



Northern Ireland  
Assembly

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# Northern Ireland Assembly

Monday 14 September 2020

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

*Members observed two minutes' silence.*

## Assembly Business

**Miss McIlveen:** On a point of order, Mr Speaker. On 7 July, the Assembly passed a motion that asked the Minister for Infrastructure to bring forward a support package for our hard-pressed taxi, haulage and coach industries. Two months later, it has taken a letter from the First Minister and the deputy First Minister to move that along. Is it in order for Minister Mallon to ignore the will of the House? Will the Speaker write to the Minister and urge her to respect this place?

**Mr Speaker:** The Member will be aware that I have written on a number of occasions to the Executive Office and, indeed, all Executive Ministers reminding and advising them to respect the various courtesies, conventions and entitlements of the House.

The Member has made her point. I have not gone into the detail of the point that you raised, but you have made your point on the record, and I will have something further to say later in the day, when I deal with the first question for urgent oral answer.

**Mr Allister:** Further to that point of order, is it not the case that, in order to enable Minister Mallon to make the provisions, she is now going to be given powers that she hitherto did not have? Is that not what has been declared today?

**Mr Speaker:** The Member has raised that point, and it is a further point. I will take note of it, the House will take note of it and the Ministers on the Executive will take note of it, I dare say. As I said, I will return to the matter later.

## Flags (Northern Ireland) (Amendment) (No 2) Regulations 2020

**Mr K Buchanan:** I beg to move

*That this Assembly takes note of the proposed changes to the Flags Regulations (Northern Ireland) 2000 as set out in the draft Flags (Northern Ireland) (Amendment) (No 2) Regulations 2020.*

**Mr Speaker:** The Business Committee has agreed that there will be no time limit for the debate. The proposer of the motion will have up to five minutes in which to propose and up to five minutes in which to make a winding-up speech. All other Members who are called to speak will have three minutes.

**Mr Allister:** On a point of order, Mr Speaker. I am interested to know under what Standing Order Members are being restricted to three minutes? Standing Order 17 relates to speeches in the Assembly. Standing Order 17(4) says:

*"The Business Committee shall consult with the Speaker in order to establish the total time to be allocated to each debate".*

It does not bestow on the Business Committee the power to limit the Members who wish to speak to three minutes. It bestows only on the Business Committee, in consultation with yourself, the power to set the totality of the time. Where has the three-minute limit come from?

**Mr Speaker:** The Business Committee considered the proposal. The Member will be aware that the Secretary of State has written to me. The Business Committee, then, decided to table the motion for a take-note debate. The unusual and interesting situation is that, whilst legislation in this House is dealt with by way of no-time limit on speaking rights, this legislation is not being dealt with or processed by the Assembly. I am satisfied that the Business

Committee took a proper and appropriate decision to leave the debate un-timed, but to limit the speaking time for Members to three minutes. I am satisfied that that decision is in line with our right to do that. We will review the approach if it appears that there is something wrong with it and in the light of any Member's contributions, including your own. We can do that in due course. Thank you.

**Mr K Buchanan:** The Flags Regulations (Northern Ireland) 2000 made provision for the flying of flags at government buildings on specific days. Under the Flags (Northern Ireland) Order 2000, it is the Secretary of State who has the power to make and amend such regulations. However, in doing so, the Secretary of State is required to refer a draft of the proposed regulations to the Assembly. The Assembly must then report to the Secretary of State the views expressed in the Assembly on the proposed regulations by the date specified by the Secretary of State. Following this, the Secretary of State has a duty to consider this report. The Secretary of State may amend the proposed regulations as a result of the report before laying the regulations for approval by resolution of each House of Parliament.

The Business Committee was made aware that the Secretary of State had written to the Speaker on 1 September 2020. The Secretary of State advised that he intended to amend the Flags Regulations (Northern Ireland) 2000 to implement the New Decade, New Approach (NDNA) agreement commitment to bring the list of designated flag-flying days for Northern Ireland government buildings and courthouses into line with the designated days. This means an increase of three days. The Secretary of State also advised that he intended to amend the list of specified government buildings from which the flag will fly. A copy of the proposed regulations and an accompanying explanatory memorandum was circulated to all Members last week.

The Secretary of State has asked the Assembly to consider these draft regulations and provide a report of the Assembly's views by 14 September 2020. The Business Committee did not take a view on these proposals in line with previous practice. Instead, the Business Committee agreed to bring forward today's motion to create an opportunity for Members to consider the draft regulations. The Official Report of the debate will record the views expressed in the Assembly on the proposal.

With your permission, Mr Speaker, I wish to make some remarks as an Assembly Member for Mid Ulster and Democratic Unionist Party

Chief Whip. The DUP regards the display of our national symbols, including the national flag, as a basic but central expression of pride in Northern Ireland's Britishness and membership of the United Kingdom. We have consistently supported its display from public buildings on a 365-day basis. This, we feel, is entirely appropriate for major civic buildings such as Parliament Buildings and Belfast City Hall and reflects practice that is increasingly being seen elsewhere in the United Kingdom. Therefore, although we welcome the addition of three designated days and two government buildings under these draft regulations as committed to in New Decade, New Approach, it does not address our overarching concerns about the general direction of travel.

Nowhere else in the United Kingdom has designated flags legislation. The fact remains that it is unwieldy and not fit for purpose. For several years, the Department for Digital, Culture, Media and Sport (DCMS) has recognised the three royal birthdays that we are adding to the designated-day list. Northern Ireland has been left behind due to the absence of a political agreement or proactive steps by the Secretary of State. It is wrong that Northern Ireland faces such upheaval to, simply, keep pace with the expression of our Britishness as it is expressed elsewhere in our nation. It is unjust that our national pride is subject to the veto of certain political parties. We, on these Benches, seek a fundamental reform of those structures. As we approach the centenary of the foundation of Northern Ireland, we will be strongly making a case to Her Majesty's Government for greater assurances that the celebrations do not fall victim to the inflexibility of the current legislation. The Northern Ireland Secretary may be required to give due regard to the Belfast Agreement before making any changes, but we are clear that a failure to act, in itself, violates the constitutional provisions that are already set out in that agreement.

The flying of the national flag is not divisive or disproportionate. Its display from public or civic buildings does not invoke fear or division; it simply recognises Northern Ireland's constitutional status and gives due regard to the principle of consent. I encourage all Members who share our position on these matters to passionately make their views known in this debate.

**Ms Sheerin:** Like most people on a Monday in the middle of a global pandemic, the Union flag is not my top priority. It is fair to say that the Union flag is never my top priority. As Irish republicans, additional flying days for the flag are never going to be something that we, in

Sinn Féin, will celebrate. Indeed, the presence of the Union flag above Parliament Buildings and other civic spaces — at one time intimidating to people who identified as Irish and to republicans — is now somewhat tired.

I do not feel welcomed when I drive up that hill and I see the red, white and blue flying, but it does not threaten my Irishness. I am confident in my identity. I can be Irish in a place that does not recognise me as such and seeing a Union flag does not take away from that. That said, respect is an important commodity, and the North of Ireland is contested territory. The dominance of one community over another should be left in the past. It is our belief that there should be parity of esteem for British and Irish identities here. We should have neutrality or equality when it comes to flags and emblems; either both or neither.

Obviously, that is not something that political unionism is ready to accept. We have seen and heard talk in recent days and weeks hyping up the need for artefacts and memorials to the creation of the state in the lead-up to the centenary of partition. If we are honest with ourselves, anyone can see from a quick walk around this Building or the estate — indeed, around this city — that there is no shortage of British imperialism reflected in architecture, statues and memorials and even in street names.

In the current context, the motion is at best bizarre and inappropriate and at worst insulting. We are in the middle of a global pandemic in which thousands are worrying about their business going bust, being made redundant or balancing and managing the threat of COVID with the need to maintain employment and put food on the table.

**Mr Stalford:** I thank the Member for giving way. She says that the motion is bizarre. She knows that the issue is a direct consequence of New Decade, New Approach — an agreement that her party signed up to support.

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

**Ms Sheerin:** I thank the Member for his input. I am coming on to the fact that the British Government have got other commitments as per NDNA that they have not yet signed up to or implemented. That is why I am saying that the motion is bizarre.

With everything that is going on around us right now, ensuring the increased flying of a flag

seems like a strange item to put at the top of the agenda. Of course, the virus that is Brexit is still trundling along in the background of our new normal, and given the British Government's failures to honour their commitments as set out in NDNA, as in previous agreements, it is a damning indictment that this is something that they are choosing to prioritise.

