance of the public health messaging by the Executive Office and the Department of Health stops and thinks. These are gratuitous attacks on the people who are fighting the pandemic. Like Mr O'Toole, I have challenged the Health Minister many times during the pandemic, but he has my utmost support and respect for his efforts and endeavours over the past 15 months and will continue to have that. We need to be more careful in our words and deeds going forward.

Mr Allister: Not for the first time, the Member of Parliament for my constituency has embarrassed himself through his buffoonery, his words and his deeds. This time, he added an appalling layer of vicious insult: an unwarranted attack on the Health Minister that was delivered in circumstances and in a manner that would have caused many of his constituents to cringe at his being their elected Member of Parliament.

The incident demonstrates yet again Mr Paisley's capacity for flawed judgement. That any public representative at such an event would think it appropriate to bound onto the platform to roar out those insults shows a serious lack of judgement. We are told that he apologised, and that is good. However, the initial response that I heard was an attempt to wave it off as banter and parody. It was no banter, and it was no parody; it was a calculated slur on, undoubtedly, one of the hardest working Ministers in the House. On many occasions, I have had cause to disagree with the Minister, but to think that such a spectacle would unfold courtesy of a Member of Parliament is truly, truly appalling.

Mr Catney: I was shocked, just like my colleague, when I saw the footage on Twitter.

Robin Swann has, as I have passed him in the corridors, always been helpful to me. I want politics to be completely taken away from what has to be done to get our health service fixed. What Junior — Ian Paisley Junior — said was an insult. He attacked a Minister who is hard-working. We can always do more, but we deserve better in Northern Ireland. If I offend anyone, I apologise. Nobody likes a microphone better than me, drunk or — well, not drunk, but with a pint or without one. It was wrong, and he should be embarrassed. He has apologised, but an apology must be meant, and there must be an apology served to all of Northern Ireland for what went on.

I know Van Morrison from the bar. He is not a personal friend, but I expect better from him. I know the musicians who play with him, and they are top-class musicians from Northern Ireland. He is a top-class artist, but he has let himself down, and, in doing so, he has let his music down and he has let all of us down.

Dr Aiken: I thank Mr Gildernew for securing the matter of the day.

I was the person who nominated Robin Swan to be Health Minister before COVID struck. The job of Health Minister was always going to be one of the most difficult jobs in Northern Ireland and Northern Ireland politics. One of the aims that we set right from the beginning was that we were going to take health out of politics and put health first; indeed, that was the commitment from the party leaders then. Then we hit COVID and its significant impact on everybody in Northern Ireland. Not only has Robin Swann stood up for the Health Department and our health workers but he has been under real and severe threat. His life has been threatened. His family has been threatened. The PSNI has been involved.

With all those things, Mr Speaker, you would think that elected representatives across the Chamber and, indeed, across these islands would realise that we have a duty of care and a responsibility to ensure that we do not exacerbate situations. It is not as if we are out of the COVID pandemic situation. We now have the Delta variant, and cases are increasing across Northern Ireland. We are not out of the challenge. There are real, significant issues of which we are all aware.

The fact that a Member of Parliament — a "Rt Hon" Member of Parliament — would say such things and add to the grief of our Health Minister should be matters over which he should consider his position. However, at the moment, we do not live in the normal world of

politics. I look at the party to my left and say, "You should show an example to make sure that this never happens again, but there is a significant answer to these questions". It is not a question of just a mealy-mouthed apology; it has to be a full, clear and sincere apology for what that Member of Parliament has done to undermine the health message in Northern Ireland. Frankly, like most Members of the House, I find the actions of the so-called Rt Hon Member for North Antrim completely and absolutely unacceptable.

Mr McNulty: The House does not do irony, but, if it did, it would be the best irony in the world. Many in the House have undermined the public health message. They should know better, and some of them hold ministerial office. There are those in other places who have constantly undermined the public health message, including Mr Paisley, who should know better. His actions and words were reckless and dangerous, particularly in the context of the threats presented by the new variant. I for one have done my best to adhere to the public health guidelines. Can everybody in the House say the same thing? I was always told that people in glasshouses should not throw stones.

Mr Speaker: That concludes this item of business. Thank you.

Assembly Business

Mr Poots: On a point of order, Mr Speaker. The resignation of the First Minister has taken place today, and the appointment of a new First Minister is critical to the Assembly. I wish to make it clear that I am ready to nominate a First Minister at the earliest opportunity, and I encourage that to happen. It is important that we respect each other's mandates. In order to deal with important COVID issues, the Executive can meet on Thursday only if we have a First Minister and deputy First Minister. There cannot be a North/South Ministerial Council meeting on Friday without a First Minister and deputy First Minister. Time is of the essence in getting this work done. I encourage you, Speaker, to ensure that that is the case.

Mr Speaker: The Member will be aware that, this morning, I wrote to the Business Committee; indeed, I wrote to all Members. I wrote to the Business Committee to advise it formally of the resignation and of the legal requirement to have an opportunity to appoint the First Minister and deputy First Minister within seven days. In my correspondence with the Business Committee, I said that, as it meets tomorrow afternoon, setting a date and arranging a sitting of the Assembly to address that matter within seven days will be on the agenda. I also made it clear that if, at any time, including today, the Business Committee indicates that it can take a decision on the matter, I am happy to meet at any time to do that.

However, as I have said, the legal obligation on this House is to address the issue of the appointment of the First Minister and the deputy First Minister within seven days. I anticipate that that is the agenda that we are working towards.

Thank you for your point of order.

1.30 pm

Standing Order 20(1): Suspension

Ms Bunting: I beg to move

That Standing Order 20(1) be suspended for 14 June 2021.

Mr Speaker: The Business Committee agreed this morning to add this item to the Order Paper when notification of the First Minister's resignation was received. As there will be no First Minister or deputy First Minister to answer

Oral Questions at 2.00 pm, suspension of this Standing Order will allow plenary business to continue until the Minister of Health answers questions at 2.45 pm. This is a business motion and there will be no debate. It requires cross-community support.

Question accordingly agreed to.

Resolved (with cross-community support):

That Standing Order 20(1) be suspended for 14 June 2021.

Mr Speaker: As there are ayes from all sides of the Chamber and no dissenting voices, I am satisfied that cross-community support has been demonstrated. The motion is agreed.

I ask Members to take their ease for a moment or two, please.

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

Executive Committee Business

Local Government (Meetings and Performance) Bill: First Stage

Ms Hargey (The Minister for Communities): I beg to introduce the Local Government (Meetings and Performance) Bill [NIA Bill 26/17-22], which is a Bill to make provision relating to requirements as to meetings and performance of district councils.

Bill passed First Stage and ordered to be printed.

Mr Principal Deputy Speaker: That was a short item of business for the Minister for Communities.

Budget (No. 2) Bill: Consideration Stage

Mr Principal Deputy Speaker: I call the Minister of Finance, Mr Conor Murphy to move the Bill.

Moved. — [Mr Murphy (The Minister of Finance).]

Mr Principal Deputy Speaker: No amendments have been tabled to the Bill, and I propose, therefore, by leave of the Assembly, to group the seven clauses of the Bill for the Question on stand part, followed by the three schedules and the long title.

Question, That clauses 1 to 7 stand part of the Bill, put and agreed to.

Schedules 1 to 3 agreed to.

Long title agreed to.

Mr Principal Deputy Speaker: That concludes the Consideration Stage of the Budget No. 2 Bill. The Bill now stands referred to Mr Speaker.

Financial Reporting (Departments and Public Bodies) Bill: Second Stage

Mr Murphy (The Minister of Finance): I beg to move
That the Second Stage of the Financial Reporting (Departments and Public Bodies) Bill [NIA Bill 21/17-22] be agreed.

In December 2016, one of the last acts of the then Executive was to agree to the commencement of the review —.

Mr Principal Deputy Speaker: Minister, there is a form of words that I have to use from my brief.

Mr Murphy: I beg —.

Mr Principal Deputy Speaker: You have moved it. Thank you.

The Second Stage of the Financial Reporting (Departments and Public Bodies) Bill has been moved. In accordance with convention, the Business Committee has not allocated any time limit to this debate. I now call on the Minister of Finance to open the debate on the Bill.

Mr Murphy: Go raibh maith agat arís, Príomh-LeasCheann Comhairle.

In December 2016, one of the last acts of the then Executive was to agree to the commencement of the review of the financial process. The aim was to simplify financial reporting and better align budgets, Estimates and resource accounts. A number of different systems impact on the control and presentation of government expenditure, including the budgetary controls and Supply Estimates that are presented to the Assembly for approval and the resource accounts that are prepared by the Departments for the end of each financial year. Those different systems and the way in which they have historically been maintained create a significant misalignment between the financial information that is presented to the Assembly and the public. That misalignment makes it difficult to understand the links and interrelationships between them.

The Bill deals with one aspect of the misalignment. It amends the Government Resources and Accounts Act (Northern Ireland) 2001 to allow the Department of Finance to issue directions on the way in which Departments prepare Supply Estimates. It provides for departmental estimates and accounts to include the spending of non-departmental public bodies (NDPBs) and other central government bodies for which the Department has responsibility, thereby aligning the budgetary treatment of those bodies. The

Bill also provides for consultation with the Treasury to prevent the designation of a body funded solely from a Consolidated Fund other than the Consolidated Fund of Northern Ireland. That will avoid a scenario in which bodies are potentially double counted in more than one Estimates process. That is in line with current practice for each of Westminster's Estimates process. Treasury consults with the Executive and other devolved Administrations on each of its designation orders.

The Bill is short, with four clauses. Clause 1 contains the key changes that are required to the Government Resources and Accounts Act (NI) 2001 to better align the Estimates and accounts to budgets. I do not intend to rehearse the specifics of each section as they are set out in the accompanying explanatory and financial memorandum. However, I appreciate that there are technical details and am happy to answer any questions that Members may have. I notify Members — Finance Committee members will be aware of this — that my Department is looking into a consequential amendment to ensure that the changes made as part of the Bill fully align with the legislation for the establishment of independent bodies such as the Public Services Ombudsman. It is important that their Estimates align with the process while safeguarding their independence, and we will look to ensure that that is the case over the coming months.

The Bill is an important first step in allowing a read-across from budgets to Estimates to accounts. I look forward to bringing further improvements to the transparency of public finances in the time ahead.

Dr Aiken (The Chairperson of the Committee for Finance): I thank the Minister for his opening remarks and for the related briefing information that he provided to the Committee for Finance at its meeting on 26 May.

On a number of occasions, the House has heard members of the Committee and I lament the current state of the Budget development and scrutiny process. We have complained often about documentation being impenetrable, and we have railed against fiscal explanations that, quite frankly, most of us do not understand. I get the sense that most of the officials do not really understand them either. We have also criticised debates that are often ill-timed and therefore prevent members from engaging usefully in the expenditure decision-making process. The Minister has heard us on many occasions pointing out the fact that Committees are not being provided with the

amount of information that they need in a timely manner.

I would like to tell the House that the Bill will be part of a process of really addressing those concerns and complaints. I would also like to say that it will overhaul the creaking Budget process and help the Assembly to shed a keen spotlight on the rather murky corners of the finances of Departments and, equally importantly, the non-departmental public bodies. Although those bodies account for much of the Executive's spending, we do not seem to have a handle on how that is done. However, Minister, I do not think that I can. The Bill is described as being technical in nature. It appears to allow the Department to give directions on the preparation of Estimates and resource accounts. I think that the overall idea is to make one look more like the other so that at least there is a degree of commonality. The Committee has no objections whatsoever to that. The Committee asked officials whether that would lead to more information, more detail and more understandable explanations, particularly those that are provided in the Estimates. Members even cited the example of the Department of Education, where over £2.5 billion of spending currently seems to appear in a single-line request for resources in the 300-odd-page Estimates document.

We had hoped that we would get some more public granularity for that kind of spending, as that would help us all understand what we are voting for each year. I am disappointed to tell you, Mr Principal Deputy Speaker, that the Department of Finance advised that, no, it could not guarantee that the Bill would provide more information but that the level of detail currently afforded to the Committee in the Estimates process will, at a minimum, be retained. That current level of detail, however, is massively inadequate. That is not an endorsement of the Department's Bill but neither will it tax the ingenuity of Members overmuch to devise amendments to the Bill to deal with the issue of the provision of information. It is just surprising that the Department has not already thought some of that through and brought more robust and comprehensive legislation before us.

The Committee also sought clarity on whether NDPBs would be affected by the Bill. Initial answers revealed a fairly bewildering variety of NDPBs and public corporations all with different treatments, and that was even before we looked at the case of Northern Ireland Water. In our deliberations on the Bill, the Committee will want to understand which of those organisations are now going to be part of the future designation order. I understand that the

Minister has made representations to say that all NDPBs will be part and parcel of the process. The Committee will also want to consider why the current income and expenditure votes need to be replaced by a vote on the net position only. Members will also want to explore and better understand Assembly controls around capital spending.

In summary, the Committee is, to say the least, a little disappointed and somewhat underwhelmed by the Bill but is not opposed to it in principle. I therefore expect that Members will probably support the Second Stage and may seek to table amendments at Consideration Stage to make improvements to the Budget process. Following the Bill's passing its Second Stage today, I also expect to return to the House with a motion to extend the Bill's Committee Stage in order to allow fuller consideration of the anticipated amendments.

Mr McHugh: Ar dtús, ba mhaith liom buíochas a ghabháil leis an Aire as a ráiteas. I thank the Minister for his statement and welcome the opportunity to speak on the Bill, which is primarily concerned with financial reporting. I commend the Minister for bringing it before the Assembly. The debate is timely, as we have debated the Main Estimates and the Budget (No. 2) Bill in recent weeks. We all know the importance of the Main Estimates as the legislative mechanism that grants Departments the authority to spend their Budget allocations. Each Member of the Assembly has a responsibility to ensure that diligent and thorough scrutiny is afforded to public expenditure proposals. It is essential that we have ample opportunity to ask tough questions and that we understand the process and then, collectively, agree the best way forward.

Under the current arrangements, that is somewhat of a challenge for a number of reasons. First, as is standard with a finance Bill, there is a timing issue. Budget Bills enable the Executive to appropriate sums of money and provide Departments with the legal cover to spend that money. Without that, there is a danger of Departments running out of money. It is for that reason that it is normal practice that Budget Bills are granted accelerated passage and that they forgo Committee Stage scrutiny. It is understandable why that happens, but it is not conducive to proper scrutiny.

Another issue is that of the Main Estimates themselves, with which the Bill is concerned. In my time as a member of the Finance Committee, I have found the Main Estimates to be quite inaccessible. The document itself is filled with financial jargon and with tables

containing endless numbers. It is almost impossible to reconcile the figures as they are presented in the Estimates with the figures that are presented in the Budget document.

I have no sense of why that is the case.

1.45 pm

The Estimates contain little detail. The document sets out each Department's resource and capital requirements in terms of departmental expenditure limits (DEL) and annually managed expenditure (AME), but it does not set out the specific items on which each Department has sought legal cover to spend its budget. It is not a stretch to say that it is not always clear what exactly we are being asked to vote on.

This long-standing issue has been on the agenda as far back as 2010, prior to my time in the House, when the then Executive ordered a review of the financial process. It has taken a long time, but I am glad to see that the review has finally started to come to fruition. The Bill will be an important first step in that process. The Bill will allow the Department of Finance to issue directions to Departments and their associated arm's-length bodies on how they should prepare departmental estimates for incorporation into the Main Estimates or Supplementary Estimates document, as the case may be. The main objective of the Bill is to ensure that there is proper alignment of the figures in the Estimates and accounts when they are presented in the Budget. Following that, we need to see the other aspects of the review implemented. I understand that the new presentation format of the Estimates has been given a trial run and that feedback from Departments will be key to ensuring that any issues are ironed out before it is fully implemented next year.

Reform of the financial process may take time and may be dry and technical in nature, but it must remain a priority if we want to create a financial framework that is effective, efficient and transparent and enhances scrutiny, quality of debate and, ultimately, accountability.

Mr O'Toole: We regularly appear here — we have done it a few times in the past few weeks — to debate Budgets and Budget Bills, and we all complain about the inscrutability of financial information, the difficulty of properly scrutinising Budgets and the onward difficulty of properly communicating to our constituents what they mean. It is right that today we are debating a

Bill that intends to, at least, slowly start the work of addressing that.

Broadly, we support the intent of the Financial Reporting Bill, but we should be absolutely clear about what it is and what it is not. It is a small and extremely modest technical Bill that adjusts how the Finance Department issues directions to other Departments that are preparing Supply Estimates. It allows for greater consistency in how those Estimates and accounts are prepared. It ensures that non-departmental public bodies and central government bodies get a consistent steer.

The Bill updates the Government Resources and Accounts Act (Northern Ireland) 2001 or "GRAANI", as it is sometimes known. It is not quite teaching granny how to suck eggs, but it is providing guidance to granny on how to count eggs slightly differently. It is pretty modest and welcome, but anyone who claims that it is a significant move forward on how we do budgeting or scrutinise budgeting here is being extremely optimistic. Rather than using a sledgehammer to crack a nut, it starts the process of using a nutcracker to quarry for granite.

We have a real and significant problem in these institutions. It affects all of us, and it is real: the primary strategic policy tool that we have is the assigning of budget lines and the making of financial plans. That has particularly been the case since the institutions restarted, and we have not had an agreed final Programme for Government. The Budget-making process has become the de facto strategic policymaking tool for the Executive. Clearly, I have had my exchanges with the Finance Minister about the strategic insight in Budget documents, but the real challenge is the level of comprehension of what is happening in budgeting.

In a strange way, we have both too much and too little information. The previous Member who spoke mentioned the Estimates documents. They are, by definition, long and exhaustive documents. They are not documents that any Member of the Assembly or probably even most of our generalist policy staff are qualified to understand in profound detail. We should be realistic about that and should not be afraid of saying that. Estimates documents are extremely technical, and they are for Budget and Supply staff at the Department of Finance and other officials to understand. If this legislation passes, it will ensure that the Estimates are slightly better aligned across the Departments and that the information provided by Departments for the Estimates is more consistent. The Bill will not make the Estimates

more digestible or comprehensible for not just the average Joe but the average MLA. I leave it as an open question whether the average MLA has a greater or lesser financial comprehension than the average Joe or Jane. That is another matter for debate.

The Bill is welcome, but it is a very small and modest start to providing greater clarity about how we budget here. The truth is that most people find it incomprehensible. Most of us do not understand in any detail what is in the Estimates that we vote on. Therefore, we need documents on the Budget to provide greater clarity and consistency on all that information.