We have been waiting for 22 years for a bill of rights for the North, and, in our Ad Hoc Committee, we still have members questioning the merits of creating one. Two pages before the paragraph on flag regulations in NDNA, the British Government commit to:

*"close engagement with a restored Executive"*

in relation to our priorities in the next phase of Brexit negotiations. Disregarding the fact that the North voted to Remain, the fact that, three months ago, the Assembly voted to support a motion calling on the British to extend the transition period has been ignored. Just last week, they actually admitted publicly to their intention to break international law.

Considering all the important commitments that the British Government are not honouring, it is nothing short of absurd to me that we are standing here today discussing flags.

**Mr McGrath:** The flag regulations that are in front of us today are, as has been highlighted, presented as a consultation because they are being progressed in another place. We are asked simply to give our opinion on the matter, and that will be considered by the Secretary of State when he takes his decision.

Flags are controversial in Northern Ireland and are often not used for their purpose. They can be a sign of division and can be used to create feelings of unease.

I am always struck by how it is often the intention of the people who are putting them up not to celebrate or to create pride but to show negative or unhelpful things like the marking of division of territory and creating a sense of saying, "This is our place, not yours".

12.15 pm

'New Decade, New Approach' was a difficult document to develop. It was a bit of a pick-and-mix, with something for everyone in the audience. It was not so much of a deal as a collection of aspirations that were laced with items that were imperative on one side and not

necessarily, but just, bearable to the other. However, it got this place back up and running, and with major issues like nurses' pay, health and education reform and then COVID-19, we are better served having this place functioning than not.

One item on the NDNA list was flag flying on additional designated days and from certain designated buildings. That is important to many in our community. It is not to me or to many of the people whom I represent, but it is to others, and in recognition of this being a shared space and a shared place, I am happy to support what is going through today.

I want to be clear that it is being delivered in the context of NDNA, which contains many more elements that are to be delivered and ones that I want to see introduced and introduced quickly. We need health service reform; we need to see the medical school at Magee delivered, and I welcome the progress on that to date; and we need to see the continued reform of these institutions in order to make them fairer, more democratic and more accountable to the people whom we serve. We want to see extra childcare hours for hard-working families and parents in order to ease the burden on their monthly pay packet. We want to see more social and affordable housing in order to tackle the unacceptable housing stress that there is here in the North. We want additional accountability for that housing matter, too, with a separate element in our Programme for Government (PFG) on housing so that we can measure its success. Those, we believe, are the issues that affect people. They impact their life and the matters that they want to see progress on. I want to see this place working, the people in it working and the people whom we are here to work for seeing improvements in their life. I want to see much more delivered than the flags.

**Ms Armstrong:** In response to the legislation, I acknowledge the sovereignty of our flags. Alliance has supported the designated days for many years. It shows respect for people who want the Union flag, and it shows respect for those who do not want the Union flag. What it says, which many others here have said, is that we are a community that appears to be divided. However, we are actually just one community; we are all from this place, and we want something better. New Decade, New Approach was that, and we all signed up to it.

The designated days have been equality proofed so many times. If I am to be in this Chamber, stuck in the middle here with you, all I ask is that we show each other respect. The

flag is the flag; people want it and people do not want it, and it is time for us to move forward. As others said, we are in the middle of a pandemic. A virus is killing our people. We have an education system that is not being reformed and the Bengoa report has not been brought through from Health. There are a lot of priorities here. I respect this legislation, which is adding only three more days — the birthdays of the Duchess of Cambridge, the Duke of Cambridge and the Duchess of Cornwall. That will change when, unfortunately, people pass away and days are removed, and, when other people are born, days will be added. Those are designated days. All I will ask is this: we have a lot of work to do in this place so can we move on with that?

**Mr Stalford:** As other Members mentioned, this development arises out of New Decade, New Approach, and, as such, I welcome it. It has also been said that New Decade, New Approach represented a compromise, and I accept that there are things that people on the other side of the House might not like but are going to have to tolerate going through as part of that compromise and that there will be things that people on this side of the House might not be that fussed on either will but have to tolerate going through. Politics is the art of the possible, and New Decade, New Approach reflected a compromise between the two major political traditions that exist in this community. I think that this is a welcome development, and I speak as someone who puts a flag on his house during July and August. I do so because I am loyal to the United Kingdom and I am a loyal subject to Her Majesty the Queen. It is part of who I am and my identity. It is important to me, and it is something that I value. I value the flag of my country, and I want to see it treated with respect. That is why, for example, I do not like to see flags left on lamp posts to become tattered rags. The flag of our country should be treated with respect.

I welcome the provision of these additional flag days, and the expansion to two other government buildings. It is right and appropriate. Mention was made of the Department of Digital, Culture, Media and Sport, and its list. My understanding of the list that we are now being brought into line with is that that is the minimum recommendation from the Government at Whitehall for the total number of days when the flag is flown. It may be that other days can be added to the list, either on a one-off basis, such as a significant national event, or permanently, if it is so decided.

I have heard some of the comments that have been made. I sat in the Chair where you are, Mr

Speaker, the last time that Assembly Commission business was considered. It would be the worst possible thing for us as a community to descend into the trenches over the issue of the foundation of the state. People will have very different interpretations of it — I accept that — but we should show a bit of give and take towards each other. On the actual day itself, why should the flag not be on the roof of the Building? What would it cost? How would it hurt anyone, on that one-off day, to accede to that request and show a bit of generosity to people who believe different things to you, but want to work with you to run the country?

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

**Ms Ennis:** As my colleague Emma Sheerin said, for some who are looking in on the debate there will be a certain and not unjustified sense of frustration that, in the middle of a global pandemic, with Brexit looming and all the other crises that are coming our way, here we are again talking about flags and emblems.

The debate is about more than flags. It is about us deciding what type of society and place we want to live in, how we are going to treat each other and, more importantly, how we acknowledge and respect each other's identities. In the context of Brexit, we are reminded of the British Government's total and unequivocal lack of respect for Ireland and the legally binding international agreement they signed up to. Talk is now emerging that the British Government are manoeuvring themselves to, perhaps, abandon and renege on major parts of European human rights law. Of course, in the North, we know only too well that the British Government have form in that regard. It is unsurprising then that the British Government refuse to implement key human rights components of the Good Friday Agreement, specifically a bill of rights.

The Good Friday Agreement provided for an equality of treatment duty on public authorities, and that statutory duty was explicitly singled out in the agreement to be enshrined within a bill of rights. It said:

*"the formulation of a general obligation on government and public bodies fully to respect, on the basis of equality of treatment, the identity and ethos of both communities".*

The Human Rights Commission, which was tasked with the formation of the bill, recommended in its 2008 advice to the Government:

*"Public authorities must fully respect, on the basis of equality of treatment, the identity and ethos of both main communities in"*

the North.

*"No one relying on this provision may do so in a manner inconsistent with the rights and freedoms of others."*

As my colleague said, look around the Building that we have to come to and work in everyday. I do not see my identity or ethos reflected anywhere in the Building. It is absolutely nowhere.

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

**Ms Ennis:** No, I will finish if you do not mind.

Instead of asking us to roll out the flags to celebrate the birth of yet another unelected British royal, perhaps the British Government and this House might consider Sinn Féin's reasonable proposals on equality and neutrality: both flags or none at all.

The Secretary of State has said that he will read the Hansard report of this debate, so I take the opportunity to call on him and the Government to reflect on why they have yet to implement a bill of rights, and their apparent inability to honour international agreements and the commitments that they made in them. The British Government and this House need to demonstrate that we are serious about a peaceful and progressive shared future for the people on this island, a future that has to be based on equality, parity of esteem, tolerance and respect for all.

**Mr O'Dowd:** I was just again reading through the 'New Decade, New Approach' document that was published by the two Governments and led to the restoration of this institution. Ironically, one of the titles in the British Government's paper is, "Delivering on our Commitments". Delivering on our commitments: we have seen from the British Government in recent days what exactly that means. They will cherry-pick what they want to deliver, and they will deliver what suits them when it suits them, and sometimes it will never suit them. That is where the difficulty lies with the proposal. This is a take-note debate, and, at the end of this, we will vote that we have taken note of it. That should be in no way interpreted by the Secretary of State or by anyone in or beyond the Chamber that we support the notion that we need to fly more flags, because we do not.

What we need to do is ensure that the parts of the paper that was published by the two Governments and that are the responsibility of the Assembly are implemented in full. That will cause challenges on either side of the House, but we have to do that. What the Governments do with their commitments, we will see, but they cannot cherry-pick. We have seen this from the British Government time and time again.

When you read through what is entitled:

*"Annex A: UK Government Commitments to Northern Ireland"*

it is as though those with an Irish identity do not exist. The UK Government — one of the co-guarantors of the Good Friday Agreement — seem to have forgotten that they signed up to the Good Friday Agreement, that the institutions are built on the Good Friday Agreement and that a significant and growing proportion of the population in this part of the island is Irish, wants to be seen as Irish and wants their identity recognised and acknowledged, but the Government do not do that in any part of this document.

The clear message that I am sending out, through Hansard, is this: the vote will go through today, but it is not an endorsement of the proposal. What we as a society have to do is acknowledge that there are different identities on this island, and they have to be acknowledged not only in word but in deed and in symbolism. Flags are about marking territory. Flags are a symbol of power; that you have power in a certain area or that you have control of a certain territory. You can put one above this Building or one on a flagpole somewhere, and they will send out the same message: it is about power. What we have here is power-sharing, so in terms of symbols and in our acknowledgement of this society, there has to be equality or neutrality in that regard.

**Mr O'Toole:** To say that flags are a vexed subject in this place would be to understate matters. No one in this part of the world is ever given to understatement, certainly not those in the Assembly. These regulations, as Members have said, implement one particular commitment in the New Decade, New Approach agreement, which was signed at the beginning of this year, on increasing designated flag days.

I want to say two connected things about today's regulations: the first is about respect; and the second is about consistency. First, on respect, it cannot be said often enough that Northern Ireland is a shared space, and it will

continue to be, whatever our constitutional future. Mutual respect cannot simply be a phrase; it must be ingrained in how we think and talk about one another, our identities, our symbols and the space that we share. It is often said that we talk far too much about flags and identity. Many of the young people who leave here and cringe at the idea of coming back do so because they feel weighed down by the monotony of debates over symbolism and identity.

It is true that we talk too much about the questions of flags and identity, but it is also true that we do not talk about them in the right way. Too often, we do not speak respectfully about what is valued and precious to others. We are quick to take offence but are slow to see why others might be offended, so it is worth my saying clearly that I respect the Union flag, and I respect the importance of the flag to many people in Northern Ireland and, indeed, in the Chamber. In response to what my constituency colleague Mr Stalford said, I do not just tolerate symbols of Britishness or, indeed, symbols of other things; I hope that I actively respect them. The flag may not command my loyalty, but it should command my respect. If it matters to my neighbours, some of my friends, many of my constituents and, indeed, many of my Assembly colleagues, it should matter to me. Indeed, it is incumbent on those of us who seek constitutional change on this island to be clear that, if we are serious about having respect for Britishness in Ireland, it needs to be done not in a grudging way but in a clear and positive way.

### 12.30 pm

However, to be clear, mutual respect also means that, in addition to the additional designated flag days, we need to have a better approach to unauthorised flag flying in streets and neighbourhoods across Northern Ireland. In many communities, flag flying clearly has the consent, either active or passive, of the people who live there. However, in other places, there is limited, or no, consent. Many of my constituents in places like Carryduff, Rosetta or Finaghy live in communities that are proud of their integrated nature. They have a multiplicity of identities and constitutional viewpoints, but they also dislike public spaces being used to assert one viewpoint or identity for large parts of the year. Very often, the people who put up the flags are not known to the people of those communities, let alone accountable to them.

I welcome what Mr Stalford said about tattered rags. He is completely right: anybody who cares about a flag, whatever national flag it may be, should not want to see it become a tattered rag

that intimidates people. However, in the absence of an agreed and consistent approach to regulation, many communities feel powerless on the issue. They do not want to remove all symbols of identity — I certainly do not — rather they want more transparency and accountability over these matters, as well as the ability to have their voice heard.

The two points are interrelated: respect for tolerance and symbols of identity but a consistency of approach. That is why we need to see the Commission on Flags, Identity, Culture and Tradition, which is another part of New Decade, New Approach, report to the First Ministers to create a more consistent approach on the interrelated issue of flags.

**Mr McNulty:** Accommodation can be reached. In the darkest of times, accommodation was reached on flags. In this time of turmoil, I recall a different time of turmoil. Tuesday 3 March, I, along with my teammates, was training in a cut-and-thrust, dogged training session in Davitt Park in Lurgan when one of our joint managers, Brian Canavan, was called away urgently because there had just been a double murder in his family bar in Poyntzpass.

In the following days, two great leaders walked the main street in Poyntzpass together. They quelled anger and fear by their actions and their words. The spirit of accommodation exhibited by Seamus Mallon and David Trimble in those days has been shared by everybody in the community of Poyntzpass. Fortunately, the following month the Good Friday Agreement was signed. Further subsequent agreements were brokered in Poyntzpass by Tom Canavan, God rest his soul, and by Robert Turner.

The following year, that same team was in the Ulster final. The local GAA club approached the Orange Order, seeking guidance on where to source orange and white bunting. I believe that the GAA and the Orange Order worked together to take down the red, white and blue bunting, which had been up since the Twelfth, in order to erect the orange and white bunting for the Ulster final. Fortunately, my team was victorious on that day.

That spirit of accommodation still exists in Poyntzpass. The community there knows that we live in a shared home place. That is the type of shared home place that I want to work towards on this island: a new Ireland of tolerance and respect and ambition; a new Ireland of energy, endeavour, enterprise and equality; a new Ireland where we spill our sweat and nobody's blood. Let us all work towards that new Ireland, a new shared home place.

Ar scáth a chéile a mhaireas na daoine. We rely on one another for shelter.

**Mr Robinson:** I welcome the proposals, which correct mistakes in the original regulations from 2000 and ensure that Northern Ireland is brought into line with the rest of the United Kingdom. In other words, equality for Northern Ireland. When the original regulations were drafted, the Queen Mother was still alive, as was Princess Margaret. With their deaths, there was a net loss of days on which the flag could fly. New members were added to the royal family, for example, the Duchess of Cambridge. Her birthday is a day on which the flag is flown in celebration. The proposed new arrangements ensure that Northern Ireland can mark that occasion, along with the rest of the United Kingdom. Indeed, under the proposals, Northern Ireland will have three additional days.

The proposals recognise that change occurs and that a proactive response to change is essential to ensure that Northern Ireland maintains the same statutory days as the rest of the United Kingdom.

For many in Northern Ireland, the ability to mark significant birthdays by the flying of our national flag is welcome, both culturally and historically. I sincerely believe that these proposals are a positive move and urge the Assembly to support the motion.

**Mr Speaker:** I was to call Dolores Kelly but she is not in the Chamber.

**Mr Allister:** John O'Dowd said that some people seem to have forgotten that they had signed up to what he called the Good Friday Agreement. That is a message that he and his party should take themselves. Whatever else the Belfast Agreement can be faulted for, it involved — we were told — an acceptance that Northern Ireland is part of the United Kingdom. If that is correct, how can there be resistance to the flying of the flag of the United Kingdom on government buildings in Northern Ireland? If there is a recognition that we are part of the United Kingdom, one inevitably follows the other. Instead, we have had today, particularly from the first Sinn Féin Member to speak, Ms Sheerin, was bile against all things British and the flag. Yet these are the people who tell us that a great new dawn awaits us in a new Ireland. Here they are today, happy to take all the privileges of being part of the United Kingdom, bursting to get us out of the United Kingdom, promising a new Ireland and, yet, within Northern Ireland, they cannot even accept the flying of the flag.

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

**Mr Allister:** I do not get extra time so I will not.

Ms Ennis said that she sees nothing in this Building that accommodates her culture. My goodness, if I walk into this Building and walk up the steps from the main hall, I am faced with the portrait of an IRA commander who was responsible for multiple murders of my constituents and others.

To get back to the regulations. I welcome the fact that they are bringing things up to date. I welcome the fact that the two Sinn Féin Ministers — Communities and Finance — will now have the Union flag flying from their headquarters. I welcome the additional days. However, I say to the Assembly Commission that there is a test coming for respect within this community: 7 June 2021 is the centenary of the formation — the first sitting — of the Northern Ireland Parliament. If the flag flies on this Building, it will show whether or not there is any respect, from the Assembly Commission and those who govern this place, for the people who want to be part of the United Kingdom. If the flag does not fly, it will be a calculated and deliberate insult to everyone who values their place in the United Kingdom and another confirmation of just what would await us if we were so foolish to leave the United Kingdom.

**Mr Carroll:** Clearly, we have more pressing matters to discuss today than the flying of flags, so I will not speak for long on the issue. I put on record my opposition to the extra days, contained in the motion. I believe that we, as a society, need to get away from the flying of communal flags. As a socialist, I do not support the expansion of flying flags to honour, and to glorify, any monarchy, never mind the British monarchy, in the role of British imperialism in Ireland, which, for the record, was not good for any working-class communities in the North.

This motion on flags, of course, stems from agreements that were signed up to by Sinn Féin and the DUP in the New Decade, New Approach agreement and, in a small way, sums up a major problem with the agreement; namely, how it doubles down on the two traditions — a schema — where communal forces are elevated in politics and certain sectarian practices are given cover by the law. For example, this agreement on flag flying came alongside a proposal to create a commissioner, whose tasks will include

*"protecting the Ulster British tradition"*

as if such a thing was an endangered species and not the historic ideology of elites here.