The new fiscal council and the one-off fiscal commission, which have been, I am glad to say, appointed by the Finance Minister, have a real responsibility. In addition to the watchdog function, the fiscal commission must provide a series of recommendations about potential future fiscal devolution. They both have a job to do in not just making recommendations but beginning a process of better explaining to the public how budgeting works here. That goes for everything from how our block grant comes from London to how much money is raised in Northern Ireland across a range of revenue sources, how much we all pay in taxes, how much we all pay in our local and regional rates and how much we pay for things such as driving licences and vehicle tax. All those things are important, and we have a paucity of information about how much tax is raised here and how it is spent, and that feeds into the real challenge around the lack of an understanding of budgeting.

As I said, the Bill will not solve those problems and does not try to solve those problems. I am not criticising the Bill for that. I welcome what it is doing, but what it is doing is extremely narrow and specific. I welcome the broad principles of the Bill and look forward to Committee Stage. I welcome the new member of the Finance Committee who is here with us today. I look forward to scrutinising the Bill in detail and to considering any amendments that come from the Department or elsewhere. I genuinely hope that it is the beginning of a process that leads to much greater public information and political scrutiny of our Budget process.

Mr Muir: As the Alliance Party's finance spokesperson, I support the Second Stage of the Bill. I very much welcome the steps being taken in the Bill to better align the presentation of the Supply Estimates, Budgets and resource accounts.

Allowing the Department of Finance to require departmental estimates and accounts to include the spending of designated non-departmental public bodies and other central government bodies will help to ensure that the presentation of Estimates and accounts is, hopefully, a bit more consistent with the budgetary process and enables a better read-across from one to another. If that is even a small step towards making the huge quantity of financial information that is presented to the Assembly and the public more transparent and if it helps to make the links and interrelationships between the various pieces of financial information add up, it is to be welcomed. As a relatively new MLA, I know from first-hand experience that you can spend hours trying to figure out how the Estimates link to the Budgets that link to the accounts. At the end of it, all you know is that you need a strong cup of tea or, perhaps, something even stronger.

There is no need for the process to be like that; in fact, it is really important that it is not. The Bill is one part of an overall process and, therefore, by no means will it resolve the whole issue, but it is still to be welcomed. I note that the Bill gives more powers to the Department of Finance to direct other Departments. For the sake of central control and to ensure consistency, that makes sense. A finance function in a corporation would never allow nine divisions of the same company to present financial information in nine different ways. However, I trust that the Finance Committee will consider whether any of the additional powers given to the Department of Finance could lead to unforeseen overstretch. I am interested to hear the Minister's views on that matter.

It would be helpful if the Minister could reiterate what exactly was agreed by the Executive in December 2016 on the review of the financial process. I understand that the report on the matter was issued to the Executive in around 2010-11 and that it took the Executive more than six years to take action on it, which I can well believe. It is encouraging to see, however, that action is now being taken. We need to ensure that other outstanding actions that can help to improve the transparency of our public finances are moved forward at pace. I welcome the establishment of the fiscal council and the fiscal commission.

I support the Bill, and, if it passes its Second Stage, I look forward to further deliberations as it proceeds through the Assembly.

Ms Dolan: I welcome the Second Stage of the Bill brought forward by the Finance Minister. This is an important part of the review of the

financial process. Like other Members who have contributed, I wish to voice my frustration with how the Main Estimates are presented to us as MLAs. We all benefit from proper scrutiny. We are all aware of various pieces of legislation that have passed through the House that have been greatly added to and strengthened during the process of scrutiny. When it comes to our Budget Bills, however, it is a challenge to ensure that there is proper oversight.

The Main Estimates are scant on detail. They show the headline figures of resource and capital DEL and AME requirements for each Department, but there is no detail on what individual Departments are spending their budgets on. Another major issue with the Estimates is the misalignment between them, the Budget and the accounts. The Estimates give legislative effect to the Budget, so the figures included in the Estimates are directly derived from the Budget, yet the numbers in the Estimates cannot be reconciled with the numbers as they are presented in the Budget document. We need Estimates documents that are fully aligned and compatible with the Budget document, both in what information is presented and how it is presented. That would be a much more user-friendly and transparent way of considering the Estimates.

It is my understanding that that is a key objective of the review of the financial process. As has been stated, that review is long overdue. Work began in 2010, as it was recognised that the lack of read-across between Budgets, Estimates and accounts had been a source of confusion and frustration for Assembly Members and that a new framework that was user-friendly, fully aligned and helpful to proper scrutiny and transparency was needed. Some important work has been completed to date. The Department of Finance has engaged with other Departments on producing Estimate template documents, along with a guidance manual that will be the basis of the new format. The templates have been tested in various dry-run exercises, and lessons have been learnt from those exercises following engagement with Departments.

The Bill, which is a small but significant part of the review of the financial process, will enable the consolidation of arm's-length bodies into departmental estimates and, by extension, the accounts. While the full spend and income of arm's-length bodies are included in the Budget, only the cash grant-in-aid for Executive non-departmental public bodies is included in the Estimates. That is one of the main reasons why misalignments occur. The Bill will not have any

affect on the arm's-length bodies; rather, it will simply affect the method of how they report the financial information. The NI Audit Office has said that a potential benefit from that change will be a closer working relationship between Departments and their designated arm's-length bodies. It could also lead to greater integration of financial reporting and increased accountability and financial monitoring.

One area that is not clear is which of the arm's-length bodies will not be affected by the legislation and the reasons for their exclusion. The Department's officials discussed that with the Finance Committee and cited NI Water as one example of an ALB that was not within the scope of the Bill. That was for historical reasons relating to the type of body that NI Water is. There may be further work required to see how we can bring in the ALBs that remain outside the boundaries.

Overall, this is positive legislation and another important step in implementing a more efficient and transparent financial process that will be accessible to all.

Mr Catney: Everything that I was going to say has been said. The only thing that I am disappointed about is that I wish the Bill would just progress the scrutiny that we in the Committee are there for. I welcome anything that helps with that, and I hope that this helps with it.

2.00 pm

Mr Allister: I apologise for not being here at the start of the debate. Some of the points that I will make may well have been made. I very much welcome the principles of the Bill. It is long overdue. The financial review goes back about a decade, and here we are, finally getting round to the first piece of legislation. As I recall, the financial review will require further legislation. Will the Minister indicate what else is intended to be brought forward to implement the financial review and whether it will require further legislation?

Ms Dolan made reference to the absence of some bodies. I, too, am concerned about that. Translink, NI Water, the Driver and Vehicle Agency (DVA) and the trust ports are, in the main, big spenders. The Driver and Vehicle Agency is not, but Translink and NI Water in particular are. As I understand it, NI Water is an NDPB, so why is it not included? I am struggling to understand why that is so, because, if we are to have read-over in all these matters, we need a consistency of flow,

particularly when you consider that bodies like Translink led the demand for more and more cash during COVID, for example, yet we do not seem to have the transparency that we would like. Likewise, NI Water has huge capital needs. Is the Bill not going to do anything to help us analyse all that in an open and transparent way?

The Audit Office is specifically excluded. Of course, I understand that it has to have maximum independence, but surely we are not talking about impinging on its independence when we talk about setting out the road map that it should follow in how it portrays its budgets. How does that impede independence? I sit on the Audit Committee, so I have some insight into how the Northern Ireland Audit Office presents its accounts etc. One of my biggest concerns is that it has a very opaque arrangement in the local government side of its auditing. There does not seem to be much definition of its budgets and of how it conducts itself etc. Regardless of whether there is a connection, I have always experienced considerable disappointment with how the Audit Office, with any sort of vigour, audits some local government organisations. I am concerned that the Audit Office and, particularly, the auditing of local government, which lies within it, are outside the remit of the Bill. I look forward to hearing why that is the case for all those bodies and what further plans there are for the future.

North/South bodies are included, but they operate on a different financial year. I would like clarification on how that is to be reconciled. How do we read across in a calendar financial year and in an April-to-March calendar year for the North/South bodies?

Mr Principal Deputy Speaker: No other Member has indicated that they wish to speak, so I call the Minister of Finance to make a winding-up speech.

Mr Murphy: I thank the Members who spoke for their time and contributions. I welcome the universal desire for financial processes to be made more transparent. That is something that I share with Members. It is an issue that I took interest in and action on when I was on the Finance Committee many years ago, and it is something that I intend to progress and deliver on now that I am Finance Minister. Our objective in all this is to make the job of scrutiny more effective and to make the Committee more able to do that.

The Chair of the Committee outlined that the Committee will consider whatever course of action is needed. It is very much entitled to do

that, whether it considers placing amendments or extending the period for its scrutiny of the Bill. The Committee Chair and a number of other Members set out concerns about the scope of the Bill, believing that it does not go far enough. I appreciate that, but this is merely a step in that direction, and I never pretended that would be anything other than a step in the right direction. It will have to be followed through with ongoing review and intent. At last week's debate, I said that this was intended to be kick-started in 2016. I was not on the Executive at that time, so I do not have a record for Mr Muir of what was agreed. That start date was put in abeyance when the Executive went down for a number of years, and then the pandemic —

Dr Aiken: I thank the Minister for giving way and for his remarks so far. I am sorry that I did not raise this issue earlier, but it is important. Has the Minister been taking guidance from, or has he been in discussion with, the fiscal council about its reporting requirements so that there is an agreed commonality of approach?

Mr Murphy: I am very happy to engage with the fiscal council. As the Member knows, it is only starting to scope out its work. We have given it interim terms of reference — going terms of reference, if you will — and it intends to come back with others. I am more than happy to continue engagement with it in relation to this or any other matters that it considers to be of interest.

As I was saying, the Executive set out a process, but that was impeded because there was no Executive for a number of years. When the Executive picked up again, they were impeded by the onset of the pandemic. The intent is to have that review and for proposals to be brought forward from it. Those may include legislation, which Mr Allister asked about. The intent is also to be ready for the 2022-23 financial year. There is clear intent to bring that forward. There will be much work and discussion. The Bill will prompt that discussion with the Committee, and, through that, we can try to get as much consensus as possible about what will be needed in the time ahead. Everyone acknowledges that those are complex matters. They require that a significant amount of detail be made available. It is my desire to present that detail in a way that is accessible.

The Committee Chair also asked about controls on capital. He will be aware that the Assembly does not currently vote on capital spend, but, under the changes proposed in the Bill, the Assembly will vote on capital controls. The question about the fiscal council was raised

again. As I said to the Chair, I am happy to engage with it.

Mr Allister asked about the Audit Office. If selected, it would follow the same process, but it is important that we do not. That is why the Bill does not address it. It has its impartiality. There is an ongoing convention of excluding the Audit Office from the directing of Estimates and accounts preparation by the Department of Finance, because there is a sense that that would be a risk to the independence of the Audit Office. It does its budgeting Estimates through a parallel process with the Audit Committee, and Mr Allister is a member of that Committee.

I am not sure that I can give Mr Allister an answer to the local government aspect of his question, but I will undertake to ask that. I would have thought that the Audit Committee would be the most appropriate place to follow up on that, but, if the Member feels that information is not being shared, I am more than happy to ask officials to pick up on that.

Jemma Dolan raised some questions about arm's-length bodies. The vast majority of arm's-length bodies come within the budgeting Estimate boundary, but public corporations such as Translink will continue to score. NI Water is an NDPB for budgeting purposes, but, as a Go-co, it is a public corporation for accounting purposes. It has that hybrid place. That was, from my perspective, an unfinished piece of business from the original decision, taken prior to the restoration of devolution in 2007, to set Northern Ireland Water up as a body that would charge domestic customers, rather than one that was largely funded by the Executive. Despite a number of attempts — some of which were made by me when I was Minister for Regional Development — to put it on a different footing that is more accessible, it still operates in that hybrid position, which adds to the complexity of its accounting process.

As Members pointed out, there are issues to be addressed by the Bill. It is only a step in that direction. There are many more issues to be addressed around the overall review of the financial process. Those will continue and will involve engagement with the Committee.

Mr O'Toole: I am grateful to the Minister for giving way. On the point that he just raised, it is good that we will have more clarity in the Estimates, but, in reality, most MLAs will never look at the Estimates document. We have to be honest about that. It is a very technical document. What we need from the fiscal council is an approach that allows us all to get behind

explaining to the media and the public how budgeting works in a more straightforward way.

Mr Murphy: I agree with the Member. The figures have to be provided, and people need to be able to access them. However, we also have a responsibility to make sure that the information is accessible, as in it is presented in a way that people can easily access, scrutinise and join the dots from one piece to another. That is all essential. While there will be an ongoing requirement to give all the detail, there is a better way of doing this. I look forward to engagement with the Committee and other MLAs in the Chamber, and I am sure that there will be consultation with the public to see how the figures can be better presented.

Dr Aiken: Will the Minister give way?

Mr Murphy: I will give way again.

Dr Aiken: Thank you very much indeed, Minister. I go back to Northern Ireland Water and the issue about a Go-co. You said something important, which is that you have been trying to look at the hybrid model. One of the Committee's concerns is that there is no detail and understanding, particularly on what a Go-co should be. There should be a very straightforward explanation of how it is financed and how it presents its accounts, but we do not have that. Will the Minister ask the Department to provide the Committee with an explanatory note, particularly on Northern Ireland Water and its reporting positions? I detect from you, Minister, that you are just as confused as we are about Northern Ireland Water and how it manages, or does not manage, its finances.

Mr Murphy: A LeasCheann Comhairle, lest I create more confusion, my reference to wishing to do something was when I was Regional Development Minister for four years after 2007. I brought propositions to the Executive to look at the structure of NI Water and to bring it into the space that the Executive had considered that it should take, rather than the one that we inherited in 2007, which was a construct of the NIO. It is not that this is an ongoing process for me. My reference was to that time. If the Member is concerned about the Committee's inability to look at those figures, I am happy to raise that with the Department for Infrastructure.

Even from the discussion on this rather limited Bill, you can see the complexity and the ongoing work that needs to happen not just on this legislation, which is the first step in all this, but in the ongoing review of financial processes. I look forward to working closely

with the Committee as it begins its detailed scrutiny of the Bill. I commend the Bill to the House.

Question put and agreed to.

Resolved:

That the Second Stage of the Financial Reporting (Departments and Public Bodies) Bill [NIA Bill 21/17-22] be agreed.

The Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2021

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

That the Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2021 be affirmed.

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

Mr Murphy: The order extends the rural ATM rates exemption scheme until 2021-22. The scheme was reintroduced last year, having lapsed in 2017 in the absence of a functioning Assembly. The scheme had been a small but important measure in the non-domestic rating system, with the policy objective of encouraging and sustaining the provision of ATMs in rural areas by removing any rates liability for those facilities. Previous research and analysis, along with the feedback received during the business rates review conducted just prior to the pandemic, also confirmed the perceived value of the scheme despite its modest nature. In reintroducing the measure last year, the Executive took the view that the policy objectives behind the scheme remained important. The economic circumstances that we have experienced since then and the need to help rural businesses mean that that remains the case.

The legislation that we are discussing today will go some small way towards helping the retention of ATMs in rural areas by extending the scheme until March 2022. The scheme will continue to apply to stand-alone rural ATMs that are individually valued on the valuation list — for example, in separate units on main streets or completely stand-alone units. As in previous years, it does not need to apply to ATMs that are located in, and valued as part of, banks or building societies, which tend to be

subsumed within the overall value of that property. The current revenue loss associated with the measure is modest, costing around £100,000 in foregone rates revenue.

Although the measure is modest in scale and cost, the scheme continues to assist with the retention of rural ATMs, which is important to many of our rural communities.

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

2.15 pm

I turn to the statutory rule. Article 1 of the order sets out the citation, commencement and interpretation provisions. Article 2 provides for the extension, to 1 April 2022, of the date before which the scheme must end. Article 3 revokes the previous end date for the scheme, which was laid out in last year's legislation. I look forward to Members' comments, and I commend the Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2021 to the House.

Dr Aiken (The Chairperson of the Committee for Finance): I thank the Minister for setting out the purpose of and background to the statutory rule. I speak on behalf of the Committee for Finance. The Committee considered the rule on 24 March and 12 May. Members noted that the rule continues the rates exemption for separate entries in the valuation lists associated with about 100 automatic telling machines in designated rural areas. Members welcomed the continuing measure as a way of providing much needed support for our rural communities. For that reason, I am happy to advise the House that the Committee agreed to recommend that Statutory Rule 119/2021, The Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2021, be affirmed by the Assembly.

Mr McHugh: Gabhaim buíochas leis an Aire fosta as a ráiteas. I, too, thank the Minister, and I welcome the opportunity to add to the debate on the extension of the rates exemption to rural ATMs. Living in a rural community, I know the implication that it has in so many ways. Even though we have now reached the stage where, very often, people use cards in the bigger stores, petrol stations and so on, a feature of life in rural communities is that being able to use a card still depends entirely on the infrastructure and how efficient local broadband is. I make the point, too, that our rural communities, and our rural towns in particular, have been abandoned by the banking system. I do not forgive the banks for that for one second.

It is still very much an imperative for many people in rural communities to conduct their business with cash. It is not just older people and those of whom people often say, "It is just because they do not know how to use the technology": that is not the case. There are so many other transactions, such as donations to collections or to groups or organisations to which people belong. There are things of that nature for which we still need access to cash, and the only opportunity that we have is through ATMs.

Given what rural communities have experienced, and how ATMs have been exposed to criminality, it is important that local businessmen and others are encouraged to install an ATM and given the rates exemption. Without it, they are likely to withdraw the service. I am only too glad to see that some of those gangs have been apprehended of late. I would like to think that, in the event of there being any more such assaults on rural communities, the perpetrators would suffer the full rigours of the law. When those incidents happen, it is a case not just of taking money from the banks but of destroying a building or a premises, putting the lives of those who live there in danger and depriving many local people who work and assist in those same businesses of the opportunity to continue to provide a livelihood for themselves and their families in the rural communities.

The closure of banks and the withdrawal of that facility from many of our people, if anything, leads to the decimation of rural communities. At a time when we talk about the relocation of jobs from the eastern seaboard, the exemption is one measure to be encouraged. In that respect, I congratulate the Minister for proposing the legislation. I look forward to continuing to have that facility in rural communities such as mine in west Tyrone.

Ms Armstrong: I apologise for being in a place that I am not normally in. Minister, I add my thanks for the annual update on the rates exemption for ATMs. My contribution will be very quick. I have concerns about the definition of a rural area. It is not included in the explanatory notes or the order. There has been a growing change in what is considered to be rural. DAERA talks about settlements of under 2,500, and the Department for Communities talks about settlements of under 5,000. Across my rural constituency, I have towns, and, to be honest, very large villages, whose population falls between 2,500 and 5,000. How does the Department of Finance define a rural area, and can the Minister give assurances that ATMs in those areas will have access to the exemption?

Mr Deputy Speaker (Mr McGlone): Iarraim ar an Aire conclúid a chur leis an díospóireacht ina iomláine. I call the Minister of Finance, Conor Murphy, to conclude and wind on the debate.

Mr Murphy: I thank Members for their comments on the order and, indeed, on the wider issues in relation to ATMs and the provision of services in designated rural areas. I believe that the scheme is worth continuing for those living in isolated rural communities and those who still depend on the availability of cash from ATMs. We can all appreciate the difficulties that would be encountered in those communities from any measure that reduces the availability of ATMs, especially at this time. The Executive wish to continue to do all that they can to support people and businesses in rural areas.

The long-term need for the scheme may change in future years, perhaps as people become more used to contactless payments as a result of the pandemic, but also as the machines are assessed differently through the system. However, as things stand, it is worth preserving the measure for at least another year. By doing that, we can help to ensure that those eligible ATMs are preserved in rural areas, providing greater access and support to those communities.

Kellie Armstrong asked a specific question about the definition. The selected definition of a rural ward within the terms of the scheme is a ward where over 80% of the population is deemed to be rural. Bespoke work was conducted for the Department by the NI Statistics and Research Agency (NISRA) in relation to its use for this specific scheme. NISRA, in arriving at its assessment, employed the 2011 census population, the 2015 settlement definition and the 2014 ward boundary files. Those were used to set the criterion in the definition. I hope that that provides some illumination. In closing, I ask Members to support this measure. I commend the order to the Assembly.

Question put and agreed to.

Resolved:

That the Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2021 be affirmed.

The Official Statistics (Amendment) Order (Northern Ireland) 2021

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

That the Official Statistics (Amendment) Order (Northern Ireland) 2021 be affirmed.

Mr Deputy Speaker (Mr McGlone): Arís eile iarraim ar an Aire Airgeadais an rún a mholadh. The Business Committee has agreed that there should be no time limit on this debate. Agus anois iarraim ar an Aire an díospóireacht ar an rún a oscailt. I call the Minister to open the debate on the motion.

Mr Murphy (The Minister of Finance): I am seeking the Assembly's affirmation of the Official Statistics (Amendment) Order (Northern Ireland) 2021. The amendment will expand the scope of official statistics by listing three further persons as producers of official statistics: the Education Authority for local school statistics, Invest NI for business development statistics and the Labour Relations Agency for employment relations statistics.

The Statistics and Registration Service Act 2007 created a new non-ministerial department, the Statistics Board, which operates under the name UK Statistics Authority. Its role is to promote and safeguard the production and publication of official statistics that serve the public good. Under section 6(1)(a) of the Act, all statistics produced by a Department and other specified bodies are designated as official statistics. Sections 6(1) (b) and 6(2) allow orders to be made by a Department to specify other persons as producers of official statistics. As Minister with responsibility for statistics, I have brought forward this legislation.

In 2011, the Executive approved the making of the Official Statistics Order (Northern Ireland) 2012. The order came into operation on 1 April 2012 and specified 14 non-Crown bodies as producers of official statistics. All the bodies that are listed in the 2012 order are part of the wider official statistics community, working in partnership with the Northern Ireland Statistics and Research Agency (NISRA). Extension of the official statistics community will further enhance the integrity, coherence and professionalism of the public sector's statistical system.

The impact of designation as a producer of official statistics on the list is that the production and publication of official statistics is subject to monitoring and reporting by the Statistics Board under section 8 of the 2007 Act. The people who produce official statistics are expected to comply with the standards in the Statistics

Board's code of practice for statistics. They must comply with the relevant rules and principles that relate to the granting of pre-release access to official statistics and should name a lead official to liaise with departmental statisticians on the operation of the code of practice.

The benefits of being designated a producer of official statistics include recognised status for the statistics that are produced; a signal to government and other users that the statistics are produced to appropriate standards; the raised profile of statistics and of the importance of quality in the organisation; clarification of the importance of the statistics for policy use; and confirmation of the authoritative nature of the figures.

Targeted consultation has been carried out with the bodies that are included in the order. That has been undertaken by senior departmental statisticians, who consulted directly with the bodies that are sponsored by their Department. All three bodies have confirmed that they wish to be named in the order. As required by the Act, the Statistics Board has been consulted on the draft order. Ministers have also been briefed on the bodies in their respective areas that are included, and they are content. The order was considered by the Finance Committee. No objections were raised. I therefore recommend that the Official Statistics (Amendment) Order (Northern Ireland) 2021 be affirmed.

Dr Aiken (The Chairperson of the Committee for Finance): I thank the Minister for setting out the purpose of and background to the statutory rule. I am speaking on behalf of the Committee of Finance. The Committee considered the rule on 21 April and again on 26 May. Members noted that it will amend the Official Statistics Order (Northern Ireland) 2012 to include the Education Authority, Invest Northern Ireland and the Labour Relations Agency as producers of official statistics. Members welcomed that measure, as it will require the relevant organisations to comply with the standards in the Statistics Authority's code of practice for statistics and thus, hopefully, improve transparency and understandability. The Committee therefore agreed to recommend that statutory rule 2021/127, the Official Statistics (Amendment) Order (Northern Ireland) 2021, be affirmed by the Assembly.

Mr McHugh: Gabhaim buíochas leis an Aire fosta. I welcome the opportunity to speak on the motion. I commend the Minister for bringing forward the amendment order, which will designate the Education Authority, Invest NI

and the Labour Relations Agency as producers of official statistics.

I am sure that we are all familiar with the line, "Lies, damned lies, and statistics". I do not know who originally said that, but it is often quoted. In many respects, it gives statistics a bad reputation. It is the case, however, and we must acknowledge this, that statistics are an essential element of providing us with the information that is required in so many ways in order to ensure good government and to enable us to make judgements and decisions about how resources and the like are spent.

The order will ensure that the bodies mentioned in it adhere to the code of practice on the production of official statistics and so on. That is to be commended. In many ways, it is a valuable instrument for policymaking. The code will play an essential role in ensuring that the statistics that are published by government command public confidence. That is more important than anything else so that we do not get hung up on "Lies, damned lies, and statistics". The instrument is to be used to ensure that we move forward in the most efficient manner in every respect, particularly with the three bodies mentioned in it.

2.30 pm

Mr Deputy Speaker (Mr McGlone): Sin a bhfuil. Anois iarraim ar an Aire chun críoch a chur leis an díospóireacht. I call the Minister to conclude and make a winding-up speech on the motion.

Mr Murphy: I thank the Chair and members of the Committee, who carried out scrutiny of the order. I very much welcome their support. I commend the motion to the Assembly.

Question put and agreed to.

Resolved:

That the Official Statistics (Amendment) Order (Northern Ireland) 2021 be affirmed.

Mr Deputy Speaker (Mr McGlone): As Question Time begins at 2.45 pm, I propose that we suspend the sitting until then.

The sitting was suspended at 2.30 pm and resumed at 2.45 pm.

(Mr Speaker in the Chair)

Oral Answers to Questions

Health

Hernia Mesh Procedures

1. **Mr McCrossan** asked the Minister of Health for his assessment of his Department's guidance around hernia mesh procedures. (AQO 2200/17-22)

Mr Swann (The Minister of Health): The Department of Health does not have guidance on hernia mesh procedures. There is, however, a Chief Medical Officer's (CMO) circular entitled 'Use of Hernia Mesh', which was issued to health trusts and general practitioners on 30 July 2019. That circular notes that the use of mesh for hernia repair is a long-standing surgical procedure that is carried out worldwide and has led to a significant reduction in the number of patients suffering from hernia recurrence and, therefore, to a reduction in the number of those needing surgery. As such, it remains an option for patients in Northern Ireland and their clinicians to consider in consultation when deciding on a course of treatment, and I consider that to be appropriate. Indeed, the National Institute for Health and Care Excellence (NICE) views the use of mesh for hernia repair as standard clinical practice. It has been performed for a number of decades, and its safety and efficacy are understood.

Very regrettably, the July 2019 circular notes that there are reports of patients who have suffered disabling complications from the use of mesh for hernia repair and that a number of them feel that they were not fully informed about their condition, treatment options and the complications that may arise. That harm was further compounded by the fact that the professional response was described as "dismissive". The circular noted the importance of working in partnership with patients:

"in order that good clinical decisions may be made and patients are able to decide on the course of their treatment from a fully informed position."

I completely endorse the need for patients to be fully informed about the risks of treatment and non-treatment before any surgery takes place.

Mr McCrossan: I thank the Minister for that answer. First of all, Minister, as a Member and

a colleague of yours in the Assembly, you have my full support as Health Minister. You have been doing a very good job in very challenging circumstances, and, from the SDLP's side of the House, I offer you our full support. I have to say that I was no great fan of Van's anyway.

Minister, you will be aware of the group Hernia Mesh Awareness NI, which, as a result of the lived experiences of its members, has been campaigning for an end to hernia mesh procedures. What support is your Department making available to those people who have been adversely impacted by the procedure?

Mr Swann: I thank the Member for his comments; they are appreciated.

Patients who experience problems following that type of surgery are advised to consult with their GP and, if necessary, seek referral to the health and social care trust where their surgery was performed in order to get appropriate care and treatment. For counselling and any support aside from surgery, patients may be offered assistance by their GP, the appropriate multidisciplinary team or services in the relevant trust. The Health and Social Care Board (HSCB), the Public Health Agency (PHA), the Patient Client Council (PCC) and the health and social care trusts assist patients through the provision of information on the treatment options and services that are available. Patient pathways are designed in order to ensure that patients have access to the most appropriate treatment for their condition. Patients should be supported through the process with informed discussions with their clinicians in order to ensure that their preferences and any inherent risks are explored and understood.

Ms Flynn: Minister, we have been speaking about the overall mesh implant scandal for a number of years now. Of course, it applies not just to hernia mesh but to vaginal mesh. Many, many men and women are living in great pain as a result of the mesh implants that have been inserted into their bodies. While I accept that the proportion of people who have had the hernia mesh inserted and are living in long-term pain is probably small, will the Minister confirm when the mesh clinic at Belfast's Royal Victoria Hospital (RVH) is due to reopen? I have submitted a question for written answer on that but am yet to receive a response. I am not sure whether there is any update on the Julia Cumberlege report. I know that the hernia mesh issue is separate to that, but it will need to be looked at so that men can also avail themselves of the treatment.

Mr Swann: I thank the Member for her question. I do not yet have a date for when that treatment will start, but the Belfast Trust is working on that. The Member raised the Baroness Cumberlege report. Baroness Cumberlege published her findings on 8 July, and, as the Member knows, that report investigated what had happened specifically in respect of two medications, hormone pregnancy tests and one device, the pelvic mesh implants that were used in surgical repair of pelvic organ prolapse and to manage stress urinary incontinence, the use of which has been linked to crippling life-changing complications. Following that publication, I issued a statement apologising to those who were affected, and a departmental working group was established to consider the nine recommendations in the report and my Department's response to that. That work is moving forward, and I plan to provide a formal response to that report shortly.

Ms Bradshaw: Minister, I have been working with that group as well for many years, and I have always found it incredible how dismissive departmental officials have been of the constant pain that they live in. I was very disappointed to find that no record is kept of how many of them are living in pain. There is no alternative offered to them, and any of them whom I have spoken to felt that they were coerced into that because there was no alternative treatment. What are you doing to provide an alternative treatment for people who do not want to go through a hernia mesh implant procedure?

Mr Swann: I thank the Member for her question. I am disappointed that she says that my departmental officials have been described as dismissive. That was noted in the Chief Medical Officer's circular of July 2019, which I mentioned at the beginning. On the support mechanisms, I ask the Member to encourage patients to engage with the Patient Client Council and with their GPs. If she has any specific concerns or positions, I would be happy to meet the Member to discuss those.

Mr Allister: On the issue of quantifying the number of cases with hernia mesh problems, can the Minister give us some indication of that? A small number of constituents have raised the issue with me, and, as Ms Bradshaw said, they all report a dismissive attitude towards their situation. Can the Minister quantify how many people are making complaints about the issue?

Mr Swann: I do not have a summary of the number of people who are making complaints. It is impossible. I do not have the ability to say

how many people have been adversely affected by hernia mesh surgery in Northern Ireland. As with other surgery, complications can occur, and, in the case of hernia mesh surgery, these complications may include chronic pain or debilitating pain. We know, according to the 2018 guidelines compiled by the international HerniaSurge Group, that, worldwide, more than 20 million patients a year undergo groin hernia repair. According to the HerniaSurge Group, overall, the incidence of clinical significant chronic pain is in the region of 10% to 12%, and debilitating chronic pain affecting normal daily activities or work ranges from 0.5% to 6%. As there are approximately 2,000 hernia mesh operations in Northern Ireland each year, that constitutes a substantial number of patients who may present with symptoms. I say to the Member, as I said to other Members, that if people are presenting with problems, please advise them to contact the Patient Client Council or their GP in regard to getting the best direction of travel and the best solution. If the Member has cases of any individual constituents, I ask him to write to me with those details.

Occupational Therapy Services

Mrs D Kelly: I also wish to express solidarity to the Health Minister in the face of the recent abuse.

Mr Speaker: Sorry, Dolores. I want you to come onto the next question.

2. **Mrs D Kelly** asked the Minister of Health for his assessment of waiting times for occupational therapy services. (AQO 2201/17-22)

Mr Swann: I can advise the Member that the total number of people waiting for an occupational therapy appointment across all five health and social care trusts, as of 30 April, was 14,200. Of these, 7,948 people have, very regrettably, been waiting longer than the target of 13 weeks. I am acutely aware of the increasing frustration and challenges that are being experienced by individuals and their families on an ongoing basis while they wait for an appointment to see an occupational therapist.

Unfortunately, as Members will be only too well aware, this position is by no means unique to the occupational therapy service.

Increased investment is necessary in order to deliver a service that is fit for purpose and can meet the ongoing challenges. Again, as is the

case with many of our health and social care services, budgetary pressures are a severely limiting factor. I placed on record my view that the budget for my Department for the year ahead is extremely disappointing. We need sustained investment and multi-year Budget settlements to support long-term investment in providing and skilling up our workforce.

Mrs D Kelly: I declare an interest as a former occupational therapist. Minister, those are horrendous figures. They are only for a first appointment and are not about treatment. The whole point of occupational therapy is rehabilitation and allowing people to live full and independent lives. I am aware that a number of people have applied to train as occupational therapists, but there are only 40 places at the universities. Surely we need to invest in our universities in relation to the number of occupational therapy places. Have you had, or do you intend to have, any discussions with the Economy Minister?

Mr Swann: I thank the Member for her point. As she is aware, my Department annually commissions undergraduate training places from Ulster University for six categories of the allied health professions (AHPs). The numbers commissioned in 2021 included 55 occupational therapists. That represents an increase of 56 commissioned places from 245 in 2019-2020 to 301 in 2020-21. An additional 10 undergraduate places for occupational therapy were considered for 2021-22. Funding for any proposed expansion of AHP undergraduate training programmes commissioned by my Department will be required on a recurrent multi-year basis, and, unfortunately, the current budgetary pressures facing my Department mean that there is no funding for any such expansion. That includes occupational therapy. The need to expand this programme will be considered in future budget build exercises.

Ms Mullan: Occupational therapy is one of the most important areas of health about which constituents contact my office. I am sure that that is the same for many Members. You have given us an answer, but I want to highlight that, as of December 2020, there were at least 120 occupational therapy staff vacancies. You gave us an update on the training. Is your Department taking any other action to address the issue?

Mr Swann: The Member highlights the point that recruitment, retention and training are crucial. While we may ask for places, it takes a number of years before those professionals come out at the other end. In order to address

the additional pressures that have been placed on the service as we emerge from the pandemic, my Department asked the Health and Social Care Board (HSCB) to initiate work in respect of the assessment of people who continue to experience long-term ill health, such as COVID-19 infection. That work includes the development of costed proposals for an assessment service, which will include a range of professions, including occupational therapy specialists, in line with National Institute for Health and Care Excellence (NICE) guidelines and the specification for the multidisciplinary assessment clinics that were recently established in England.

My Department has already carried out a series of AHP workforce reviews, including occupational therapy, to ensure the provision of an AHP workforce that is capable of meeting current and future service demands. Those are living documents that are continually reviewed to take account of those additional requirements as needs arise, which includes the impact that we will see from COVID-19.

Mr Chambers: Waiting times across all areas of our health service are unacceptably long, and I look forward to the Minister's upcoming announcement of the elective care framework. Is he confident that all Executive parties realise that, in order to avoid ever letting the health service get into such a poor state again, the short-term thinking and in-year budget cuts of times past are a totally unacceptable way to run our most important public service?

Mr Swann: I thank the Member for his point. I am on record, as is every party in the House, as saying that a one-year budget for health is unsustainable. That is why we need specific recurrent funding for Health, which allows us to make long-term investments, not only in capital and buildings but in our professionals and our workforce, for training, recruitment and retention. The specific point of the question highlights the need for recurrent funding to address and tackle the challenges faced by our health service and the workload faced by our health professionals.

3.00 pm

Cross-border Health Services

3. **Ms Anderson** asked the Minister of Health, in light of Brexit, how he is protecting access to cross-border health services across the island of Ireland. (AQO 2202/17-22)

Mr Swann: I thank the Member for her question. Cross-border services, and those provided on an all-island basis, are, in and of themselves, not directly affected by the UK's exit from the EU. A number of service level agreements and memorandums of understanding are in place between the Health Service Executive, the health and social care trusts, and specific providers to deliver a wide range of services that are important to the people who use them. Those range from the radiotherapy unit at Altnagelvin hospital, which is advantageous because it makes the provision of specialist services financially viable by sharing facilities to enable people from both jurisdictions to access care locally, thereby avoiding lengthy journeys to specialist centres elsewhere; to very local services, such as out-of-hours services, and working together to allow patients to attend the closest centre when they are in need.

The services that are already in place will continue, and new services will be explored. To support that, engagement between my officials and the Department of Health in the Republic of Ireland is frequent and positive. A primary focus for both is to ensure that the comprehensive cross-border healthcare arrangements that benefit citizens from both jurisdictions are not only maintained, but further developed.

Ms Anderson: I, too, express my solidarity with the Health Minister after the unacceptable comments that we heard over the weekend. Minister, I will ask you about the dire situation that we are in with regard to waiting lists. I am conscious of what you say, but my understanding, from dealing with constituents in Derry who have tried to avail of the EU cross-border reimbursement scheme for hip replacements and so on, is that it no longer exists in the way in which it did before. Will you give me some clarity on that? Are you working with the Minister in the South, Stephen Donnelly, to ensure that constituents across the North understand how to access the EU cross-border reimbursement scheme, if it still exists, for things such as hip replacements?

Mr Swann: I thank the Member. The cross-border healthcare directive (CBHD) enabled UK citizens to access healthcare in any EU country in either the private or public sector and to be reimbursed for that care abroad by their home country. As of the end of the EU exit transition, the directive no longer applies to the UK. Transitional provisions have been made to ensure that if someone has applied to or used the CBHD before the end of the transition, reimbursement for treatments will be honoured for up to one year, based on certain conditions.