All these things are connected to the way that the state is the ultimate guarantor and cements sectarianism at the heart of it. People Before Profit, for our part, will continue to be a voice for social politics, inside and outside the Chamber, and will have no truck with this approach.

**Mr Butler:** I may not use the five minutes. I will speak first on behalf of the Business Committee. Thanks to all the Members who made a contribution. I intend to be very brief in concluding the debate. The Business Committee's intention in bringing forward this motion was to give Members an opportunity to express their views on proposed amendments to the Flags Regulations (Northern Ireland) 2000. The Business Committee has not considered the proposals or taken a view on them as a corporate body. However, the Secretary of State, when he wrote to the Speaker on 1 September, asked that the Assembly considers these draft regulations, which is what we are about today.

The Secretary of State asked for the Assembly to provide a report of its views by 14 September 2020. Consequently and in order to meet that very tight deadline, the Business Committee was required to ensure that the Assembly had an opportunity to debate those proposals today. Members have now set out their views on them. I will not go through those views on behalf of the Business Committee, although I may pick them up myself. The Official Report records those views. The Business Committee has been advised, Mr Speaker, that you will send a copy of today's Official Report to the Secretary of State, who may then choose to amend the proposed regulations before laying them for approval by resolution of each House of Parliament. On behalf of the Business Committee, I ask all Members to support the motion.

I will now speak on behalf of the Ulster Unionist Party and myself. First, I commend all the Members who spoke for the manner and tone of the speeches on this issue. Flags have, for many years, been an issue of pride from a unionist perspective or a nationalist perspective, depending on the flag that you like. However, they have also been a cause of much angst and many sad debates in this country. These are regulations that the Secretary of State is bringing before us as part of New Decade, New Approach, which, as was pointed out by a number of Members, is a mixed bag of regulations and priorities for many of us. We will

have to show each other a lot of respect to bring it into line.

A number of points were picked out by Members today. The motion was moved by Keith Buchanan, who talked about the value of British identity to unionists. That is something that I and the Ulster Unionist Party share. Emma Sheerin has her background and her pain, and she does not feel that her Irish identity has been celebrated. However, I am British and have lived for over 48 years somewhere which is supposed to be British and part of the United Kingdom. You want to try it in my shoes, with people picking at you all your life from 1972; it is not an easy ride. I am proud of the flag. I understand the need to be respectful and fly it appropriately. I do not see that as thumbing the nose to anybody's identity at all.

Colin McGrath is not here now but he was actually very good. He talked about how, sometimes, it is controversial and has negative connotations. However, he at least showed the respect that has probably been missing at times over the past few years with regard to the institutions not running. He indicated the need, which is probably borne out of the Good Friday Agreement, for us all to move a little bit and show respect; that was welcome. Kellie Armstrong talked about the sovereignty of the flag. She also talked about the priorities that need to be addressed. Whilst this debate might be important to some of us and less important to others, there are other priorities that need to be talked about. Christopher Stalford actually spoke really well. I do not think that he is here, but I will give him a compliment. He spoke about the need to fly flags appropriately. He spoke about his distaste for tattered flags on lamp posts. I do not think that too many in the House, including me, would disagree with that statement. He talked about the need to embrace the centenary and show generosity, which obviously works both ways.

Sinéad Ennis spoke about her frustration about this type of society and how we treat each other, but I believe that that is a mirror that we need to hold up to ourselves. Matthew O'Toole talked about respect and consistency, which I echo. Justin McNulty spoke, in Irish, about relying on each other for shelter. I cannot do it in Irish, Justin, but thank you for those words. Jim Allister reminded us of the need to show generosity in next year's centenary celebrations. The final comments were made by Gerry Carroll. That is why I will not be a socialist. If socialism cannot show anything but opposition and fails to show tolerance or accommodation, it will not be for me.

*Question put and agreed to.*

*Resolved:*

*That this Assembly takes note of the proposed changes to the Flags Regulations (Northern Ireland) 2000 as set out in the draft Flags (Northern Ireland) (Amendment) (No 2) Regulations 2020.*

**12.45 pm**

**Mr Speaker:** I ask Members to take their ease for a moment while we change the Table.

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

## Private Members' Business

### Living over the Shop Scheme

**Mr Buckley:** I beg to move

*That this Assembly recognises the role that repurposed and attractive residential space above retail premises can play in promoting the success of town centres across Northern Ireland; notes that making high streets high-quality locations to live as well as work can aid the economic recovery from COVID-19; and calls on the Minister for Communities to consider establishing a living over the shop grant scheme to assist landlords to convert space above retail premises into residential accommodation.*

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. One amendment has been selected and is published on the Marshalled List.

**Mr Buckley:** This year has brought challenges that were previously unimagined by Members in every corner of the House. We face a battle that was entirely unforeseen, and it is hard to estimate when we will be able to resume some element of normality. When the Assembly was restored in January this year, after a long absence, we joined with a keen desire to confront issues that have long plagued this country. One such issue is the decline of the high street and economic activity in our town centres, coupled with chronic housing stress. Of course, those particular challenges long predate the viral pandemic, and societal trends have long forecast fewer people shopping and living in our town centres. With that in mind, we need to be prepared for the realistic possibility that COVID-19 will vastly accelerate the decline of the high street and to take action to mitigate that.

That is why I support the establishment of a Living over the Shop (LOTS) grant scheme and call on the Minister for Communities to take that into serious consideration, alongside direct actions across the Executive to reinvent our town centres and address the lack of affordable housing stock.

The Northern Ireland Executive first introduced the Living over the Shop scheme in 2002 to provide grants for the conversion of empty or

underused space above rental retail and commercial premises into private rental units. That grant scheme ran until 2008/09 and contributed to the creation of 101 new properties in our town centres before it closed due to budgetary pressures.

An analysis of the need and demand for a new LOTS-type initiative, commissioned by the Department for Communities, was published in January 2017. The analysis reported that, over the last decade, demand has strengthened considerably for private rented units in our town centres due to reduced mortgage availability to younger householders. That demand is combined with an increase in the vacancy levels of non-domestic properties across Northern Ireland.

Another report commissioned by the Department indicated that, in 2016, the vacancy rate of non-domestic properties in 41 towns across Northern Ireland was estimated to be 22.3%, which is considerably higher than any other UK region. It was a total of 3,595 non-domestic property vacancies, of which 1,015 were quantified by Northern Irish councils as being suitable for residential conversion.

Those statistics are clear and are visible proof that the total vacancies of non-domestic properties in town centres more than satisfies supply if we are proactive in encouraging conversion under the Living over the Shop scheme. That potential supply could meet a convincing demand.

As I alluded to, there are substantive demographic and population trends that impact considerably on housing needs. Northern Ireland's population is expected to grow by an estimated 8.6% by 2039, taking the total population to over two million. That increase, coupled with an ageing population and changing trends in home ownership and composition, places further pressure on the need to improve housing supply and stock across Northern Ireland.

Age-based demographics also tell us that Northern Ireland is projected to face the challenge of supporting an ageing population, with the number of people over the age of 65 set to increase from approximately 260,000 in 2016 to approximately 410,000 by 2039 — an increase of almost 60% over 23 years. A falling birth rate also suggests that the working-age population will decrease. That will have the same knock-on effect and implications for housing. The supply of smaller homes — one- or two-bed units — will be important in meeting demand, particularly as younger generations

have smaller families, on average, and as older people seek to downsize from larger homes in their latter years.

Whilst this serves as evidence for the long-term challenges that we are set to encounter, we must also recognise the present task at hand in relation to COVID-19. The viral pandemic has already compounded the difficulties faced within many Departments, and we need to be realistic about how that will directly impact the high street. Emerging evidence suggests that lockdown is set to change consumer and business behaviour on a long-lasting basis, with a more permanent shift towards working from home and favouring of digital retail. The knock-on effect of less footfall has been well-documented in Belfast in previous months. Offices adapting to a new normal and droves of staff working remotely have weakened retail and hospitality units that were heavily reliant on their custom.

In addition, the seismic shift in internet sales presents a real threat to the high street. Online sales have soared and now account for over a third of all sales across the United Kingdom, up from less than a fifth the previous year. Statistics produced by retail experts Springboard estimate that the footfall in our high streets fell by a staggering 79% in April 2020, compared with the same period last year.

That evidence very clearly raises profound questions about the future of our town centres, which must be scrutinised and addressed to prevent the continued decline of our Northern Ireland high street. If COVID-19 continues to accelerate the shift towards online retailing and service access, shop vacancy rates on the high street and in retail parks could rise rapidly, as stores inevitably become financially unviable.