I have also asked my officials to look at the possibility of re-establishing a version of the cross-border healthcare directive to the Republic of Ireland. The Republic of Ireland reimbursement scheme will set out a framework based on the cross-border healthcare directive and will allow patients to seek and pay for any treatment in the private sector in Ireland and have the costs, up to the cost of the treatment in Health and Social Care (HSC) in Northern Ireland, reimbursed. The Republic of Ireland reimbursement scheme will be open to ordinary residents of Northern Ireland and managed by the Health and Social Care Board. All treatments are subject to prior authorisation.

I am aware that Ireland has extended an administrative process to Irish patients to use CBHD-like processes to access care in the private sector in Northern Ireland. That is completely a matter for the Department of Health in the Republic of Ireland.

Mr Carroll: I thank the Minister for his answers. Much has been made recently of regulatory divergence and borders in the Irish Sea, but there have been no problems or cries of betrayal from the Benches opposite about exporting women who need abortions to England and Wales. Almost 400 travelled during the pandemic for healthcare. That is a disgraceful figure. Will the Minister provide details of his attempts to get Executive sign-off for abortion services since he took up post? You, Minister, are not dangerous, but it is dangerous to force women to travel during a pandemic for healthcare.

Mr Swann: I thank the Member for his supplementary, although it was some way off the original topic. I once again submitted proposals to Executive Ministers about that issue on 19 May. My paper has, as of last week, not yet been discussed by the Executive Committee. I am seeking consensus, as I am required to do under the ministerial code, while my Department resumes the necessary planning work for commissioned abortion services under the 2020 regulations.

Mr Nesbitt: The Minister has been consistent in welcoming cooperation, be it from Ireland, Great Britain or further afield, if it improves patient outcomes. Will he update the House on the dual registration issue, please?

Mr Swann: I thank the Member for his point. In recognising that, currently, there is no legislative alternative to dual registration, my Department initiated discussions with the Irish Health Department and the Republic of

Ireland's medical and nursing regulators to identify a pragmatic approach to registration requirements. To date, all parties have agreed on the need to avoid any disruption to the delivery of care, and, through discussions with the Irish Health Department, the Irish Medical Council and the Nursing and Midwifery Board of Ireland, an understanding has been reached that an effective grace period for individuals who require dual registration applies while the necessary applications are being processed. It remains imperative that the trusts initiate applications that the regulators have undertaken to expedite for relevant employees within those time frames. In doing so, there is no reason for any disruption to cross-border care.

Dentistry Services

4. **Mr Muir** asked the Minister of Health to outline his plans for the full resumption of dentistry services. (AQO 2203/17-22)

Mr Swann: I thank the Member for his question. Enhanced infection prevention and control measures have reduced patient throughput by approximately 60%. As soon as those measures can be safely eased, they will be, and the Chief Dental Officer continues to liaise with colleagues across the United Kingdom on that critical issue. To ensure that the limited treatment capacity is targeted appropriately, the guidance issued to all dentists recommends that patients are prioritised on the basis of need and that any patient who requires emergency or urgent care is given the highest priority.

A financial support scheme was established in April 2020 to support dental practices. The scheme provides an additional payment to eligible practitioners each month based on their average earnings in 2019-20. To date, the Department has been able to invest £57 million in relation to those issues since the pandemic started. Furthermore, in February 2021, I established a £1.5 million revenue grant fund to help practices to invest in measures such as improved ventilation systems. That fund is helping to build capacity throughout the sector and is addressing some of the patient throughput issues that have been unavoidable in recent times. Our short-term objective is to support the increase in activity levels through continued financial support that incentivises the treatment of priority health service patients in a manner that is safe for patients and staff.

Looking forward, the Department, as part of its wider approach of rebuilding services, is

engaging with the British Dental Association on the continuation of the financial support scheme and support for PPE for the remainder of this financial year. Whilst we need to deal with those immediate issues, we also need to consider how dental services can be provided in a sustainable way going forward. To that end, I have asked officials to establish a general dental services rebuilding stakeholder group, which will formalise engagement between the Department, the HSCB and the British Dental Association so that momentum around those issues continues.

Mr Muir: I offer my full support to the Minister after the disgraceful comments last week.

Like many other people, since the pandemic arrived, I have not had a dental check-up for well over a year. As I understand it, one of the things that is inhibiting the full return to dentistry services is the aerosol-generating procedures and the regulations around those. Will the Minister give us more details about when he intends to review those procedures and the associated regulations in order to allow us, hopefully, to move towards the full resumption of dentistry services?

Mr Swann: I thank the Member for his question. The guidance that we use was agreed with the chief dental officers across the United Kingdom, so there is a UK-wide approach to those recommendations; it is not one that has been taken solely by my Department. Further to that, as I said in my initial answer, that is why I established a £1.5 million revenue grant fund to help practices to invest in measures such as improved ventilation systems so that we can rebuild capacity throughout the sector.

Mr Robinson: I heard the Minister's answer to the previous question, but will he give an undertaking that, equally, GP practices should fully reopen so that patients and constituents can access GP surgeries and services?

Mr Swann: I thank the Member for his question. I am aware that the Royal College of General Practitioners and the British Medical Association's general practitioners committee commented on that matter recently.

I support and applaud the work that they have done through the pandemic. It has been a challenge, not only with an increase in referrals and attendances but as they get back to having as many face-to-face appointments as they can. I am aware that some GP practices across the country are not providing as full a service as they might do. I share the frustration at that, as

do members of the Royal College of GPs and the British Medical Association committee of GPs, which are fully committed to re-servicing and to seeing as many of their patients as they safely can.

Ms Ní Chuilín: I thank Andrew for tabling the question. The Minister will be aware that the number of children, particularly in areas of deprivation, who have had teeth extracted as a result of poor diet and nutrition has always been an issue. As part of the deliberations about recovery, will he bring forward an up-to-date oral health strategy, particularly for children and young people and for disabled people? I, too, put on record my support for the Minister and, indeed, his family.

Mr Swann: I thank the Member for her comments. She will be aware that our current Northern Ireland oral health strategy was published in 2007. Despite its age, the main oral health problems described in the document and acknowledged by the Member remain the same and are largely still valid today. The young people's oral health options group has been delayed until later this year, although some preparatory work has commenced. The older adults' health options group has been established and is chaired by the acting Chief Dental Officer. The oral health strategy for older adults is expected to be published this year. The intention is that the groups establish the oral health needs of children and older adults in Northern Ireland and review the evidence base in order to determine which preventative interventions are likely to be most effective and also provide value for money.

Organ Donation Legislation

5. **Mr Boylan** asked the Minister of Health for an update on the planned organ donation legislation. (AQO 2204/17-22)

Mr Swann: I thank the Member for his question. As he will be aware, my Department has undertaken substantial work to complete a draft organ and tissue donation (deemed consent) Bill. The timing for its introduction to the Assembly is at a critical stage. I wrote to ministerial colleagues on 12 April and again on 1 June to seek formal Executive agreement to introduce the Bill at the earliest opportunity.

Individual Ministers have responded to me, mostly reflecting the strong support from the Northern Ireland public for my Department's recent public consultation. My revised paper has not yet been discussed and voted on in the Executive Committee, however, so it has not

yet progressed to the Assembly. I therefore wrote last week to the First Minister and the deputy First Minister, under the urgent decisions procedure of the ministerial code, in order to ensure that the Bill is able to proceed to First Stage and Second Stage in the remaining weeks of the current term.

My answer provides options for answering the question in four scenarios: option 1, in which no decision has been taken by the First Minister and the deputy First Minister; option 2, in which the paper has been declined by the First Minister and the deputy First Minister; and option 3, in which it has been agreed by the First Minister and the deputy First Minister. Unfortunately, I do not have an answer for the fourth option: for what happens to the Bill in the absence of a First Minister and a deputy First Minister.

Mr Boylan: I thank the Minister for his answer. I, too, lend him my support in the light of the commentary over the weekend. I appreciate the answer, but will the Minister commit to working with Departments on introducing the Bill? He will know that Organ Donation Week is scheduled for September, and the Bill is badly needed. We will support the Minister in his working with others to introduce the Bill by September.

Mr Swann: I thank the Member. As I demonstrated in my answer, I first need to get it through the Executive Committee, so I ask for the support of all Members and Ministers in the House to enable me to do that as soon as the Executive are able to meet and move forward with it.

3.15 pm

Mr McNulty: Minister, the heart is one of our vital organs. Just over 17 years ago, my former Queen's GAA teammate went to bed and did not wake up. His mother, Bridget, spoke very passionately this morning on 'Good Morning Ulster' about the importance of providing automated external defibrillators (AEDs) and CPR training for sports clubs. Christian Eriksen had a very public cardiac arrest at the weekend. Only for the swift actions of his teammates and the emergency services, he probably would have died. How important does the Minister believe that it is that CPR training is provided in our schools and that AEDs are made available for sports clubs and organisations?

Mr Swann: I thank the Member for his comments about the disturbing scenes that were viewed over the weekend. CPR training in

schools is without my Department's responsibility, but I am aware that the Member's party colleague has a private Member's Bill to introduce CPR training in our education sector. I am fully supportive of that. I say to people who have vandalised public resuscitation equipment: you are a shame and a disgrace. We saw very clearly at the weekend how vital those pieces of equipment are. They are life-saving and should be treated as such.

Mr Speaker: That ends the period for listed questions. We move on to topical questions for 15 minutes.

HSC Staff Recognition Payment

T1. **Ms Armstrong** asked the Minister of Health when health and social care staff will see the special recognition payment in their pay packets or bank accounts. (AQT 1421/17-22)

Mr Swann: I thank the Member for her question. Health and social care staff should receive the payment in their bank account by July. The Member will be aware that one of the asks that was made to me was to make the payment not subject to tax or social benefits allowance. To do that, with support from my Executive colleagues, we increased the value of the payment. We also allowed staff the option to defer the payment over a number of months rather than receive it as a lump sum, which may have had adverse effects on some social security payments. The payment has taken a little bit longer as we were putting those two supporting measures in place.

Ms Armstrong: Thank you very much, Minister. Carrying on with the theme of payment for health and social care staff, UNISON's campaign calls for an immediate £2,000 pay rise. Have you engaged with Executive colleagues to advance that? Have you talked with the UK Treasury about appropriate levels of pay to ensure staff retention?

Mr Swann: I thank the Member. She may not be aware that I had a meeting on Friday with some UNISON representatives from the Western Trust. They put that specific point to me. We are mandated to look, first, at the recommendation from the independent review body, which we are led to believe will report at the end of this month. At that point, we will take cognisance of its recommendations and of the Barnett consequential settlement from the same decision being made across the rest of the United Kingdom. We are depending on not just the recommendation but the additional

funding because, as the Member will know, my budgets are already strained and stressed.

Robinson Hospital: Temporary Closure

T2. **Mr Storey** asked the Minister of Health — after assuring the Minister that he does not concur with the comments that were made last week, which are in no way a reflection of what he thinks of him as a colleague, given the way in which he has very ably charted a course through what has been a very difficult time — to give an assurance that he will work with the Northern Trust to ensure that the proposed temporary closure of the Robinson memorial hospital to facilitate works that will, hopefully, be completed in October will cause minimum disruption and that the patient experience will be maintained to the highest possible standard. (AQT 1422/17-22)

Mr Swann: First, I thank the Member for his sincere comments of support. I welcome that as a constituency colleague.

On the Robinson Hospital, I will work with the Northern Trust to get the Member an update on the prescribed works and the time frame and to ensure that there is as little disruption as possible not just to patients who are being treated in the Robinson but to those who may have been sent there to recuperate. It is vital — the Member will know that I have said this in the past — that I have every square foot of our health estate at this time, and the Robinson plays a very important part in that estate.

Mr Storey: I welcome the Minister's comments, particularly those on the important role that the Robinson and other facilities such as Dalriada in our North Antrim constituency play in the delivery of healthcare. Will he ensure that, in the plans for the overall provision of acute care in Northern Ireland — he faces some challenges in that — the Robinson, Dalriada and other cottage-type hospitals will play an important role and that they will be there in the future for our constituents?

Mr Swann: I thank the Member. I have said this many times in the House, and I will repeat it to him: I need every square foot of the estate that we have. That is why an investment is being made to increase the Robinson's provision and to improve its condition. It is vital that we utilise not just our estate but our workforce to the best of our ability. I hope that I will have the Member's support when I come forward with what we need to do on elective care, how to change the structure and what we can do

differently in Northern Ireland to have a better patient experience and to shorten our waiting lists.

Abortion Services: Apology Due

T3. **Ms Bailey** asked the Minister of Health, given that she is sure that the speedy and personal apology that he got after the ridiculous comments that were made about him last week was welcome, whether, following Mr Carroll's question, he will commit to offering an apology to the 371 women who have been forced to travel to England for abortion services during the pandemic. (AQT 1423/17-22)

Mr Swann: I do not want to conflate the two issues or bring them together. I received an apology of sorts on Saturday afternoon, so it was far from speedy in comparison with other public statements that were made.

On the delivery of abortion services, as I said in answer to an earlier question, I am seeking consensus, as required under the ministerial code. While my Department resumes the necessary planning works for commissioned abortion services under the 2020 regulations, I have asked Executive colleagues for a decision on that. I propose that because, as was the case when I brought forward similar proposals in April or May last year, I want to reduce the health risk for any woman or girl in Northern Ireland who needs to travel to England to access services or, worse, needs to turn to unsafe and unregulated services while work on a commissioned service is progressed by my Department.

Ms Bailey: Minister, this morning, I received a response to a question for written answer about the regulation of Stanton Healthcare in Belfast. The response stated that it is not regulated. On Stanton's website, it says that its services include counselling, pregnancy testing, STI testing, post-abortion care, ultrasound referrals and many other things. Do you think that it is dangerous if it is not regulated and we do not know what is being offered? Why is it not regulated?

Mr Swann: Again, I thank the Member for her question. If I recall it correctly, the response to the question for written answer that she received this morning and to which she refers sets out the assessment of Stanton Healthcare by the Regulation and Quality Improvement Authority (RQIA). I have to take my guidance from the RQIA, which is our regulatory and quality inspectorate. If it says that that is not an establishment that it is within its scope to

inspect, I have to take it at its word. I will ask it again, on the back of the Member's question, to reassess that. That was the initial response that I was provided with for the Member's question for written answer.

Mr Speaker: Trevor Lunn is not in his place. Question 5 has been withdrawn.

Health: Collapse of the Institutions

T6. **Mr Catney** asked the Minister of Health, in light of where we are and the threat of collapse facing the institutions, whether his Department has made an assessment of where we can go without there being a Health Minister in place to follow through on his plans. (AQT 1426/17-22)

Mr Swann: I thank the Member for the point that he has raised, because it is one of concern. We saw what happened when this place collapsed last time round. We saw our waiting lists spiral due to no Minister being in place to take the decisions that needed to be taken and no Finance Minister being in place to make the changes to the Budget provision for the Department of Health that were necessary at that time. While I can set direction and make statements without a functioning Executive, our health service is under extreme pressure and will be under threat until we get an Executive up and running and functioning again.

Mr Catney: I thank the Minister. I realise how difficult it is for those big decisions to be made without a Minister in place. I look at Lagan Valley Hospital and the great work that is being done there and at the Minister's commitment that no building will be closed. Money has been spent there for day procedures. I go back to a question that I have raised with the Minister before: parking is an issue. Anything that the Department can do to alleviate the parking issues around the Lagan Valley Hospital would be much appreciated.

Mr Swann: The Member has raised that in the past, and I said that I would get back to him in writing. I will ask the trust to engage with the Member on the issue of parking, because it is a strain and a stress. We want to develop our services and increase the service that the Lagan Valley Hospital can provide in its day procedure unit. It is getting great reviews and doing larger numbers than we had hoped, but it can do more. We need to make sure that all of those ancillary challenges are also addressed.

Loneliness Awareness Week

T7. **Ms S Bradley** asked the Minister of Health, on the first day of loneliness awareness week and in light of the fact that poor health can trigger loneliness and loneliness can trigger poor health, whether he will consider what role his Department could have in capturing data to show how many of our people are experiencing loneliness. (AQT 1427/17-22)

Mr Swann: The Department is aware of the challenges that were compounded during the pandemic, when loneliness became an endemic problem across Northern Ireland. We received reports from community pharmacists who went out to homes to deliver a medication and were there for half an hour because that was the only personal interaction that the individual had. Community pharmacy was able to provide that welcome additional service. Now, we are looking at it through the mental health supports that we are giving to community pharmacy.

What the Member acknowledges with regard to loneliness is a challenge. We can look back at some of the recent Northern Ireland Statistics and Research Agency (NISRA) statistical reports. We often take loneliness as something that is specific to people who live in remote areas, up long country lanes. However, the reports describe how, even in concentrated urban areas and towns and villages, people living in the middle of communities are lonely as well. We need to see greater outreach among communities, and we need to support engagement with neighbours and those around us. It is something that my Department is keen to be involved in, but it is cross-departmental work on which we need to interact with Communities, Justice and Education to make sure that there is a holistic Executive approach. That is why it is important that we have a functioning Executive.

Ms S Bradley: I take the Minister's point.

The Minister will be aware that an all-party group (APG) has been set up on loneliness and preventing loneliness. There has been widespread support across all parties for that APG. Will the Minister go on record and concur with me that this place needs a loneliness strategy that will bring us in line with all other regions?

Mr Swann: I will support it if my Department can play an active role in developing a strategy. However, we need not just a strategy but actions. I am all too aware of the number of strategies that this place has.

I concur that we need another strategy, but we also need to see that strategy delivered, given the specific challenge that the Member raised.

3.30 pm

With regard to the challenges of mental health especially, we need to see whether, through early interactions like engagement and talking to people, we can prevent that mental health diagnosis and the problem being exacerbated. That might happen through some of our Good Morning phone calls and things like that. There is a plethora of support services out there that this place needs to fund. If that work needs to be pulled together in a strategy, so be it, but I would rather see action than another strategy.

Mr Speaker: I call Karen Mullan. You are not likely to get a supplementary.

Addiction Services: Derry and the North-west

T8. **Ms Mullan** asked the Minister of Health, after thanking him for visiting Altnagelvin in May and meeting with her, Tamzin White and others in relation to detox and addiction services, whether he will commit to a full review of addiction services in Derry and the north-west, with a particular focus on females with addictions. (AQT 1428/17-22)

Mr Swann: I thank the Member for setting up the meeting with Tamzin. She has been in contact with me again, as I am sure the Member is aware. She is a fantastic advocate. I said that to her on the day we met. She has a passion for making sure that those addiction services and emergency crisis services are in place, especially in the city. The Member may not be aware that I visited a number of mental health facilities in the Western Trust on Friday, one of which was the Asha Centre, to see the work that they do and the service that they provide. Their work is to be commended, but it also needs to be enhanced and supported from what was in the original facility.

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

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

Question for Urgent Oral Answer

Economy

Stobart Air

Mr Deputy Speaker (Mr McGlone): Mr Mike Nesbitt has given notice of a question for urgent oral answer to the Minister for the Economy. I remind Members that, if they wish to ask supplementary questions, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary question.

Mr Nesbitt asked the Minister for the Economy, following the withdrawal of Stobart Air from George Best Belfast City Airport, to outline the steps that he is taking to secure the employment of workers and the continuation of the affected routes.

Mr Deputy Speaker (Mr McGlone): Before I call the Minister for the Economy, I wish him every congratulation. He and I have served stints together on a number of Committees. I wish him well on his new pathway.

Mr Frew (The Minister for the Economy): Thank you very much, Mr Deputy Speaker, I appreciate those words of welcome and congratulations. I also thank the Member for tabling the question for urgent oral answer. I look forward to working with the Member on his economy brief.

The announcement that Stobart Air is in liquidation is very disappointing at a time when our economy is beginning to recover. The withdrawal of Stobart impacted on six routes from Belfast City Airport. I and my officials were in regular contact with the airport's chief executive over the weekend, and I am delighted that five of the routes are now being operated through a combination of Aer Lingus and British Airways CityFlyer. I understand that work is ongoing by the airport to address the sixth route, to East Midlands Airport.

Throughout the weekend, my officials proactively engaged with all three Northern Ireland airports to provide confidence going forward, and we will launch the Northern Ireland domestic aviation kick-start scheme to deliver on our commitments to support Northern

Ireland's domestic air connectivity with GB as soon as the required approvals are secured.

Whilst I understand that there will be no impact on jobs at Belfast City Airport, this is obviously a very worrying time for Stobart Air employees who have lost their job following the airline's liquidation. My Department's Careers Service is available to provide personalised advice and guidance to anyone who is facing redundancy. Advisers have access to up-to-date labour market information provided by my Department's economists, which they can use to inform discussions about reskilling, training, apprenticeships and further and higher education.

Mr Nesbitt: I thank the Minister for that answer, and I join you, Deputy Speaker, in wishing him well in his new role, important as it is.

The Minister will be aware that Stobart Air was to be replaced in 2022 by Emerald Airways. Is there any possibility of advancing that company taking over the routes? If so, we need to know whether it has an air operator certificate and a lease on a sufficient number of planes to occupy the routes. Can you address those issues, please, Minister?

Mr Frew: I thank the Member for the supplementary question. Yes, I will discuss that issue with officials in the days ahead. I will take this opportunity to highly commend the airport for the work that it has conducted over the past number of days in securing those five routes and, hopefully, the sixth route going forward. Of course, there is a lot of work to be getting on with on future connectivity, and that is why the Northern Ireland domestic aviation kick-start scheme will be very important in maintaining a minimum frequency, incentivising enhanced frequency and encouraging new routes in the future.

Dr Archibald: I, too, congratulate the Minister and wish him well in his new post.

The issue over the past weekend is symptomatic of the wider impact of the pandemic on the travel and aviation sector. Will the Minister seek a sector-specific approach for aviation and travel? I am thinking particularly of the furlough scheme and making representations to the British Government on that. The previous Economy Minister had not put in place specific support for the travel sector, and the Executive Office has brought forward a scheme, but, with the economic recovery action plan fully funded, will the Minister look at supporting the travel sector?

Mr Frew: Yes. I thank the Member for her question, and I look forward to working as a team with the Committee and with her as Chairperson. The economy is in a very challenging state, and I look forward to that engagement.

The Member is right: this sector is in need of support through both the furlough scheme and bespoke support. That is why I think that the Northern Ireland domestic aviation kick-start scheme is so important. Throughout the weekend, my officials proactively engaged with all three Northern Ireland airports to provide confidence going forward, and I hope that that work will continue.

Mr Storey: I congratulate my North Antrim colleague and friend Paul Frew on his appointment. I also pay tribute to the outgoing Minister, Diane Dodds, for the work that she did.

Obviously, Minister, given our geography, connectivity, as you rightly said, is important for Northern Ireland, and you mentioned the kick-start programme, but could you comment on the abolition of short-haul air passenger duty (APD) and how that would secure connectivity in the future?

Mr Frew: Yes. The Member is right that air connectivity is very important. Clearly, the announcement that Stobart Air is now in liquidation is very disappointing, and it has an impact on connectivity. I am glad that Belfast City Airport has been able to get five routes back up and running again and is working on the sixth route.

On air passenger duty, Her Majesty's Treasury's consultation on aviation tax reform launched on 23 March 2021 and closes on 14 June 2021.

The Department of Finance leads on the Northern Ireland Executive's response to the Treasury consultation, because air passenger duty is a tax. My Department has provided input to DOF that has been included in the response.

Ms McLaughlin: Minister Frew, may I congratulate you on your new post? Be assured that I will be as tenacious as ever in my pursuit and questioning of you and in my representation of the people of the north-west. You have that to look forward to. *[Laughter.]* The airline industry is operating at about 25% of 2019 levels. It, along with aerospace, will probably be the last industry and sector to recover. We have seen the job losses in

Thompson Aero Seating recently and in the travel industry. One of the big complaints that I get from many in the travel industry is the lack of clarity and communication from the Government at Westminster and in Northern Ireland. Will you reassure our constituents in those industries that you will be proactive in communicating with them effectively and will not leave them in the dark or make last-minute announcements about cancellations or proposals?

Mr Frew: I thank the Member. I do not expect anything less from her, and I look forward to our engagement. She is after my own heart in pushing Executive Ministers forward, so I look forward to that engagement. Hopefully, we will be able to have some success together.

The Member is absolutely right when she talks about the confidence or lack of it in the industry at present. That has to change. More solid information will have to go out on how and when we can travel. I hope that that in itself will bring confidence to the industry in future.

Mr Dickson: I welcome our new Minister. Like the previous questioner, I will be no less tenacious in my questioning of him than of his predecessor.

Minister, what immediate plans do you have to meet your counterpart in the Republic of Ireland, Transport Minister Eamon Ryan, along with Aer Lingus, British Airways and the management of Belfast City Airport, to discuss the situation and to work to repair what has happened in relation to the loss of connectivity, bearing in mind that the current arrangements will probably be open for only a short window of time until the matter has been resolved? If I may beg a single indulgence in respect of a second question, how are you moving forward to compensate the passengers who were left behind at the weekend?

Mr Frew: I thank the Member for his question. In the three hours in which I have been Minister, I have not been able to tie down any other Ministers whom I can meet. I assure the Member, however, that I will strive to meet as many people as I can in order to help the people of Northern Ireland.

As Economy Minister, I am responsible for Northern Ireland's domestic and international air connectivity. My Department does not have the legal vires to fund airports and that type of thing. That responsibility sits with the Department of Finance and the Department for

Infrastructure. Civil aviation is a reserved policy matter for the UK Department for Transport.

Mr Carroll: I wish the Minister well. I look forward to disagreeing with him just as much as I disagreed with his predecessor, if not more.

With this news, my thoughts are with the workers. The situation requires us to have a transport system that does not rely on maximising private profit or shareholders' interests. I know that the Minister is only in post, but what are his views on moving away from that model of travel towards one that does not throw workers under the bus nor threaten the planet with increasing carbon emissions?

Mr Frew: I thank the Member for his question. The employees are a worry. Employees who have lost their jobs will have a lot of worry at this time. My heart goes out to them. While there has, I understand, been no impact on jobs at Belfast City Airport, it is obviously a worrying time for all the Stobart Air employees who have lost their job following the airline's liquidation. I hope that some staff may find alternative employment with the new providers. My Department's Careers Service is available to provide personalised advice and guidance to anyone facing redundancy. Advisers have access to up-to-date labour market information provided by my Department's economists that they can use to inform discussions about reskilling, training, apprenticeships and further and higher education.

3.45 pm

Mr Stalford: I welcome my friend Mr Frew to his place today and place on record my sincere thanks for the work that Mrs Diane Dodds, the Member for Upper Bann, undertook at the Department. She was a tireless advocate for trying to get as much of our economy open as possible. Later today, we will debate the Second Stage of the Parental Bereavement (Leave and Pay) Bill, and she can rightly be proud of that Bill as a positive legacy of her time at the Department.

The Minister will know that this news will have a serious impact on connectivity and that connectivity will be so important as we emerge from COVID. Will the Minister outline what that impact will be and what steps the Department will take to address it?

Mr Frew: I thank the Member for his question. I echo his sentiments about my predecessor, Diane Dodds, and the sterling work that she completed in a challenging year for the

economy, the House and the Executive. I pay tribute to Diane for her work on the Parental Bereavement (Leave and Pay) Bill, which we hope to progress today straight after this.

The Member is right about the impact on air connectivity, and the withdrawal of Stobart Air's six routes at Belfast City Airport was certainly a shock. I am glad to say that, through the work of Belfast City Airport, five of those routes are now up and running and hopefully back to normal. Hopefully, the sixth route, to East Midlands, will resume very soon.

Mr Chambers: I add my best wishes to the Minister on coming into post. Belfast City Airport is a huge employer, especially in my constituency of North Down. Does the Minister have any information about whether employment at the airport is starting to get back to pre-COVID levels?

Mr Frew: I have no information on that issue at this time. However, I am sure that my officials, who are listening in, will be able to provide that information to you and me.

Mr Lyttle: Belfast City Airport is a key employer in my constituency of East Belfast and is vital to the connectivity of Northern Ireland. What is the Economy Minister doing to help workers affected by the Stobart Air liquidation, to help Belfast City Airport to secure alternative carriers to serve those routes and to deliver the long-overdue regional aviation strategy for Northern Ireland?

Mr Frew: The Member will have heard my first answer about the five routes being taken up by a combination of Aer Lingus and British Airways CityFlyer. That is to be welcomed. Hopefully, the sixth route, to East Midlands, will also be picked up soon and everything will get back to normal.

It is a worrying time for the aviation industry; it is a time of economic crisis. I will do all in my power and in the Department's power to ensure that businesses are supported in this field. We desperately need confidence injected into the industry. That is hard to come by at this time, given the state of flux and the decisions being made about countries and travel routes. I hope that we will get back to normal as soon as possible, especially as more people are vaccinated.

Ms Bunting: I reiterate my congratulations to my colleague Paul and express my heartfelt thanks to his predecessor Diane for her work to date.

It is welcome news that the liquidation of Stobart Air will have no impact on Belfast City Airport staff and that the Department will seek to provide support to its employees. The Minister has indicated what he hopes for, but will he outline what discussions he will have about the possibility of those employees being taken on by other airlines and whether he will work towards that end?

Mr Frew: I thank the Member for her question; it is important. It is a worrying time for Stobart Air employees, with the company going into liquidation. I hope that a lot of those staff — some of them at least — may find alternative employment with other carriers.

If that is not the case, my Department's Careers Service is available. Hopefully, the airline industry, if it gets the confidence that it desperately needs, will pick up.

Mr Newton: I congratulate Mr Paul Frew on taking up the post of Economy Minister. It is a difficult and challenging time to enter that position. Like others, I pay tribute to Diane Dodds for all the work that she has done since we came back from our prolonged recess.

A man who has been key to the success of the airport is Mr Brian Ambrose, who, I understand, is due to retire at the end of the month. Will the Minister follow up the matter with Mr Ambrose, who has steered the success of the airport over the past number of years? Specifically, the Minister referred several times to the aviation kick-start scheme as being part of the solution. Will he give the House greater detail on that scheme?

Mr Frew: I thank the Member for his important question. First, let me echo his sentiments and pay tribute to Brian Ambrose for the work that he has done over many years in leading Belfast City Airport. I also put on record my thanks and appreciation to Brian for contacting me over the weekend and working with my officials to stave off many of the negative issues around the shocking news. It is due to the work of Belfast City Airport that we now have five of the six routes back up and running. I highly commend the airport for the work that it has conducted over the past few days.

The Member is right to pick up on what I said about the Northern Ireland domestic aviation kick-start scheme, which is a mouthful. It is a support scheme for airlines that is being developed by my Department, and it is aimed at maintaining and enhancing Northern Ireland's air connectivity with the rest of the United

Kingdom following the COVID pandemic. The scheme aims to support inbound tourism and business travel between Northern Ireland and Great Britain and to encourage inward investment in the local economy, which are essential for recovery. We have engaged with the three local airports and the airlines in its development. My Department will launch the scheme to deliver on its commitments to support Northern Ireland's domestic air connectivity with GB as soon as the required approvals are secured. I hope to launch the scheme within the next couple of weeks.

Mr O'Toole: First, I welcome my former colleague on the Finance Committee to his new, elevated role. I hope that he will not forget the little people now that he has power.

My thoughts and solidarity are with the Stobart Air staff, who are still, I am sure, going through a difficult time. We want the best for them. I urge the Minister to continue working on that.

I agree with the Minister that air connectivity with Britain is a critical and fundamental part of our economy; indeed, to many families, it means connectivity with loved ones. That is why it is frustrating that we spend £2.5 million a year on fictitious — he knows what I am about to say — long-haul connectivity with North America. Will he think about engaging with the Finance Minister on ways in which we could redirect that £2.5 million a year for fantasy ghost flights to New York towards work on short-haul connectivity to GB, which, I am sure that he will agree, is much more important?

Mr Frew: I thank the Member for his question. He has raised the issue time and time again in the Chamber and at the Finance Committee. Certainly, we have looked at it. At present, I would not give up on long-haul flights. Getting them back would be important, significant and positive. However, he is right about short-haul and internal flights. For Northern Ireland in particular, APD is an unfair tax. It has an especially detrimental impact on Northern Ireland passengers, given our physical remoteness from GB and the lack of alternative means of travel, such as road and rail options.

It is therefore my view that APD should be addressed at a national level, as its continuing impact has only been exacerbated by the profound economic repercussions inflicted by COVID-19 on our air connectivity and the Northern Ireland economy.

Mr Deputy Speaker (Mr McGlone): That concludes questions to the Minister on the

question for urgent oral answer. I ask Members to take their ease while we move to the next item of business.

Executive Committee Business

Second Stage: Parental Bereavement (Leave and Pay) Bill (NIA Bill 22/17-22)

Mr Frew (The Minister for the Economy): I beg to move

That the Second Stage of the Parental Bereavement (Leave and Pay) Bill [NIA Bill 22/17-22] be agreed.

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

Mr Frew: I consider it a privilege that one of my first significant responsibilities as Minister for the Economy should be to stand before the House with this important Bill. I was very keen to keep it in the Order Paper today. As you can imagine, Mr Deputy Speaker, it is important that we get it moving to the next stage.

At the outset, I place on record my gratitude to my predecessor Diane Dodds. She ensured that the Bill remained a top priority for the Department in spite of the massive challenges faced by COVID. She has taken a personal interest in the area.

I acknowledge and thank the Chair and members of the Economy Committee, along with my Executive colleagues and fellow Members, for the support and generosity that has already been expressed towards the Bill.

The focus of my Department over the past year has very much been on alleviating the impact of COVID on the economy and on supporting our employees and employers through these most difficult times. Despite the unique challenges that we have all faced, it is a tribute to the determination and commitment of everyone involved that we are able to debate this small but very important Bill today.

It is a single-issue Bill, and it is focused on providing statutory parental bereavement leave and pay for working parents in Northern Ireland who experience what is arguably one of the most devastating of losses: the death of a child.

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

4.00 pm

Before considering the main provisions of the Bill, I want to set out briefly the context of these proposals. Following the Westminster introduction of similar legislation, the Government legislated for parental bereavement leave and pay, with provisions coming into effect in GB in April 2020.

Those provisions did not extend to Northern Ireland. Therefore, upon resumption of the Assembly last year, one of the Department's first priorities was to commence a consultation with the intention of developing similar employment legislation for Northern Ireland. The consultation completed last summer. Whilst my predecessor did so at the time, I wish to take this opportunity to acknowledge and thank all the organisations and individuals who responded. I particularly wish to recognise all those who shared their own deeply personal experiences of parental loss.

There were 36 responses to the consultation. Respondents represented a cross section of organisations, individuals and employee and employer representative bodies. Whilst there were differences of opinion amongst respondents, there was, nevertheless, clear and unanimous support for working parents in Northern Ireland to be given at least the same right to parental bereavement leave and pay as that already afforded to parents across the rest of the United Kingdom.

It is important to note that many employers already have provisions in place to deal compassionately with their employees when they are faced with such tragic and difficult circumstances. Indeed, many employers have provisions that go well beyond those that I wish to introduce through this Bill. I have no doubt that that will continue to be the case. The provisions in the Bill, however, will be a statutory minimum. They will ensure that all employees are afforded a certain degree of support at a time of great need.

As I stated, this is a small, single-issue Bill. It contains two clauses. One deals with parental bereavement leave and the other with the pay element. The Bill contains a schedule through which broader legislative provision for the leave and pay elements is underpinned, and a transitional provision power, which will help during the period immediately following the introduction of subsequent legislation.

It is the relatively small size and single-issue focus of the Bill, along with the already expressed cross-party support that it has received, that give me considerable optimism that the Bill can enjoy a smooth passage. Such

passage will help to ensure that the subsequent subordinate legislation arising from the Bill can be given effect within the remaining mandate of the Assembly, and that parents in Northern Ireland can avail themselves from April 2022 of the support provided by these provisions.

Again, I acknowledge and thank the Chair and members of the Economy Committee for the attention that they have paid to the Bill to date. I know that the Committee has already made preparations for its scrutiny of the provisions, subject, of course, to the Bill proceeding to the next stage. I want to put on record my Department's commitment to support the work of the Committee during Committee Stage.

I will now deal with the parental bereavement leave provisions in clause 1. Clause 1 makes provision for employees to be given the right to a minimum of two weeks' parental bereavement leave following the death of a child under the age of 18. It also makes provision for the Department for the Economy to determine how that leave should be taken and over what period it should be available. Importantly, that will allow regulations to provide for a sufficient period during which a bereaved mother will be able to complete her maternity leave before availing herself of parental bereavement leave.

The Bill is broad enough in scope to recognise that there are myriad relationships between children, parents and those with parental responsibility. Therefore, in addition to biological parents, the Bill allows for the definition of a bereaved parent to include provision for those who have had a parental relationship with a child in a period prior to the child's death. Another important provision in clause 1 is that it encompasses parents who experience the loss of a child through stillbirth after 24 weeks of pregnancy. Clause 1 also makes provision for parental bereavement leave to be a day one right for all eligible employees.

Clause 2 makes provision for employees and workers to be given the right to a minimum of two weeks' parental bereavement pay following the death of a child. That provision will be subject to a 26-week qualifying period, which is in keeping with other family-related statutory payments in Northern Ireland and, again, is in line with provisions in GB. Clause 2 also makes provision for the Department to determine the rate of the parental bereavement pay and the period during which it can be claimed.