With all that in mind, we must ask ourselves whether now is the time to seriously re-image and reimagine our approach to urban planning. In addressing the onset of the struggles we face with COVID-19 we must now be willing to reflect the changing role of town centres, from retail-led to multifunctional.

With respect to behavioural change, we must recognise that there is less demand for retail space in our urban centres, and rather than letting high streets fall into urban decay, we can revive our urban spaces by repurposing them by replacing shops and offices with desirable and affordable accommodation.

Further provision of housing in our town centres has the potential to generate social and economic benefits, including increased

investment and spending, and the creation of jobs. Following that path has the potential to curve behavioural changes and to broaden the appeal of our town and city centres. The case for the demand of such residential properties is compelling, and, in establishing a Living over the Shop scheme, we can grasp the opportunity to revitalise and re-image our town centres.

With a vast array of vacant non-domestic properties in our town and city centres, there is a role for government to take the initiative in encouraging such plans to repurpose urban centres. Now is the time for action; now is the time to re-image our towns. I fully recognise that a Living over the Shop grant scheme cannot in itself address the challenges facing Northern Ireland's housing supply and regeneration of local communities, but it is a start, and it can help set the tone following the global pandemic that we faced in COVID-19.

As a party, we have, in the past, raised with local councils the prospect of town centre regeneration challenge funds, and the fact that chambers of trade, and others, could bid for annual money to help them develop a range of projects in town centres. We are clear that there is a need for a comprehensive look at whether the current structures with regard to housing are fit for purpose. We must accept that there is a need to work together — holistically, but proactively — in the days ahead. It is vital that any future programme reflects the challenges of COVID-19 and market fluctuations, as well as the ideas of those who stand to be affected if it is to command confidence and, ultimately, realise its clear potential. We accept that that is not something that one Minister should be left to take forward on their own. The establishment of a high street task force would provide a useful vehicle to take forward the work in a timely and effective manner.

I appeal to the House to support me in my desire to re-image and reimagine our town centres, as we react to one of the most affected periods in our time, the reaction and the response of government in tackling the decline of our high street, and to the demand for social housing in a post-COVID environment.

**Mr Principal Deputy Speaker:** Before I call the Member to move the amendment, can this auld Belfast councillor welcome that auld Belfast councillor back from his period in isolation? You are very welcome back, Mr McCann.

I call Mr Fra McCann to move the amendment.

**Mr McCann:** How long have I got, Chair?

**Mr Principal Deputy Speaker:** Ten minutes.

**Mr McCann:** That is good. Cheann Comhairle, I begin by thanking you and all Members who have sent me kind words during the course of my illness. It was much appreciated.

The motion before the House calls on the Minister for Communities to:

*"to consider establishing a living over the shop grant scheme to assist landlords to convert space above retail premises into residential accommodation."*

On the face of it, that seems to be a good proposal. The motion also states that such space can play an important role in promoting the success of our town centres, and notes that:

*"making high streets high-quality locations to live as well as work can aid the economic recovery from COVID-19".*

Again, on the face of it, that proposal seems fine and, of course, we should consider all proposals that come to the table for discussion. However, I wonder if that is the right way to pursue this allocation of housing. We have always believed that any proposal that helps in dealing with the dereliction of the many business premises with empty spaces above those premises needs to be looked at, but it cannot be looked at in isolation. It must be looked at alongside the other serious difficulties faced in the housing sector.

The proposers of the motion do not speak of the problems which that area might bring, especially those we saw previously when we pursued the policy of living above the shop. It is about not only the cost, but which areas will benefit from the proposal. Several other thoughts come to mind. How will areas for development be chosen? How much will the development cost? Who will control the new build? How will the spaces be allocated when completed? Will they be allocated on need?

The motion does not lay out the many difficulties that there will be in overcoming the serious problems of access to the proposed homes. Moreover, regional planning policies state that they would need to comply with normal planning and environmental considerations. Facilities for the storage of fuel and refuge, and space for drying clothes, for instance, will be required. What about parking? Planning talks of level access which would be considered in the circumstances of each case.

How will rent be set in the new refurbished properties?

Will rents remain in the ownership of the property owner, will they be handed to the social housing provider to allocate from increasing waiting lists, or will they be purely a private development? One of the papers that we received listed rent charges in the private rented sector throughout the North, but they were old figures. Who will set rents to ensure that they are affordable? Those are just a few thoughts that come to mind.

**1.00 pm**

I have looked through the research papers, many of which are based on English schemes that were heavily funded. However, the paper provided by Public and Corporate Economic Consultants, who, working back then for the Department for Communities, issued a report in September 2016, stated that Belfast was identified as an area with significant challenges regarding its non-dependent domestic vacancies and that the scheme was likely to work only in areas outside Belfast city centre. In fact, it seems to remove Belfast city centre from any possibility of developing a LOTS housing scheme, especially at a time, only a number of years ago, when there was a campaign in inner-city communities to have housing in all its aspects built in the centre of Belfast.

I was a member of the old Social Development Committee back then, and, when we looked at the town centre regeneration strategy, we realised early on that housing was crucial to the future of towns and villages. The strategies offered hope, and people were disappointed that they never materialised. Strategies for the future of towns and villages can work only with other sectors, especially local government. In fact, today many councils are actively working on the development of major proposals, major shape-changing schemes that will change our communities for the better and include business, sport, environment, housing and much more. City deals take in council areas surrounding and including Belfast. Derry and councils in the north-west have their own city deals, as do other councils that are working on growth deals. All those will have, as part of their proposition, housing growth over the next 10 to 20 years. Councils need to be convinced that the LOTS scheme will provide the type of housing that will make a difference to their area.

Those who table the motion need to work with local government to ensure that all aspects of dereliction are dealt with, including how to deal

with the dereliction of town centres, especially shops and wasteland that have lain vacant for many years. I again emphasise that that should be part of a strategy, not just a scheme chosen in isolation from a housing strategy. Those who tabled the motion know that housing in all its aspects is right up there for the Minister. She has made a commitment to come in front of the Committee and to cover any issues that we want to raise. She has spoken of her commitment to start to deal with the tangled web that makes up housing and to put a strategy in place that deals with the many problems that we face. I have no doubt that she will look at the motion and do her best to deal with the matter.

Again, I emphasise that this cannot be done in isolation from all other aspects of housing. I argue that our amendment offers the best way forward and ask those who tabled the motion to reconsider it and allow the amendment to have the unanimous support of the Chamber. Let this be part of an overall strategy that will ensure that all future decisions on housing developments and allocations are based on objective need.

A chairde, we are in difficult times, but I have no doubt that we will work our way through this. When we do, we will need to work together to provide decent housing. We have a Minister for Communities who is deeply committed to tackling the housing issue, especially the provision of modern housing for all people in need. I ask that you support the amendment.

**Mr Principal Deputy Speaker:** Thank you. May I ask you to move the amendment formally?

**Mr McCann:** I beg to move the following amendment:

*Leave out all after "repurposed" and insert:*

*"and accessible space above commercial properties could potentially play in revitalising town and city centres by providing additional affordable, accessible and high-quality accommodation; further recognises this potential to increase the supply of homes to meet demand; acknowledges that increasing this type of housing in high streets can help assist in the social and economic recovery from COVID-19; and calls on the Minister for Communities and her Executive colleagues to explore this option to reduce housing demand based on objective need."*

**Mr Durkan:** Every Member will be all too familiar with the long housing waiting lists across our constituencies: 38,000 applicants in total but with fewer than 2,000 new social housing units being built every year. With the greatest need being in my constituency, Foyle, where we have nearly 3,000 households on the housing waiting list, I welcome any innovative measure that will help to ensure that everyone across the North has a roof above their head. I commend the Members for Upper Bann and North Belfast for tabling the motion.

I will also support the amendment, which I believe to be complementary, as a Living over the Shop scheme that begins and ends with grants to landlords has more potential pitfalls than benefits.

A 2016 report by the Department, to which Fra McCann referred, looked into the need and demand for such a scheme. I am sure that the Minister is familiar with that report, and updated information on the data provided would be useful for a fresh look. I hope, however, that the Minister will go beyond it and undertake a comprehensive assessment of the viability of such a scheme, taking into account how many homes such a scheme could create in each constituency, affordability and town planning issues in terms of convenient access to public services and facilities. An updated assessment would also have to reckon with the brutal reality that many shops in towns and city centres will struggle to stay open in the coming months and years.

There are few areas of public policy that housing does not touch. The labour market, education and health are chief among them. That is why we in the SDLP have called for a 20-year housing strategy that would incorporate supply, affordability, regulation of the growing private rental sector and tackling homelessness. The solution to our housing crisis is not simply increasing supply; it is about increasing the supply of affordable high-quality housing for sustainable communities.