Both clauses make provision for the Department to determine the respective responsibilities that employers and employees

alike will be expected to follow when administering or claiming bereavement leave or pay. In recognition of the sensitive nature of parental bereavement and to reduce the regulatory burden, especially for small employers, any associated administrative aspects will be light touch. As with most family-related employment provision in Northern Ireland, the parental bereavement leave and pay provisions are broadly in line with the employment legislation that is in place in GB. Importantly, the Bill gives the power to the Department to maintain parity with GB should there be subsequent changes.

The schedule to the Bill makes provision for consequential amendments to other legislation, the sole purpose of which is to ensure that parental bereavement leave and pay can be given effect within the wider legislative framework.

After much thought and careful deliberation, it was decided to include a transitional provision power in the Bill. Whilst the detail of the transitional provision has yet to be fully determined, the intention is to avoid, as far as is possible, recently bereaved parents falling outside the scope of subsequent legislation due to the date on which their child died. I referred earlier to my optimism that, with the continued support of the House, parental bereavement leave and pay legislation could be introduced by April 2022. With that date in mind, it is envisaged that a transitional provision will encompass those working parents who may tragically experience a child bereavement in the year preceding that anticipated April 2022 introduction date.

I should point out that the Bill contains a commencement power that will be conferred on the Department for Communities and, therefore, touches on an area for which my ministerial colleague has responsibility. That commencement power allows for the fact that there are provisions in the Welfare Reform (Northern Ireland) Order 2015 relating to family-related statutory payments that have yet to be commenced. Giving that commencement power to the Department for Communities enables it to commence outstanding conditions for the full range of family-related statutory payments simultaneously, including parental bereavement leave and pay. I thank the Minister for Communities and her officials for their assistance and for agreeing to accept that commencement power and the associated responsibility.

Before I conclude, as we hopefully take a further step towards bringing parental

bereavement leave and pay to Northern Ireland, I take this opportunity to thank Lucy Herd and to acknowledge her work. Following the tragic loss of her son Jack, Lucy campaigned tirelessly for recognition and support for working parents who suffer child bereavement. Her story and selfless devotion to such a worthy cause have helped to lead us to this moment.

Each year in Northern Ireland, approximately 250 children under the age of 18 die or are stillborn. Comparatively speaking, that number is mercifully low, but each and every one of those deaths is an unspeakable tragedy for a parent. The Bill will offer some degree of comfort and support to those parents and will ensure that working parents in Northern Ireland are afforded access to the same parental bereavement leave and pay as is offered to working parents across the rest of the United Kingdom. I look forward to listening to Members' comments in the debate. I commend the Bill to the Assembly.

Some Members: Hear, hear.

Dr Archibald (The Chairperson of the Committee for the Economy): I welcome the opportunity to speak as the Chair of the Economy Committee in order to outline the Committee's consideration of the Bill to date, before speaking in my party capacity. I, too, thank and recognise the efforts of the previous Minister in progressing the legislation.

As the Minister outlined, the Bill will mirror British legislation and afford parents here the same entitlements following the loss of a child. The Bill will provide statutory entitlements to parental bereavement leave and pay, providing two weeks' parental bereavement leave following the death of a child for employees and a statutory paid element to the leave for employees and workers with 26 weeks' services.

The Committee considered the outcome of the Department's consultation on the Bill in January 2021 and noted that, whilst there may have been different views outlined on some of the details of the Bill, there was widespread support for making these rights available to workers who find themselves in the most tragic of circumstances. The Committee received a pre-introductory briefing from Department for the Economy officials at its meeting on 19 May, at which the officials outlined the detailed policy proposals in the Bill. I thank the former Minister and her officials for their early engagement on the Bill and for the briefing on its principles.

The Committee is aware that child deaths affect approximately 450 employed parents each year in the North. This legislation is long overdue, given that up until now there has been no statutory entitlement to parental bereavement leave and pay for people at what must be the most difficult time of their lives. Employees should be given adequate time to grieve the loss of a child and should be supported by their employer. As the Minister has recognised, it is hoped that most employers will be compassionate and understanding of people in such circumstances. However, we have all heard examples of cases in which inappropriate levels of support were given. Therefore, there is undoubtedly a need for these protections to be put in place to ensure that the decision to allow leave is not left to the discretion of individual employers. It is also very welcome that the Bill recognises that the definition of "a parent" involves not only the biological parents but the primary carers who were, effectively, parenting and looking after the child as though they were the parents at the sad time of the child's death.

The Committee shares the desire of the Minister to see the legislation complete its passage through the Assembly before the end of the mandate, which will require both primary and secondary legislation. The Committee understands that much of the detail will be specified in regulations and looks forward to the scrutiny of those provisions as they are brought forward. To conclude, the Committee welcomes the Second Stage of the Bill and looks forward to engaging, through its own consultation, at all levels with those impacted by the legislation, including organisations that work with bereaved parents and employers to ensure that it is fit for purpose and that workers are adequately supported when they most need it.

I will now make some comments on behalf of Sinn Féin. I welcome this legislation. It is an important provision of support for workers at a time of grief and in the worst of circumstances, and I imagine that there is unanimous support for its being brought forward in that regard. The Bill will standardise what is required for workers in these circumstances. As I mentioned in my remarks as Committee Chair, I am sure that many employers are already supportive, but the Bill will place that on a statutory footing.

I am conscious of some of the things that were highlighted in the consultation responses that the legislation does not make provision for. There are references by the Minister to the Bill's aligning with what is provided for in Britain. However, employment is devolved, and if we have the opportunity to be more progressive and provide better terms for our workers, we

should do that. Let us be honest: employers who are supportive of their workers, ensure that rights are upheld and provide good terms and conditions are likely to have workers who are happier and who want to stay in their roles and do their best for the business. That is what a good working relationship is about.

One thing that I would like to see looked at, and which I will be proposing that the Committee looks at, is this provision being a day one right. The Minister referred to that in his remarks and I ask that he clarifies that, because it is my understanding that it comes in after 26 weeks of employment. There is no reason why it should not be a day one right. I see no justification for having to be in employment for 26 weeks. I do not think that anybody could argue that someone who has been in a job for a week is less entitled to compassion in the awful circumstances of having lost a child than someone who has been in a job for a year.

There should be parity for employees and workers. These are extraordinary circumstances, and rights should be protected regardless of whether you are directly employed or employed through an agency. I also highlight the non-inclusion of the provision of leave in the event of miscarriage. This legislation covers stillbirth only. The provision of leave for those who have suffered from miscarriage was recently put in place in New Zealand. Respondents to the Bill's consultation, which took place prior to the introduction of that leave in New Zealand, called for it to be put in place here. Miscarriage is a traumatic event and a deeply personal loss, and there should be leave in place for those who require it. Despite it impacting on many women and their families, there is still some taboo about it and it is not talked about that much.

It is important that those who suffer miscarriage have the support that they need, and that should include their workplace. There are clear definitions of stillbirth and miscarriage, so I propose that the scope of the Bill be widened to include miscarriages.

4.15 pm

As I said, on the whole, I am very supportive of the Bill. The loss of a child is one of the worst things that most of us can imagine. Our personal experiences shape many of the things that we do or that we champion in the Chamber, and I know that was the case for the previous Minister in her work on the Bill. It is something that I personally feel strongly about. I lost a brother to a cot death when he was a

baby, and, while I was too young to remember much about it, I know the impact it had on my parents. It is simply the right thing to do to ensure that workers are treated with compassion and have the right to leave and pay in those awful circumstances. Grief is one of those things that can impact not only in the immediacy of an event but in the aftermath, so I welcome that the leave can be taken up to 56 weeks after the death of a child.

I support the Bill and look forward to it coming to Committee so that we have the opportunity to get the views of those impacted and to engage with the Minister in order to deliver the best and most effective legislation we can, which will ensure that workers and their families are supported and treated with compassion.

Mr Stalford: First, I am mindful of the fact that sometimes this place does not get an awful lot of credit. Sometimes, people think that it is just a talking shop on a hill where the worst possible arguments take place all the time, but, actually, the Bill is an example of the Assembly coming together to deliver for people throughout the community. As has been mentioned, grief does not recognise where one puts one's X in a box on polling day. There are people from all sections of the community who have suffered as a consequence of the things that the Bill seeks not to ameliorate but to help with.

I agree with the Committee Chair about day-one rights and miscarriage. Here we have a starting point, a statutory minimum, but I hope that, in conversations in Committee and in consultation with the Minister and the Department, we will see the legislation expand and encompass the areas that the Chair of the Committee referred to. It has already been referenced that 250 families, which is roughly 450 parents, are affected by these issues every year.

It would be remiss of me not to once again place on record my appreciation of the work that Mr Frew's predecessor, Diane Dodds, a Member for Upper Bann, did in the area. In time, of all the things that she was able to achieve in the Department, where she had a difficult time of it with COVID, the economy being placed into lockdown and what have you, she will be able to look back on this as one of the things she should be proudest of.

The Bill makes provision in three principal areas. The first is parental bereavement leave. The Department will be under a duty to provide by regulation a right for employed parents to be absent from work for a prescribed period, with at least two weeks' leave to be set out as the

minimum entitlement, following the death of a child. All employed bereaved parents who meet the eligibility conditions, regardless of how long they have worked for their employer, should be entitled to the leave. It is important that we get clarity on that point. Secondly, on parental bereavement pay, there is a right for eligible parents who meet minimum requirements relating to continuity of employment to receive a fixed or earnings-related weekly rate of pay, which rate is to be prescribed by the regulations. In line with other entitlements to paid statutory leave, the Bill allows provision to be made for employers to reclaim payments from the Government. The third principal area that the legislation tackles is employment protections. Parents taking parental bereavement leave will have the same employment protections as those associated with other family-related leave; that is to say maternity, paternity, adoption, parental or shared parental leave. That includes protection from dismissal or detriment as a result of having to take said leave, although, frankly, it defies belief that any employer, in dealing with an employee in these circumstances, should threaten them with dismissal. It is immoral, and I am glad, therefore, that we have the provisions to ensure that no person should be put into such a wicked position. A grieving parent should not face the threat of the loss of their job because of their grief.

This is welcome legislation, and it is a good starting point. I look forward to getting it into Committee and hammering out the issues that have been referred to by the Chair and the Minister. Therefore, on behalf of my party and the Minister's, I am happy to support the legislation.

Ms McLaughlin: The SDLP supports a generous solution for employees who are parents suffering bereavement. Change is long overdue. Currently, some employers will allow employees to take compassionate leave. However, that is at their discretion. That leave is discretionary is totally unacceptable for something that is so life-changing, and it is deeply unjust. I, therefore, welcome the fact that the Bill will set a much-needed minimum standard for employees and employers.

I am pleased that parental bereavement leave will be made a right on day one, so that a minimum of two weeks' leave will be offered to all employees, regardless of length of service with the current employer. Moreover, the flexibility that the Bill offers is to be commended. By allowing leave to be taken at any time in the first 56 weeks after the child's death, parents are afforded the opportunity to

organise leave in a way that best suits their needs. Grief is a strange beast, and it affects all of us in different ways.

Mr Stalford: I am grateful to the Member for giving way. Does she agree that the definition of "a parent" is crucial? Society has changed, and the definition of a parent 20 years ago is not the same as that of a parent now. It is important that the legislation reflects that.

Ms McLaughlin: I totally agree with the Member, and I am pleased that the legislation defines what constitutes a "parent".

Grief affects everybody in different ways and at different times. Some will want to take leave immediately after a death, but others may find certain dates or times such as birthdays really hard to take and may want to request bereavement leave at that time. It is important that there is flexibility to allow that.

I also welcome the fact that there is scope for a notice period to be disapplied or modified in specific circumstances. It is vital that consideration is given to those who lose their child in unexpected circumstances, so that parents will not be required to comply with prescriptive notice periods. Compassion, in all aspects, is key.

I appreciate that the Department has outlined the complexities involved, but I must still express disappointment that the Bill does not aim to make parental bereavement pay a right from day one. With precarious working conditions prevailing all around, it is really disappointing that those who are, perhaps, on zero-hour contracts and those who have been employed for less than the 26-week qualifying period can and will be excluded in the Bill.

That brings us to remuneration. NIPSA calls for the payment of parental leave to be at earnings-related rates, and my party supports that. Space to grieve should not be a financial burden. The grieving process is already an incredibly difficult one, and we should not add stress or force workers to assess whether they can afford financially to take time off when they most need it. I urge the Minister to issue guidance to employers that indicates that it is good practice for an employer to pay a staff member suffering such a traumatic event at their full normal rate of pay, even where not all of the payment will be supported by statutory compensation.

The Department has said that it believes that it is important for disparities between employees in Northern Ireland and the rest of the UK to be

kept to a minimum where possible. I fundamentally disagree. That approach limits our ambition. Employment law is devolved. We should take complete advantage of the legislative scope that we have and create a better working environment and better support for parents across the North than anywhere else in the UK. We should also seek to utilise that power fully in the area of maternity and paternity leave and pay, but I suppose that that is a debate for a different day.

Despite the Bill's limitations, it is a really welcome step forward in employment law locally. It will strengthen workers' rights and grant grieving parents the time and space that they need. It is the most compassionate thing to do.

Mr Nesbitt: I support the Bill. I have not been party to any of the briefings, debates or discussions in Committee to date, but I look forward to Committee Stage. I am more than happy to support the principle of the Bill. It is absolutely right that we level up the rights of parents here with those of parents in the rest of the United Kingdom. I take the point that has been made by some, including Mr Stalford, that we need an exact definition of "parent". It needs to go beyond biological parenting. When I was a child, when the school wrote to our household, the letter always started, "Dear parent/guardian". That was a long time ago and the language has changed, so we need to nail it down, which we are more than capable of doing at Committee Stage. I am also taken — I am sympathetic and empathetic to it — by the Chair's idea that we need to look at miscarriages. I look forward to drilling into the implications of that and whether we should amend the Bill accordingly.

The only other concern that I have is the idea of a 26-week qualifying period. The Minister said that that is simply consistent with other statutory entitlements, but, as we all agree that suffering the loss of a young child is of unspeakable pain for a parent, is there not a logic that says that that is compounded if you are just into a new job, working in an alien environment in which you have no friends or support network? Perhaps you are more exposed to the pain of bereavement in those circumstances than in any other. I know that a question has been posed for the Minister in his response today: I look forward to that. That is one of the important issues that the Committee can look at as we enter the scrutiny stage of the Bill's progress. As for today, the Ulster Unionist Party is more than happy to support the Bill.

Mr Dickson: I also support this important legislation and welcome it at this stage. As others have said, the loss of a loved one is a particularly difficult time. I am sure that everyone in the Chamber will have, at some stage, suffered some form of bereavement loss. Balancing work and other commitments with grieving is particularly challenging. The loss of a child by a parent or caregiver is, of course, a profoundly tragic and life-changing event. I welcome the opportunity for the legislation to be introduced to support parents and others at such a difficult time, to help to alleviate some of the money worries and to give vital time and space to make arrangements and to allow people space to grieve.

The Parental Bereavement (Leave and Pay) Act was passed in the rest of the United Kingdom in 2018, and the regulations that were required to give it effect were passed last April, so the House is running considerably behind in promoting and moving forward the Bill.

I will not spend time today recounting the reasons why we have previously failed to introduce the legislation. Let us look forward to getting on with dealing with this and other backlogs. Right now, we have a patchwork of entitlements for bereavement. There is an entitlement for unpaid time off for an emergency involving a dependant and, while that is better than nothing, the COVID-19 pandemic has proved that many people simply cannot afford to take any unpaid time off or, if they do, the lost income adds further to pressures at an already hugely difficult time.

4.30 pm

As Members have said, grieving requires time and space from work and other commitments. As a society, we should ensure that people are afforded that time off and that they are not forced to return to work too soon but can do so at a time of their choosing after the loss of a child. It is only fair to note, however, that there are many employers who take a flexible and compassionate approach — we heard about some of them in the media recently — and are already allowing paid time off for employees, including for parental bereavement leave, and that is to their credit. Ultimately, however, we want to ensure that it is a clear, standardised and statutory right for all workers in Northern Ireland.

Much of what is in the Bill just sets the framework for the Department to build on. However, we have already begun to work in Committee on ensuring clarity on the shape of

the final result. The Department has, of course, provided consultation responses on how it will go forward with some of the key issues. First, on the specific issue of bereavement leave, the Bill places a duty on the Department to provide, by regulation, a right for employed parents to take a minimum of two weeks' time off following the death of a child. That will also apply regardless of when the employment commenced; therefore it is clear that there is a day-one right for all parents in Northern Ireland.

The regulations are also due to establish the specific period of leave that can be taken, and the Bill sets out a period of at least 56 days after a child's death. However, the Committee has been informed that the Minister has agreed — I hope that the new Minister will also agree — to extend that period to 56 weeks. I note that grieving is a particularly complex process, and not everyone is ready to take leave immediately. There may be immediate circumstances for a short period, and, in fact, it may be later that a person finds that they need time and space for bereavement.

A key consideration in introducing parental bereavement leave has been the definition of a bereaved parent and extending that beyond the standard definition to include carers who undertake parental duties, as Mr Nesbitt and others mentioned, as the people directly affected by that type of bereavement. That reflects the fact that every family is different and ensures that support for bereavement is given to those facing the loss of a child with whom they had a parental-like relationship.

We are broadly in agreement with the definition being implemented in the rest of the United Kingdom, which allows a primary caregiver to be considered as a bereaved parent. There has been a short time for the operation of the legislation in GB, and that may, indeed, turn out to be a good place for us to be in so that we can monitor how it is working in the real world. It is welcome that parents who experience the loss of a child through stillbirth will be included in the definition. I note that the legislation will not affect parents' loss of a child from 24 weeks who have already accessed a family-related leave entitlement. For example, a woman taking maternity leave who loses her child during that time will not be affected and will be entitled to take the remainder of that leave. Clearly, that is right.

I also believe that we should be looking, as others have said, to extend parental bereavement time off to those who have faced a miscarriage, which is also a traumatic and life-changing event. That has been discussed in

the Committee, and the Department has stated that the definition of miscarriage sits with the Department of Health. I am not quite sure what bearing that has on what can be done and, perhaps, that is an area on which the Minister or, indeed, the Committee, in time, will be able to seek clarification. It is disappointing that that does not seem to have been specifically acknowledged in the consultation responses, but our party, for one, raised the matter.

I do not see why any change in definition is needed, so I do not seek to change the definition of miscarriage. Ultimately, we just want support to be provided to parents facing the loss of a child and to those whose loss is due to a miscarriage, which is an incredibly traumatic experience for parents, giving them time and space to grieve. That appears to me to be the right thing to do. My Alliance Party colleague Kellie Armstrong will work with me to progress some changes at Consideration Stage.