Encouraging private landlords to develop the empty spaces above commercial properties requires careful consideration and strategic planning. There are clear benefits from repopulating our town centres and generating much more economic activity. Living over the Shop schemes make use of existing infrastructure and provide housing much more quickly than the time it takes to build entirely new houses. While we all want to see new homes built or provided, there is a risk of rushing in with grants and ending up with housing that is unaffordable and unsuitable for

those in greatest housing need. The departmental report that I mentioned cited research that showed that city centre living was most likely to appeal to young, single professionals. They certainly need housing and are part of what makes city centre living so vibrant, but the majority of people I meet who are in housing need are families with children.

It is not just a case of making space above commercial properties habitable; we should identify the potential pitfalls and learn the lessons of such a scheme in England in the late 1990s. The weakness of that scheme stemmed from its failure to consider access to public services. Families, in particular, need convenient to doctors' surgeries, schools and play parks, as well as needing parking. Without consideration of those issues, accommodation above shops will, I fear, promote only transience rather than the long-term sustainable communities that we want and need to build.

I support the amendment.

**Mr Beggs:** I, too, support the motion. I thank Mr Buckley for having moved the motion, indicating the importance of a new Living over the Shop scheme or something like it to promote and encourage our town centres and to address the change in retailing and the high level of vacancies there. There is a problem, and we need to address it.

Once, the pressure on town centres was from out-of-town shopping centres. As others have indicated, it has moved on from that. During this recent period, the effects of COVID and having to live with the virus have exacerbated that situation, accelerating the move to online retailing and reducing footfall and turnover in our town centre shops. That additional pressure has, in turn, created further vacancies, and it is important that we arrest that decline and get footfall into town centres. If there are vacancies, it makes our town centres less attractive, so it is important that we address those vacancies and encourage schemes such as the Living over the Shop scheme that can reuse that vacant property. As Mr Buckley said, we may need to look at the overall planning policies in our town centres. There is no point in having planning policies that assume the shopping patterns of yesterday still; we need to be more flexible.

I recall, when coming to the Assembly, getting temporary accommodation for an office in a town centre. It was the only location that I could get with disability-friendly access. I literally had frontage access and no shop window, but I had to apply for temporary accommodation for a number of years. Eventually, that moved on.

It is important that we look at reusing our town centres and getting sustainable use from them, and I have no doubt that living in our town centres is an important element of that. It is important that we refresh our planning policies and the grants that are available to support them.

As has been indicated, there was a previous Living over the Shop scheme that supported 11 areas throughout Northern Ireland. My constituency, particularly the town centres of Larne and Carrickfergus, was not supported. Many other town centres were not supported by the previous scheme, and, therefore, the potential for the scheme to help those town centres and help address the level of homelessness in those areas is perhaps greater than in other areas.

In moving forward, it is important that we come up with a scheme that will work, not one that will tick all our own personal boxes. Other schemes have tried to improve the town centres in my constituency. The Heritage Lottery Fund has been useful for some properties, but it involves specifications that mean that other property owners leave properties vacant and do not think it is worthwhile, perhaps because the property is in a conservation area where there is a high cost to follow what is required by the fund. It is important that we adapt our planning policies to make sure that something happens and to make sure that the high level of vacancies is addressed to bring life back into those town centres and provide the homes that we all want.

Mr Durkan talked about how there was potential to bring about quick change. The buildings are already there; we are talking about modifying buildings. I suspect that, in terms of the overall cost, it is probably more efficient to use those buildings than to build new homes from scratch. We have a homelessness issue throughout Northern Ireland, not just in some areas. There are huge pressures in finding homes for families and individuals in our towns and cities in Northern Ireland, and it is important that we come up with a scheme that will apply widely and not just concentrate on some areas.

I would like to highlight the report that was published in 2016. That was a useful review of the Living over the Shop scheme and is very detailed. For instance, it identifies 30 properties in Larne with the potential to be used if such a scheme is rolled out. There are 10 in Ballymena and 20 in Carrickfergus, which is the other town centre in my constituency.

**Mr Buckley:** I thank the Member for giving way. In reference to the report, does he agree that it is clear that the evidence and the analysis of a Living over the Shop scheme is there and in place and that it is now about getting on with the job and delivering practical schemes that support our town centres?

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

**Mr Beggs:** I agree entirely with the Member.

The report was published in, I think, September 2016, and it has sat on the shelf for virtually four years when the Assembly did not meet. Homelessness got worse during that period, yet the ideas in the report have sat there and have not been addressed. It is important that we deal with it now, and it is important that we come up pragmatic schemes that will work. If they do not work with those who own the property, do not work with potential tenants and do not work with other potential partners, perhaps housing associations, they will not happen. It is important, in designing a scheme, that we get one that will work so that we can provide the homes that are badly needed, revitalise our town centres and improve the footfall and the feeling of safety among the people who live there.

**1.15 pm**

**Ms Armstrong:** I have listened to the debate today. I can see the merits in the motion and amendment, but I have to say, on behalf of the Alliance Party, that we will support the motion, not the amendment. The reason is this: had the grant scheme been included in the amendment, we could have supported both. Both are well intentioned, and both are needed, but the grant scheme is necessary.

The 2016 report that Mr Beggs talked about has already identified that businesses, landlords and Departments recognise the need for a grant income to convert the spaces above commercial properties to make them habitable. Therefore, the Department for Communities is already aware of the need to grant support for the establishment of the Living over the Shop scheme. In New Decade, New Approach, all Executive parties agreed to a housing outcome — I am looking at Mr Durkan because it was an SDLP approach that was brought forward. I look forward to seeing that outcome being developed with clear indicators to achieve better housing. I think, to be honest, that the Living over the Shop scheme is one of the aspects that needs to be concluded if we are to

achieve the amount of housing that we need for all of our people across Northern Ireland.

It is time to move forward the option to develop more living spaces, given that the demand for housing is growing. That is why I cannot go with an amendment that talks about a Minister who is very committed to housing going to Executive colleagues to talk about it. In the current situation, there is so much on the Executive's plate that I want to see action as opposed to just considering what might happen. I believe that the Minister is a person who will take this forward.

The reason why we need a grant for the Living over the Shop scheme is that shop owners might not be able to provide the money to develop the units. Think of how many towns, outside Belfast, have charity shops. They cannot afford to develop residential places above. Through this grant, there is an opportunity for us to do something different, and a grant that comes with a caveat — it is not a contract — can provide this. So, we can consider things like that which Mr McCann brought forward. For instance, we can ensure that bins are not stored on the street by providing somewhere to store them on the residential property. We can ensure that the living space is sustainable by saying that it must include alternative fuel sources to reduce carbon emissions so that we meet our targets. Innovative alternatives to oil tanks are desperately needed if we are to move away from fossil fuels.

The space needs to be inclusive and not exclude people with limited mobility. An awful lot of those in our older generation are looking for town-centre living because they no longer drive; they use public transport. Living together in towns, and being together safely in towns, is more important than sitting in a three-bedroom house in the middle of nowhere. We have to consider lifts and accessibility options for residential properties that are on the first floor. There needs to be consideration of rates and water charges because, as we know, commercial premises would have to split those from the residential premises.

We need to think about some other way of making houses and house space available, given that so little land is available. We know that work has been done. The mapping out of land has been done, for instance, in Belfast, and the amount of land available for new housing is very low. Meanwhile, a number of single men are still denied access to the housing market, and a number of older people face the bedroom tax. We pay that for them at

the moment, but the time will come when more and more people move on to the benefits system and face the bedroom tax. We could consider the town centre housing fund in Scotland, which is a 50:50 mix of grant and loan funding that could reduce the cost to government.

For years, architects and town planners have said to us that we need to develop town- and city-centre living through services that make these spaces welcoming and inclusive rather than frightening and isolating. The last thing that we want to do is to put people into places in which they feel uncomfortable. We have the opportunity to say to the owners of commercial premises that we have social housing options and social landlords who could come in and take over the space for them. They could buy that space and develop it in a way that would be good for people and meet the objective need. There is no point in putting someone into a house if they are not able to climb the stairs, or they are unable to afford to heat it, or it is not the right space for them.

I welcome the motion today. Living over the Shop is one way in which we can revitalise the centres of our towns and cities. However, it needs to be done. It does not need to be talked about any more. We need the grants to become a reality. I appreciate, absolutely, that money will be extraordinarily tight over the next wee while, but can —.

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

**Ms Armstrong:** Thank you.

**Ms Ennis:** At the crux of Sinn Féin's proposed amendment is the need to bring the necessary focus on the fact that many people and families live in housing stress — as a number of Members have already outlined — and that we simply do not have the housing stock to meet that need. We need to immediately begin to address that. I am sure that Members would agree that that would be a far more effective use of public finances. We need our towns and city centres to be vibrant and thriving places to live and work, but that cannot be at the expense of those who are in the greatest need of a home.