The Alliance Party believes that there should be flexibility in the specific period of leave and how it is to be taken, allowing two weeks in total but also allowing for those weeks to be taken discontinuously, which provides balance and flexibility for those who may need to take time away later. That approach has been adopted in the rest of the United Kingdom, and I welcome the indication that the Department intends to follow it.

Regulation will also deal with, among other procedures, the evidence and notice that must be given by an employee. I understand that that is a difficult balance to strike, because employers need to be able to plan. However, at the core of all this is a person who has been bereaved and is facing a life-changing and difficult event. It will, of course, be helpful to give notice, if that can be given, but standardising that will be difficult, and we believe that due consideration should be given to that. I welcome the Department's indication that it will legislate for flexibility so that notice is to be given as soon as practicable for leave to be taken immediately following the death of a child — hopefully, in future, also a miscarriage — and a short one-week notice for leave to be taken later. I also welcome the Department's assertion on the evidence requirements that it wants to make sure that the leave is taken when needed and that it wishes to minimise any impediments.

Unlike the entitlement to leave, any entitlement to pay will be linked with the length of employment, requiring at least 26 weeks. I understand that there is a balance to strike and

that certain entitlements generally arise from length of service. The Department states in the explanatory memorandum that it looked at making bereavement pay available from day one. However, HMRC advised that, although technically possible, that could result in a significant one-off cost to the Northern Ireland Budget and could also delay the progress of the Bill. Again, I would be grateful if the Minister could spell out the reasons behind all that. I believe that it will be an area for Committee scrutiny. We should look at some means of covering those who have not reached that threshold. I recall that, at the Committee, an official suggested that discretionary funding schemes through DFC could be looked at. If the Minister or the Committee continued to look down that route, that would be welcome. As we all know, bereavement in these circumstances is often sudden and leaves people without any financial support. Clearly, that would be unfair.

The Bill is long overdue. In closing, I look forward to the Committee Stage. I look forward to engaging with stakeholders on how we can improve the legislation as it moves forward. It is particularly welcome, and, indeed, as others have said, I hope that it will be marked as a legacy of the Minister's predecessor.

Mr Storey: I welcome my colleague and friend Paul Frew to his ministerial role, and I pay tribute to our colleague Diane Dodds. It is a point well made that the previous Minister can take some comfort from the fact that she saw this legislation introduced. I also pay tribute to the Member who spoke before me. It is not often that I am in agreement with a lot that the Member says, because he and I can have many differences on many issues, but he set out very clearly some of the issues in the Bill.

Many's a time I come to the House and wish for the care that is reflected in this Bill — compassion is the word that a couple of Members have mentioned — to be shown.

Sadly, there is legislation that the House has enacted or that has been enacted on our behalf that shows little care and compassion. I think of the many thousands of children who will never see or have a parent because of legislation that was enacted against the will of the Assembly.

The purpose of today's debate, however, is to focus our attention on legislation that does reflect care and compassion. Members have made a variety of comments on the two elements in the Bill. The Bill will lead to regulations that will undoubtedly set out the eligibility criteria, how and when leave and pay can be taken and the employment protections.

It is also right to make some comment in the House, and I am sure that contrary comments will be made, about the employers that currently show good working practice and have compassion and care for their staff. I pay tribute to some employers in my constituency that have demonstrated by their actions, not merely by their words, the concern that they have for their staff and the way in which they reflect the value of those staff to their organisation.

It is true to say that, at present, there is no corresponding or dedicated parental bereavement legislation in Northern Ireland. The Employment Rights (Northern Ireland) Order 1996 gives a day-one right for an employee to have reasonable time off work to deal with an emergency such as a bereavement involving a dependant. An employer does not have to pay an employee for that time away from work, but, as we have said, many employers offer paid special or compassionate leave.

The issue of consequential implications has been mentioned, and I would appreciate it if the Committee were to consider it. My colleague will know and, if he does not know, he will certainly know over the next few weeks the challenges that will face him in the briefing notes that he will get. I am sure that he will be shown compassion as he heads home to Ballymena this evening and that there will be no briefing papers or questions for him to sign off in his ministerial car. I am sure that he will be given some considerable leeway. I doubt whether that is the case, however, because the system has not changed that much since some of us were in his position. There is an issue about the consequential implications for other Departments. Reference has been made to the Department for Communities, and it has a responsibility for elements of the employment regulations. The Member who spoke previously referred to the reasons for which HMRC had raised concerns about the day-one implications. The Member for Foyle, I think, made the valid point that this is our legislation. If that is the case, albeit it is a small Bill, there is an opportunity to do something with it that moulds and shapes it to fit the needs of circumstances in Northern Ireland.

It is to be welcomed that we are reflecting the importance of working parents. Let us remember that we have broad welfare support provision for families who fall into challenging and difficult circumstances — I often repeated this as Minister in the then Department for Social Development, now the Department for Communities — and it is called "social security"

provision. It is a security for families. It is a help to families.

There are, however, many working families in society who feel that this place has, by and large, neglected them and that the legislation that we enact does not fairly reflect their needs. The Bill will, hopefully, address that in a very practical way.

4.45 pm

In conclusion, I come to an issue that is personal, and it would be welcome if this were considered. Some 30 years ago, while working for a previous employer, Lovell and Christmas, in my hometown of Ballymoney, I got a call from my line manager to say that I was to immediately go to the then Route Hospital in Ballymoney. I left my employment that morning, along with a colleague who got a call at the same time to go to the same hospital. Both of us went through the security hut and out into the car park to go to our cars. My colleague, who is still a friend to this day, was going to rejoice in the birth of his baby girl, and I was going to visit my wife Christine, who had lost our first child. Miscarriage brings an awful pain. Thankfully, yes, we successfully had three other children, of whom, as a parent, I am rightly very proud. However, miscarriage leaves a scar and a pain. I therefore ask the Minister to consider the requirements of families who suffer miscarriage. Given the staggering number of miscarriages in Northern Ireland, that would be particularly welcomed. I wish the Minister well. I look forward to further work on this legislation.

Ms McLaughlin: On a point of order, Mr Deputy Speaker. First, I want to say thank you very much to the Member for sharing what must have been a very traumatic time in his life. I could hear the emotion in his voice as he spoke about the loss of his baby. However, I find it very distasteful that he would conflate and compare abortion legislation with parental bereavement legislation. That is offensive to a lot of people, and it is in poor taste. I would like him to retract that statement and comparison. It was not appropriate, and this was not the place to make it.

Mr Deputy Speaker (Mr Beggs): I do not believe that that is a point of order, but the Member has put her point on the record, and it will be recorded in Hansard.

Ms Brogan: This is, obviously, very important legislation. These rights for parents and workers are long overdue, so I welcome the Bill's introduction. The Bill recognises parental

bereavement as a significant issue that impacts on the lives of working people and offers some support through the provision of leave and pay. It provides a clear statutory framework for employers and protects businesses. The underpinning motivation of the proposed legislation is compassion. I have, however, real concerns over how the need for compassion and empathy is calculated and then demonstrated in the Bill as it stands.

The Bill excludes some parents and overlooks some categories of loss. It acknowledges the loss of some workers, but it appears that if, for example, you are an agency worker or there are breaks in your employment record because you have a zero-hour contract, you fall outside the limits of our compassion. Maybe the Minister can clarify that, because there seems to some confusion about it. A worker who has been in a job for less than six months still deserves our understanding and financial support. It is also worth considering the self-employed in the Bill. At a time of bereavement, those who are self-employed may be unable to continue in their work. Entitlement to statutory pay could assist them in taking the time that they need to grieve.

I have further concerns, as mentioned by most Members, that the Bill is limited to support for bereavement as a result of stillbirth. Mr Storey very eloquently described the devastation that comes to parents who suffer a miscarriage. They do not seem to meet the criteria within the legislation, but it should extend to those parents, because miscarriage is a devastating thing to happen to them. An entitlement to two weeks' leave and a minimum payment of £150 a week is not a great deal. We could extend that.

Restricting the taking of leave to blocks of two weeks seems unnecessary. We would never legislate in such a way that might result in a parent not being able to attend the funeral of the child, but the failure to facilitate sufficient flexibility in relation to when leave can be taken could lead to parents being unable to attend the post-mortem at short notice, especially since, I think, nowhere in the North performs them. Most parents need to go to Liverpool for post-mortems. That aspect requires further consideration.

Finally, the definition of a child in this instance should also be given further consideration. As I understand it, the legislation applies only to parents who lose a child who is under the age of 18. There is no doubt that a parent who loses a child will suffer tremendous grief, regardless of the child's age or whether they are,

technically, an adult. Those parents deserve the same compassion and support. That is something that is worth considering if the legislation gets to Committee Stage, which I hope that it does.

As it stands, the Bill is a cut-and-paste job, as it has been described, and taken from legislation in other jurisdictions. It does not consider best practice or take into account the lives that are lived by people here and the experience of precarious work. We need a bespoke piece of legislation that supports our people here in the best way possible. I support the Bill and its progress to the Committee Stage, during which, I hope, those issues will be given more consideration.

Ms Dolan: I welcome my former Committee colleague Paul Frew to his post. I wish him all the best.

With my party colleagues, I welcome the introduction of the parental bereavement Bill, and I welcome the opportunity to speak on it. The Bill will provide paid leave for workers who experience the loss of a child, which is the most difficult time in their lives. Facilitating paid leave for those workers can give them the time and space to grieve while not being subjected to loss of income. That is essential. No worker should feel compelled to return to work following the loss of a child, and workers should not face financial penalty for taking the necessary time off in what is an incredibly difficult situation.

The Bill is welcome, but Sinn Féin believes that it can go further in delivering on its objective, which is to provide a fair and compassionate form of leave for workers. In our submission to the parental leave consultation, we proposed that the leave must apply to all workers, not just employees. The reality is that the grief inflicted by the death of a child is not exclusive to employees. Agency workers and those on precarious contracts are equally impacted and, therefore, should receive equal support.

Across employment law, agency workers often have to work a 12-week qualification period before they can avail themselves of the most basic entitlements relating to pay, pensions and annual leave. Those who are not defined as employees are left with fewer rights and entitlements, regardless of whether they fulfil the same roles and responsibilities. Through the Parental Bereavement (Leave and Pay) Bill, the Assembly will have the ability to tackle those inequalities. The Parental Bereavement (Leave and Pay) Bill, as set out, applies only to employees who have been employed

continuously for a period of 26 weeks. I would welcome clarity from the Minister on that issue.

We all know that the current labour market is precarious. Zero-hours contract workers, agency workers, part-time workers, furloughed workers and many others, face breaks in employment and uncertainty over regular hours and pay. For many, working under a standard employment contract is seen as a luxury rather than an expectation. I fear that the Bill will continue to exclude many of the workers I have mentioned if the Department and Minister cling to those arbitrary qualification periods and maintain that workers must be working for 26 weeks continuously.

The Assembly has power over employment law. We have the power to draft and shape legislation that serves the needs of workers and families. On that basis, the legislation that is being brought forward should not simply be an attempt to mirror legislation in Britain, which, too often, is the case. I suggest that we look beyond that, use the powers at our disposal, and shape the legislation in a way that gives parental bereavement leave to all workers as a day-one right. If the focus is on compassion and support for workers in the most difficult circumstances, there can be no room for exclusions on the basis of employment status or qualification period. All workers need to be given the help and support that they deserve.

I hope that those points will be considered and implemented as the Bill moves through each stage of the legislative process. For now, I welcome the introduction of this important piece of legislation and support its passing to Committee Stage, where evidence can be gathered and improvements can be made.

Mr O'Dowd: Much of what I hoped to speak about has been covered. I am glad to see that there is general agreement in the Chamber in relation to this Bill. I acknowledge the role of the previous Minister in relation to the Bill. She drove it forward, and for understandable reasons.

Everyone will note that there is quite a sombre mood in the Chamber. We have heard some examples of loss of children and siblings. Everybody can reflect on their own experiences and their loved ones' experiences of those circumstances. If the Assembly can help bereaved parents in this way, then it should do everything in its power to help them.

As has been said, the Bill is an example of legislation that has passed through other legislatures. The broader principles of it are OK,

but we can improve on it and learn from the experiences of other jurisdictions. Christopher said that we are at the start of the conversation in relation to this Bill. If that conversation continues in the same tone as today, we can bring forward a complete piece of legislation that meets the needs of all those who have suffered a loss and bereavement relating to pregnancy.

There is some unity in the House on the issue of miscarriage, and we have to legislate for it. A miscarriage has a devastating impact on the woman, on the relationship and on the couple. That is carried throughout life. In many instances, women in particular mourn that loss in silence on the date that it happened for years to come, as busy family life goes on around them. Others, whose lives have moved on and who have forgotten the incident or who have other things going on, do not even realise, at times, that that woman is remembering that event on that day of each year. I am not saying that she does not remember it throughout the year. Of course she remembers it throughout the year, but it is a loss that she will remember on that day. We have to help and support bereaved workers in those instances.

Mervyn mentioned that this is a package for workers. The Assembly is often accused of not supporting workers. There is some validity to that point, but it is important that we bring forward legislation to support workers who have been bereaved. They are parents first and foremost, but they are workers in those circumstances. Importantly, we will also be supporting employers to support their workers who are bereaved. There is assistance and support for everyone concerned.

I support the principles of the Bill. I look forward — if that is the right term — to examining the Bill on its journey through the Committee. I hope that we can keep common cause and, in conjunction with the Minister, make the amendments required to ensure that we have a piece of legislation that meets the needs of our society as it moves forward. I hope that we can offer a little piece of comfort to those families who face the worst nightmare of any parent in suffering the death of a child, and to those who have suffered miscarriage.

Ms Armstrong: I welcome our new Minister for the Economy to the position. I thank his predecessor for introducing the Bill.

I also offer my sincere apologies to Mr Storey. Unfortunately, I wish I was not as like you. That is one of the saddest things you can ever go through. I apologise for any upset that my

contribution will cause to anyone in the Chamber or to anyone who is listening to or reading my words, because they could be a trigger for anyone who has lost a child in pregnancy. I apologise for that in advance.

I absolutely welcome the Bill, Minister. It is right to give parents leave and to allow them time away from work in what can only be described as the most horrendous period in anyone's life. I beg — I use that three-letter word — the Committee and the Minister to please include miscarriage in the Bill.

5.00 pm

The definition of miscarriage is a health matter. It is fact. Twenty-three weeks and six days is a miscarriage. Anything beyond that, from 24 weeks, is a stillbirth, but those of us who have been through miscarriage will know that the bereavement is no different. It is still a bereavement.

I have spoken in the Chamber before about my experiences of miscarriage, so it will not come as any surprise when I say that, of my 14 children, 13 were lost through miscarriage. It broke my heart, and it breaks my heart. It is one of the hardest things that I have ever had to go through. I may stand here not crying, but I am shaking inside, because I am speaking today on behalf of all those families out there who are going through it, have been through it and will go through it.

There are some unintended consequences in the legislation. I read through the Bill, and, although I welcome what it includes, it triggered me to no end because, in 112EE and 167ZZ18, it was very hard to read the conditions that apply when a person is considered to be a bereaved parent. You have to meet those conditions — you absolutely have to meet them — but, under the Bill, you have to prescribe the relationship you had with a child who has died or outline the care that you took of a child before they died. When you talk about a family member who is going through miscarriage, you have to remember that, from the time they find out they are pregnant and are going to have a baby, they think about the names, whether it will be a girl or a boy and what school they will go to. All those things are there. You care for that child from day one. If it is a wanted pregnancy, it is a part of your family immediately, but when you lose that child, that hidden grief and that taboo that has been talked about removes you from bereavement.

The Bill is called the Parental Bereavement (Leave and Pay) Bill. To be honest, when I lost

my first, I had, as Mr Stalford described, a fear of losing my job. I was actually taken to a tribunal because I was making other employees uncomfortable because I had lost a baby. There were other people in the workplace who were pregnant at that stage. This type of legislation, if it includes miscarriage, can protect people like me, that is, fathers and mothers, from that type of activity. I believe that there are a lot of employers out there who want clarification on what they can do for their employees who have had a miscarriage, especially when you consider that many of those employees will not even have had the opportunity to tell their employer that they were pregnant. What does that employee do instead? In my case, I went off sick for three months and was taking Valium — many people do that — because I just could not understand why it happened. It was only when I came off the medication that the grief hit, so I welcome the talk about 56 days potentially being extended —.

Mr Stalford: Will the Member give way?

Ms Armstrong: I will indeed.

Mr Stalford: The Member for Strangford is speaking very movingly and personally. At the start of the debate, I could not have conceived of the idea of an employer behaving in the way you just described. What you described underpins and underscores the absolute necessity for legislation like this, because no one, but no one, in a half-civilised society, should be treated in the way you were.

Ms Armstrong: Thank you. I am not the only one. I was a bereavement counsellor for a number of years. When you have been through this, you can speak candidly with people who have been through bereavement. It is not my story alone. There are plenty of people, men and women, out there who have gone through this.

There are lots of parents out there who do not get to meet their children, but they are still parents. Not recognising miscarriage further harms the bereaved parents, and by excluding miscarriage, the language in the Bill will cause further harm. I ask the Committee to consider that. I know that, during Committee Stage, you will be faced with the hard question of proving it. Anybody who loses a baby up to 23 weeks and six days does not get a death certificate. You get that only after a stillbirth, so how do you prove it? That is part of the discussions that I ask the Committee to take up with Health and others. A piece of red tape and a piece of paper

will cause us to deny lots of people in Northern Ireland help.

Over the years, I have tried to find out how many people like me — I mean employees in Northern Ireland — have been through this and need help. They need help and support through Health. About 3,500 people per year go to hospital during their loss, and those figures are just the tip of the iceberg.

We do not know how many others have their losses at home. Even if we turn round and say, "Well, actually, if you have an admission in hospital, we will count that, and that will be your proof", it is really hard to prove. That is where we come back to compassion. Do we need to have a cold, hard piece of paper that tells someone what has happened? I do not believe that, in Northern Ireland, anybody will make up a miscarriage in order to get two paid weeks off work. I really do not believe that that would happen. It is blatantly obvious when you speak to someone. Mr O'Dowd talked about the sombre experience. There is something that just hits a person who has lost a child. They will never make up something like that.

As has been said, there are lots of parents who, sadly, have been through the loss of a child. Many of them can tell stories, as I can, about the trauma that can happen because their child is not there. However, can you imagine how horrendous it is when your child does not even have a grave? That is the problem when we exclude miscarriage.