New Decade, New Approach brings focus to build housing in locations of objective need. Sinn Féin believe that adequate housing is a human right and we will continue to promote that across the island. The level of homelessness in the North/South needs to be

addressed and Sinn Féin has an ambitious and viable target of building social and affordable housing, as is in line with objective need.

While this motion and the amendment talk specifically about our town and city centres, as a rural MLA for South Down it would be remiss of me not to mention that rural housing needs have been neglected for far too long. The Housing Executive retains oversight of new builds, but it has a poor record of coordinating new builds in line with objective needs and the Rural Needs Act.

Housing development in rural locations has missed its target over each of the last five years, and the Housing Executive's rural and place shaping teams need to work with rural communities and their representatives to examine housing needs and to support housing associations in the delivery of new build schemes to address those needs.

Approximately 60 housing association houses are sold each year, along with 300 Housing Executive homes. As we know, that stock has never been replaced. New build is not adequately located in the areas of highest need. The latest housing figures show that there are over 37,000 applicants on the social housing waiting list, and of those applicants more than 26,000 are in housing stress.

The private rented sector plays a big role in meeting housing need, as does the social housing sector. Therefore, there has been a significant increase in the proportion of households with children which are living in private rented accommodation. As the Member for Foyle has already outlined, research that was undertaken by the Centre for Cities in 2015 has shown that city centre residents are more likely to be young, and single students or professionals. However, almost a third of those who are experiencing housing stress are families. Indeed, many families are already struggling to obtain their own home in unfair conditions of overcrowding, and young families are still being penalised for the housing crash from over a decade ago. This amendment brings a further emphasis to support them.

The DUP's motion does, on the surface, look to have merit, but it excludes public money from being used to help support those who need it most into accommodation, on the basis of objective need. Sinn Féin supports efforts to revitalise our towns and city centres, and we are very much open to exploring the best options to enhance a social and economic recovery. However, the social aspect is completely omitted from the DUP's motion,

which is why we find it difficult to support it as it stands.

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

**Ms Ennis:** Go ahead.

**Mr Beggs:** Does the Member accept that 11 areas had the scheme and that it had not been afforded to many other parts of Northern Ireland, so that should be a major consideration?

**Ms Ennis:** I did not quite hear your comments.

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

**Ms Ennis:** Yes, go ahead.

**Mr McCann:** I remember the scheme back then, and I believe that it was brought in under housing-led regeneration, which had a particular focus. If you look at Belfast then the five areas that were chosen for it were five unionist areas, and there were very few resources pointed towards nationalist areas. Those were the facts of life for the scheme back then.

**Ms Ennis:** Thank you.

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

**Ms Ennis:** Thank you, but I am going to conclude.

Sinn Féin's amendment is about maintaining the support and supply of accommodation necessary to help struggling families, along with our most vulnerable, to access housing, and to have security and dignity. Therefore, I ask Members to support the amendment.

**Mr Catney:** Although COVID-19 has added focus to the need to aid the prosperity of our city centres, the issues impacting on them have long predated COVID-19, and they will exist even after we recover from the pandemic. The benefits of the Living over the Shop scheme are not just economic. We have a massive housing shortage and affordability issues, so anything that can be done to tackle that must be welcome.

Living over the Shop properties are also more affordable. They are more affordable to create than new residential builds, and, more importantly, they are cheaper to buyers and renters. Changes in demographics and

household types are also apparent. Living over the Shop schemes provide vital accommodation to young and single-person households. We have a severe lack of one-bedroom and two-bedroom properties, which is putting stress on the private and social housing market. This is a simple and effective way of dealing with this.

Living over the Shop schemes are also tied into urban regeneration work. They revitalise town centres without the need for destruction and the eroding of character of our town centres. They enhance the areas, breathing life and vibrancy back into them. In fact, my mother and father lived above a shop in the city centre, and the only other two people who lived in behind that ring of steel that was then the commercial heart of Belfast were the caretaker and his wife, who lived above the Masonic lodge in Cornmarket. The point that I am trying to make by bringing this to your mind is that this has to be done with planning, and we cannot use a blunt instrument such as compulsory purchase to move out those people who find themselves living in city centres.

The benefit to our town and city centre economies cannot be more clear. As I said, my parents lived above the bar for most of their lives. They bought groceries from a family-owned store across the road, bought food from the family-owned butchers on the next street and they bought their clothes from the family-owned stores next to them. In turn, these family businesses and their owners and their customers came into the bar and helped my parents to sustain their businesses. In the days of online shopping, these micro-economies are the only way to keep our towns and city centre businesses going.

Statistics show that our own town centres have an average of 20% non-domestic vacancy levels. A mix of grant and loan schemes for over the shop properties in Scotland have proven to be popular. This can bring populations into our city centres and, therefore, bring revenue into our city centre businesses. In closing, these schemes will help our small business owners, help to regenerate our cities and town centres and provide people with affordable and practical housing that allows them to live, prosper and enjoy the places where they live. It is a simple solution with a massive impact. I urge you all to support the amendment and the motion.

**Mr Blair:** I support the motion and thank those who tabled it, but I cannot support the amendment for reasons, highlighted by my colleague Kellie Armstrong and which I do not need to repeat, around grants and other issues

and, more importantly, the need to move from exploration to action. The motion provides a new opportunity, I believe, to —

**Mr Durkan:** I thank the Member for giving way. I was going to interject during Ms Armstrong's speech. I certainly concur that it is the time for action rather than exploration, but will the Member accept that the motion that he is going to support merely calls on the Minister to "consider" such a scheme? That is the action that is about the same as asking the Minister to "explore" such a scheme, which the amendment calls for.

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

**Mr Blair:** I am content with the wording of the motion. I am sure that the Member will agree that some of the reports that we have talked about have been around for years.

The motion provides a new opportunity to kick-start initiatives aimed at refreshing town centres. It also offers the potential to revitalise town centres by repurposing empty premises above shops, accommodation that, in many cases, has been vacant for some time or has been neglected or has fallen into disrepair. Such initiatives could provide additional housing at competitive prices also, simply by, you could suggest, looking upwards and provide opportunity to tackle the acute shortage of housing, particularly social and genuinely affordable housing, which, as we know, has led to spiralling rent and house prices in many parts of the country.

There is, I suggest, also potential economic benefit. The return of residents can benefit the business below commercially, provide potential staff perhaps and repopulate urban twilight zones. People will be interested in the local area, its upkeep and its amenities. There could also, in some instances, of course, be a greater contribution to local rates revenue. We should also try to harness the environmental benefit around us on this issue. Not driving to the shops or to work, but, rather, walking or cycling reduces congestion and, consequently, air pollution, which is good for the environment, of course.

### 1.30 pm

There are, however, some matters on which I sound a note of caution. Living above the shop can have potential downsides. A previously desirable home may lose its allure if a retail outlet such as a bookshop downstairs were to

close suddenly and a fried food outlet were to open in its place. There can be issues with social isolation arising from having no immediate neighbours, particularly for those who are vulnerable or in need of support or a social network, a neighbourhood feeling or, for some people, the feeling of belonging to a community. Other issues that need to be looked at include security —.

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

**Mr Blair:** Sure.

**Mr Beggs:** Would the Member accept that living in a town centre can bring opportunities as well? There are libraries in town centres, and numerous groups meet in towns. Yes, I appreciate that there are risks and potential isolation, but there is also much potential for networking and benefit to those who chose to live there.

**Mr Blair:** I thank the Member for the intervention. I hope that you, Mr Principal Deputy Speaker, and Members will agree that I had just highlighted a number of positives to living in a town centre, and I will come to some potential solutions to the issues on which I note caution.

There must be fire precautions, separate from those for the shop. There is the probability of high traffic noise and access issues. There needs to be a separate entrance, ideally one in a well-lit and clearly visible place.

There are ways to ensure that the areas of concern do not outweigh the benefits that I highlighted, for example, through the coordination of planning and implementation by ensuring interdepartmental and inter-agency working on the issues that I have highlighted and through area planning and joined-up working between different levels of government to highlight the pitfalls and provide solutions.

With that in mind, together with the fact that potential problems do not outweigh the benefits, I am happy to support the motion.

**Ms Bailey:** The Green Party supports the amendment to the motion. We do so because we believe that housing is a right, not a luxury; nor is it a commodity to be bought and sold or traded for financial gain. Unfortunately, that is what it has become, leading to inflated prices, inflated land values and inflated profits in the private housing sector.