Parental bereavement is horrendous. It is not something that leaves you. You end up having such a shock that it takes quite a while before your grief kicks in. That is when your employer is about to lose you. When I got back on my feet, the first thing that I did was to hand in my notice. I had had it with my employers. They did not care; they could not care; they never would care about any other woman in my situation. That is what a bad employer does. If we can do something like this, through what is a very difficult Bill — it is not a nice one to have to take through, but that is where the heart of the Assembly comes from — it will make a massive difference to all employers and employees. I ask the Committee to look at it first, and, if it needs to, take a ministerial direction. We have to include miscarriage in the Bill. It is one of the things that is taboo in Northern Ireland. It is hidden. We need to protect those parents. I apologise again if I have upset anyone.

For years, I helped women and men to go through their grief process. Women can have the physical pain, initially, and then they will go

on, and their grief will last years. Men tend to get fixated on work; they want to work their way through it and try to deal with that grief, so they will not want the time off immediately. The 56 weeks should be considered, especially if, as Ms Brogan mentioned, anyone has to go to Liverpool to take remains there, to bring them back home again or find out the results of a post-mortem. It takes months to happen, so it is important that we are flexible with that.

I leave it to the Committee and the Minister to decide what the money situation is. I have to say that, when I went through it, I could not have cared less whether money was going into my bank account or not. I just needed the time, and that is what we can give parents. Again, I am sorry if I have upset anybody today. Loss of a child is a hard thing to go through. I thank the Department for the Economy for being brave enough to introduce the Bill.

Mr Carroll: The broad aims of the Bill ought to receive the support of every MLA in the Chamber, and I suppose that they have. I add my voice to those who welcome the Bill. It has been a long time coming, and, dare I say, it is quite a shocking indictment of our society, of this place and of employment practices that only now, in 2021, are we debating concrete, legislative support to provide bereavement pay to parents who have had to face the greatest of all fears, that of losing a child. My heart goes out to every parent in the world who has had to cope with losing a child, to people here and, especially, to Ms Armstrong for sharing her experience.

This is a very difficult subject, which must be approached with the utmost sensitivity and respect. You hope that no parent will ever have to grieve for a child, but it is an awful reality for some parents. There is a duty on decision-makers and political leaders to provide as much support as possible for those who have to face that traumatic and life-changing experience. For that reason alone, the legislative move to provide parental bereavement pay is welcome, and the Bill will bring things here in line with legislation across the water, as people have said, where such provision already exists. As I said, it is quite an indictment of our society that the Assembly is only doing it now and playing catch-up with Britain. Until now, employed parents who have found themselves dealing with bereavement have been left to deal with it alone, effectively, apart from their family, and their employers have been left without any legislative support in place for paid time off work.

No doubt, as other Members said, there are many employers who treat this issue with compassion and humanity and who have their provisions in place for when the situation arises, but, obviously, as we heard, there are employers who do not have decent provisions in place and who do not meet those situations with the humanity and compassion that is needed. In the context of what is undoubtedly people's worst hour of need, it is frightening to think that some parents are not only not supported properly but have financial and employment concerns heaped on their grieving process. How absolutely cruel.

The legislation can help to correct that wrong and, therefore, is clearly welcome. The Bill is in its early stages, and, in my opinion, there remains an open question as to whether it goes far enough to provide the support that we need to see. For example, the Bill provides for a minimum of two weeks' paid leave for parents who have lost a child. In industries where exploitative and precarious employment prevails, the minimum, unfortunately, often becomes the norm, even if workers need more support. Is two weeks long enough? It does not seem to be. Another question is whether the Assembly should improve on the legislation across the water, given the experience of that legislation.

Members mentioned day one rights. As it stands, the Bill suggests that employees will need to have worked in their posts for 26 weeks in order to avail themselves of the support. I am concerned that that might exclude parents who have taken up new jobs just before they have had to face their bereavement struggle. It might impact only a small number of people, but denying the support to even one person could be deeply problematic as well as traumatic.

Issues about the timing of the Bill were raised. As the Bill remains in its early stages, I do not want to make any absolute, definitive statements on the issues today, but I raise them as points for the Minister to consider. As I said, they are sensitive issues. I certainly do not claim to have all the answers, but I pose questions for the Minister and the Chamber to consider, and, no doubt, those questions will be discussed throughout the legislative process. I will listen attentively to the consultations and help to scrutinise the Bill going forward. I will follow it as it goes through Committee Stage, examine the evidence that is provided and, most importantly, listen to the voices of those impacted by bereavement — parents, workers and their trade union representatives — in the hope that those voices are heard strongly and are allowed to strengthen the legislation if it

needs to be strengthened. I look forward to doing that, because, if I can play a role in helping just one parent who has been faced with losing a child, it would be an absolutely worthwhile endeavour.

I welcome the legislation. It is important, but I am concerned that it is likely to be the only legislation pertaining to workers' rights coming forward in this mandate. That is what the previous Minister for the Economy stated, and I assume that the current Minister will follow suit. It is hugely disappointing, and I agree with Mr O'Dowd's statement: this place has not always stood up for workers' rights. I am concerned that no more legislation is coming forward to protect workers' rights, either through New Decade, New Approach or from other places. I urge the Minister to proceed with those as well as the Bill.

Mr Frew: I thank all Members who contributed to today's debate not only for the sentiments that they expressed about the Bill but for the manner in which they debated it. It is a very harrowing situation for any parent. I have experience of that myself. The way in which we conducted ourselves today is very adequate and suitable in the context of what we debated. I thank all Members for the way in which they conducted themselves and debated the issue. It is emotional. We all will have passionate views, so I thank you all for your contributions.

The Bill will support working parents who experience the loss of a child following a death or stillbirth. Support for working parents during a time of great personal loss lies at the heart of the Bill. I acknowledge that there are many other employment law issues that Members may have wished to consider at this time. However, the single issue focus of the Bill is very deliberate in order to ensure that the right to parental bereavement leave and pay that is presently afforded in the rest of the UK can also be afforded in Northern Ireland at the earliest opportunity and with minimum delay.

I thank the Committee in anticipation of its detailed scrutiny and consideration of the Bill, trusting that the outcome of the debate will be that we see the Bill go through to Committee Stage.

5.15 pm

Mr Stalford: I am grateful to the Minister for giving way. I hope that, having sat through the debate, he now recognises that there is broad agreement on the general direction of travel. In the context of issues that have been raised by

other Members, I urge the Minister — I assure him that he will have massive popular support in the country — to be as bold as he wants to be in advancing those issues.

Mr Frew: I thank the Member for his contribution. I assure him that I will work with the Committee in the days ahead to ensure that the Bill is the best that it can be. There is a balance to that with regard to timing and getting the impact and effects of the Bill on the ground as quickly as possible for all bereaved parents.

I thank the Committee Chair for her comments. Hopefully, we both recognise the detailed work that has been conducted to date and the constructive relationship that continues to be built between the Committee and departmental officials. Hopefully, it will continue over the coming months. In fact, I encourage it. I look forward to working with the Committee, not only on the Bill and this subject but on the many issues that we have to go through in the coming weeks and months.

I will go through some of the important issues that have been raised. Let me outline the Department's position on as many of them as possible. I am a great believer in the work of Committees in scrutinising Bills to ensure that, on the other side of that, we have the best legislation possible. I have no reason to suppose that the other stages of the Bill will not be conducted in the same manner as this one. If the Bill gets to Committee Stage, and I deeply hope that it does, I look forward to all the debates that will lead to the passing of the legislation.

The Chair and many Members raised the issue of miscarriage. Let me stress that I, too, have experienced miscarriage; three times. I have three healthy children, but my wife and I have experienced three miscarriages. It is a devastating loss. Many prospective parents feel that loss, and continue to feel it, all too often. I am sympathetic to the need for the Government to explore what interventions they can to better support those who suffer miscarriage. However, the Bill has been underpinned by public consultation and subsequent financial, equality and regulatory assessments on the issues of child death and stillbirth. At the time, it did not take account of the issue of miscarriage. If the Government were to decide to change the employment law framework in respect of miscarriages, that should be done only after full consideration of all the pertinent issues and following public consultation.

It is important to say, however, that, whilst there are no plans at present to introduce

employment-related miscarriage legislation in Northern Ireland, my experience is that good employers treat their employees with compassion and empathy in such distressing circumstances. I encourage all employers to treat their employees in that way.

Dr Archibald: I thank the Minister for taking an intervention. There were strongly expressed views on the issue of miscarriage. I urge him to pursue that with departmental officials. If there is something that we can do within the scope of the Bill, we should seek to do it.

Mr Frew: I thank the Member for her contribution. I commit to listening to the Committee as it scrutinises the Bill. Let us see what can be delivered in the timescale.

Many Members, including the Chair, raised the issue of employment status and parity between workers and employees. All employment law is intrinsically linked to a person's employment status. The Bill does not attempt to make changes to the status quo in that regard, nor do I believe that it is the legislative vehicle by which to do so. As I indicated earlier, employees will be entitled to both the leave and pay elements of the Bill, but workers will be entitled only to the pay element.

The main reason for that distinction is that there is less obligation on a worker to be in work on a certain day at a certain time. Therefore, a worker does not have to formally request leave in the same way as an employee. In the responses to the departmental consultation, there was a range of opinions on the issue. However, there was also unanimity of purpose that employees and workers in Northern Ireland deserve the same right to parental bereavement leave and pay as is afforded to employees and workers across the rest of the United Kingdom. The Bill will afford to workers in Northern Ireland the same rights and protections as have already been given to workers in GB.

One of the many issues raised by many Members was the day-one rights. The leave element will be a day-one right for employees. However, to qualify for parental bereavement pay, employees and workers must have at least 26 weeks' continuous service with their current employer. That will be a statutory minimum and will not prevent employers from providing their own enhanced bereavement support for their staff. I expect employers to act sensitively and sensibly during such challenging times for all their staff.

The pay element will be made using the same systems and criteria as are used in the wider employment law framework in Northern Ireland. I do not believe that this is appropriate legislation in which to stray from that framework. However, I will continue to work with my colleagues in the Executive and in GB to ensure that we have the best and most appropriate employment law framework for our economy: one that meets the needs of employers and employees alike.

Another issue that the Chair, Deputy Chair and many other Members raised was the Bill's mirroring GB employment law. The majority of employment law in Northern Ireland mirrors that in GB, which has led the way in introducing the minimum level of rights for parents who experience this devastating loss. A parental bereavement leave Bill was being considered in Dáil Éireann but reached only the initial stage, and the Bill lapsed on dissolution of the Dáil in January 2020.

Parental bereavement leave and pay is a policy that, thankfully, will not be needed by the majority of parents in Northern Ireland, but it will be extremely important for those who do need it. It is right that we work to ensure that employees and workers in Northern Ireland have access to the same entitlements to leave and pay as their counterparts in GB.

The Deputy Chair, Christopher Stalford, Mike Nesbitt and Stewart Dickson raised the issue of the definition of a bereaved parent. The Bill is focused on providing parental bereavement leave and pay for working parents of children under the age of 18. However, our proposed definition of a bereaved parent will be broad enough in scope to address a myriad of relationships between children, parents and those with parental responsibilities. That could include circumstances in which a working grandparent or other working relative who had parental responsibility for a deceased child may qualify for parental bereavement leave and pay.

Sinead McLaughlin, the Deputy Chair, raised the issue of the cost of the Bill. Many employers already offer a package of support following bereavement, but we recognise that the level of support is not consistent for all employees. The introduction of a right to parental bereavement leave and pay that is paid at the statutory flat rate will provide a minimum standard and will protect employees who do not have the security of a reasonable and compassionate employer. The policy, whilst ensuring a minimum standard for all, does not prevent employers from enhancing their offer.

Other issues raised included flexibility in the taking of leave and pay. Bereaved parents will be able to take leave and pay in week-long blocks. They will not be able to take the leave in single days, but there are other means of taking leave. Sick leave should also be part of the discussions. That reflects existing provisions for family-related statutory leave and pay and removes the complications for employers of introducing a brand new recording system whilst ensuring that bereaved parents have some flexibility in when to take the leave. The Bill references the length of time following the child's death in which the leave must be taken. The Bill provides the minimum period, which is at least 56 days, leaving the outer time limit for when leave can be taken for the Department to decide.

It is the Department's intention to include the 56-week period following the death of a child during which parental bereavement leave and pay can be taken. That 56-week period is important, because it will serve a number of purposes. It will allow mothers to complete their maternity leave before availing themselves of parental bereavement leave and pay. It will also encompass the anniversary of a child's death, which, Members will appreciate, can be an especially difficult time for bereaved parents.

Sinead McLaughlin, Stewart Dickson and others raised the issues of the notice period and evidence. Notice will be required to be given before the time an employee would normally start work on the first day of the leave, if the leave is taken in the period immediately following the bereavement. If the leave is taken at a later period following the bereavement, one week's notice will be required to enable the employer to make the necessary arrangements to cover and accommodate the leave. Evidence will not be required when leave is requested. Evidence of entitlement to statutory bereavement pay will, however, be required to be given in writing by way of a self-declaration.

Jemma Dolan raised the issue of employment status. I have no imminent plans to introduce employment status legislation, but I am aware that it is a complex area that interacts closely with tax law. It determines the rights that individuals get and the taxes that they and the business they work for must pay. I understand that the current framework can sometimes fail to provide the clarity and certainty that individuals and businesses need. Although employment law is devolved to Northern Ireland, taxation is a reserved matter. Any future plans for change to the employment status framework would therefore need to take appropriate account of the United Kingdom's

tax system. That is likely to require cross-departmental involvement, particularly with the Executive Office and the Department of Finance.

Nicola Brogan raised the issue of improving workers' rights. I recognise that the pandemic has had a significant impact on businesses and workers. The priority for the Department for the Economy under employment law has been to protect those immediately affected by the pandemic. To date, steps have been taken to protect workers' rights by ensuring that statutory family-related payments and various statutory entitlements connected with redundancy or the termination of employment are based on normal pay rather than on furlough pay.

The introduction of the Parental Bereavement (Leave and Pay) Bill to Northern Ireland will be an important new employment right for those parents in work who suffer the loss of a child. It will be the only piece of primary employment legislation that we will have time to introduce during this mandate. Looking to the longer-term, however, I want to ensure that our employment legislation takes account of the needs of workers, whilst balancing the needs of businesses at this difficult time and beyond.

Issues around wider bereavement were raised. Grief is an extremely personal issue, and it affects people in very different ways and at different times. The aim of the Bill and policy is to create a minimum standard of entitlement for parents who lose a child or suffer a stillbirth. I hope that employers will be as sympathetic and flexible as possible when bereavement is involved, particularly when it concerns the loss of a child.

Nicola also raised the issue of the self-employed. I have been self-employed. The issue does not form part of the Bill. People who are self-employed are able to decide when they should work and do not have the pressure of having to ask an employer for time off. That is not to mitigate the loss that self-employed people would feel. They would not have that added pressure of having to speak to an employer. Sometimes, employees feel that even to ask for time off is an impossible goal, even though they need it.

Mr Stalford: I appreciate the Minister's giving way. The Minister is right that, on the whole, employers should do the decent and right thing. In fact, I suspect that, if any company or firm were shown to be not doing the right thing by someone who had suffered the loss of a child, it would probably do itself serious reputational damage.

What we heard, however, during the debate, including from the Member for Strangford Ms Armstrong, demonstrates that there clearly are employers that, whilst not perhaps saying so publicly, do pressurise people and place them in an invidious position. That therefore underscores the need for legislation in this area.

5.30 pm

Mr Frew: That is a regrettable factor that we will have to consider. We would hope that the majority — the vast majority — of employers will look after their employees, especially during that severe time of need, loss and bereavement, but that is not always the case. I hope that those numbers are low and that that is not the experience of a lot of people. However, there will be employees who will suffer the stress of having to deal with an employer at difficult times and are not afforded the sympathy that families and employees should be as they go through severe and tragic loss. We should be mindful of that.

Zero-hour contracts were also raised. The pandemic has had a significant impact on the economy, and my Department has sought to prioritise the measures that are required to immediately address its effects on workers and businesses. That is a bigger issue that we will have to look at. Insecure working and the gig economy is another issue that was raised. We will need to look at that also.

Gerry Carroll asked why it was a two-week period, and I think that he said that two weeks was not enough. The Bill contains powers that allow the Department to legislate for more than two weeks; however, it has always been the priority and intention to ensure that employees and workers in Northern Ireland are afforded the same level of entitlement as those in the rest of the UK. The GB Act includes powers similar to those in this Bill. I want to ensure that, if any future changes are made to the entitlement in GB, parity can be maintained in Northern Ireland through this legislation, thereby avoiding any lengthy delays due to the lack of appropriate legislation-making powers here.

Mr Dickson: Will the Minister give way?

Mr Frew: Yes, I will.

Mr Dickson: Thank you. Minister, briefly and following on from Mr Stalford's point about how employers should act, you referred to those who are self-employed. We have heard that,

quite often, the temptation is for individuals to continue working rather than cope with the grief. I appreciate that there is no employer to ask for time off or, indeed, any compensation scheme for the self-employed; nevertheless, the Department provides employment advice and guidance. I would hope that, in those guidance notes, there would be reference to organisations, such as Cruse and others, that can provide support services to those who have been bereaved and that that advice would be widely distributed, even among the self-employed.

Mr Frew: I agree with the Member's point about guidance. One thing that struck me while he was speaking is that it is so important to have flexibility in the Bill. It strikes me that not everyone who suffers loss will want time off immediately. That would be the case for both parents. I imagine that some will have different experiences, needs, requirements and wants, so it is important that that flexibility is there. The self-employed have a certain flexibility, but they also need support, help and assistance at what is a time of severe loss and stress. I heard the Member, and I think that that is very important.

In closing, I thank my North Antrim colleague, Mervyn Storey, for his contribution and for raising the consequential implications of the Bill. I also thank him for sharing his heartfelt story and experiences. It is not easy standing up in this place and speaking, but it is really not easy doing that in a personal capacity. I also thank Kellie Armstrong for sharing her personal and painful experience. It is important that we, as legislators, hear those stories. I know for sure that Committee members will take on board everything that was said here today.

I thank every Member who took part in the debate on what is a very important issue. I think that it was John and Gerry who said that this place gets a bad press at times: that is correct. Sometimes it is not justified, sometimes it may be, but we have struck a chord in the way that we have debated the issue today. I thank Members for their conduct and the sensitive manner in which they have debated this. It has heartened me to know that members of the Committee get this, and I am here to work alongside my Department and the Committee. I valued my time on the Committees and see their worth, and I appreciate the support of the Committee and the guidance that it will be able to give to the Department and me.

I thank all the Members who contributed to the debate. I trust that I have addressed all the issues that were raised during today's debate. Should I have missed anything, I will, of course,

ask my officials to follow it up in writing. I commend the Bill to the House.

Question put and agreed to.

Resolved:

That the Second Stage of the Parental Bereavement (Leave and Pay) Bill [NIA Bill 22/17-22] be agreed.

Adjourned at 5.36 pm.

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