We are not in the same situation as our neighbours in Dublin or London just yet, but we are heading there, make no mistake about it. For example, as of March 2019, there were just under 40,000 people on our housing waiting lists, yet, in the 2018-19 financial year, we built fewer than 1,000 new social homes while 7,000 homes were built in the private sector. The Assembly cannot stand over a situation where restrictions are placed on our largest social housing provider creating new homes while grant incentives are provided to the private sector. The Department for Communities' review of a previous, similar scheme remarked on:

*"the relatively low risk and high reward available to the prospective recipients of grant funding."*

It seems that some have not learned lessons from previous mistakes with this type of proposal. The overprovision of houses in multiple occupation (HMOs) in areas such as my constituency of South Belfast has decimated some neighbourhoods and communities and has created social and environmental problems that cost statutory agencies millions each year in trying to manage.

HMOs and LOTS serve a purpose but only when used properly and only with proper controls and planning. That is why the amendment provides a much more proportionate and balanced response to the issue. We need more high-quality, affordable and long-term homes. We know that single men between the ages of 26 and 59 make up the biggest proportion of people on the housing waiting list. We know that we need more one- and two-bedroom housing units, which LOTS-type accommodation could help with, but driving more people into the private sector, with its rising rents, is not the answer. The Nevin Economic Research Institute's research on housing in Northern Ireland makes it clear that affordability is a major issue in the private rented sector, because costs are simply too high. Sadly, some of our housing association rents are pushing up the boundary of what we consider affordable.

We knew that we needed to reimagine our towns and city centres long before COVID hit, but it has provided us with another reason and opportunity to build back better. Housing-led regeneration is a way forward. Our towns and city centres should be places where people want to live. There is no quick fix. We cannot just throw public money at private property owners to create some new flats and bedsits

and expect regeneration to somehow happen on its own.

**Mr Catney:** I thank the Member for giving way. Sometimes, some of the old buildings are historic buildings, like Victorian buildings. We have lost an awful lot of our built heritage. It is just a case of trying to give another lifeline to the businesses trying to operate in them. I am sure that the Member sees that as a risk as well.

**Ms Bailey:** I thank the Member for his contribution. It is something that I will be —.

**Mr Principal Deputy Speaker:** Ms Bailey, you have an additional minute.

**Ms Bailey:** Thank you.

I will address exactly that point in a second.

We need to create liveable, breathable urban spaces with good housing; green spaces; no congestion; access to health centres, schools and parks; and a butcher, baker and candlestick maker all within your living space. We do not need to give away grants to create more private rental accommodation to make any of that happen.

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

**Ms Bailey:** Yes, go ahead.

**Mr Beggs:** I share the idealistic vision that you create, but I just wonder how it will be delivered. Government borrowing restrictions limit the public funds available. If there is not a partnership of some sort between housing associations and the private sector, are you not just going to be looking for a vision and not delivering it?

**Ms Bailey:** I thank the Member for his contribution. I assure you that it is not idealistic; it is experience that I speak from. I speak from experience as a mother who was forced out of private rental due to high rents and who lived in a hostel for many months before being offered social housing. That is where my ideals come from.

It is not enough for landlords to make lots available. Perhaps, we should look a bit more closely at why that might be happening. What public policy could be contributing to that? Landlords are already being incentivised to sit with vacant commercial property by our rating system. Developers are also being incentivised

to knock down and rebuild rather than repurpose and reuse under our VAT system. In the context of our climate emergency, the impact that it has on our carbon emissions is unforgivable, never mind what it has meant — this is exactly the point that the Member made — for our built heritage across our Province. We can do things better. We can encourage landlords to use their properties better. We should also use public money better. Let us work on that. Let us put our focus on meeting the needs of our constituents in a sustainable way. Let us use public resource to create public housing at a scale that is actually needed.

**Mr Principal Deputy Speaker:** I am sorry —.

**Ms Bailey:** Let us redesign our planning system and make it fit for purpose today, and let us focus on creating a happier and healthier Northern Ireland for all.

**Mr Carroll:** It is undoubtedly the case that city- and town-centre living would go some way towards alleviating local housing crises across the North, particularly in inner-city communities. We must ensure that, when we talk about increased housing across the North, it is, first and foremost, about getting people the homes that they need and, secondly, about doing it in a sustainable and affordable manner. Unfortunately, that does not seem to be the intention behind the DUP motion today. It seems to be in line with the recent approach to COVID: the motive is, blatantly and simply, to get businesses in city centres generating profit again. Indeed, the motion comes hot on the heels — you will be well aware of this, Mr Principal Deputy Speaker — of the sign-off on the Tribeca development in Belfast city centre, which was opposed by campaign groups and thousands of submissions because it presented a threat to social housing, open space, arts and culture and built heritage, as we have heard, and included thousands of square feet of office space. Unfortunately, it was pushed ahead by the DUP and Sinn Féin. We can and must do better when planning the future for our town centres to put people's needs first and guarantee sustainability over making a quick buck for landlords or big business owners. How many —?

**Mr Buckley:** I thank the Member for giving way. While I welcome his initial comments about the need for housing space, particularly in our town centres, does he not note the intention and genuine spirit of the motion, which is to look at the thousands of vacant properties in our town centres and note that, without a scheme in place to support landlords who are already

struggling, we will not be able to provide additional space in town centres to allow people to live and make our cities and towns vibrant once again?

**Mr Principal Deputy Speaker:** Before I call Mr Carroll, I remind Members that interventions should be brief. Mr Carroll, you have an additional minute.

**Mr Carroll:** I remind the Member that there is no great practice of grants being handed out in this Building through various Departments and of them being fair and accessible and of public money being well spent. I remind him of RHI. There have to be concerns raised over the kind of grant scheme that he and his party suggest.

How many high-quality, premium apartments did we see flood the market in Belfast alone when COVID hit and tourists could not travel here? There were enough to prove that such apartments are not always built with the people who live here in mind. To go further, we would like to see the Executive enable the Housing Executive to buy and develop many of those spaces to throw open town and city centres to people stuck on waiting lists. We think that that is the best approach to dealing with the housing crisis in our communities.

We are not in favour of ploughing ahead with the profit-driven development of our city centres, which has seen hoteliers and businesses given primacy over the objective need of our communities too many times. We are not alone: academic research says that we must move towards more sustainable planning. The COVID-19 crisis has exposed more than ever the problematic fragility of the direction taken by the Executive over the past 10 years in the matter. We are for the development of homes in the city centre, but they must be built or developed so that they are affordable and up to environmental standards. Therefore, I cannot support the DUP motion, but I will support the amendment.

**Mr Principal Deputy Speaker:** No other Members have indicated that they wish to participate in the debate, so I call the Minister for Communities, Ms Caral Ní Chuilín, to respond to the debate. The Minister will have 15 minutes.

**Ms Ní Chuilín (The Minister for Communities):** I thank the contributors to the debate and welcome the opportunity to speak on the motion.

First, in relation to addressing the question about the Living over the Shop scheme — the debate brought this out in a much broader sense — I fully recognise the role that a repurposed and attractive space can play in the success of town centres and making high streets desirable places to live. However, my priority is providing accessible, quality, public housing for those in most need, housing in quality neighbourhoods with access to suitable amenities. Repurposing vacant or underused commercial premises as homes can have a role to play. However, the basis for my Department to intervene with a subsidy to the private housing market will always be around the provision of public housing allocated on the basis of objective need, given the scale of the housing stress that was mentioned here today in the debate.

You all have the background notes on the Living over the Shop scheme. The Department funded the scheme for conversion projects from commercial to private residential properties. The scheme was aimed at encouraging the development of homes and empty spaces above high street shops and was targeted primarily at creating private homes for sale or rent. The LOTS scheme was then an attempt to help urban centres by providing housing and reusing buildings. However, the scheme closed to new applicants in 2009, due not only to budgetary constraints but to its absolute failure to deliver on anticipated outcomes. An independent review of the scheme supported that analysis. It was a grant scheme; it did not make any significant difference to housing supply or regeneration; and focus then moved on to other work that held more promise.

The report was clear that there were numerous issues causing the underutilisation of former commercial space in towns and city centres, and some of those issues have been raised today, issues such as planning, building control, health and safety, financing, insurance, rates, the layout of the buildings and disability access.

The provision of a small grant scheme, or any grant scheme, did not significantly overcome these issues and, as a result, the scheme hardly managed to deliver any homes. Moreover, as private and public funding was directed towards the provision of private dwellings, there was no increase in the delivery of public housing.

**1.45 pm**

Personally, I see no evidence that any of this has changed. To be clear, I have no plans to

reinstate, under any circumstances, the Living over the Shop scheme. Indeed, the provision of a public subsidy to support the creation of new homes by private developers, potentially at the expense of additional public housing, is something that I will not support.

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

**Ms Ní Chuilín:** No.

Given the high level of housing stress here, my primary focus will be on increasing the supply of public housing in future. A grant scheme for developers that does not aim to specifically increase the provision of public housing is not part of my plans. As I said at the start, that does not mean that I am not going to look at options or a range of other measures to help reimagine or regenerate our towns and cities. However, putting public money into vacant shop spaces while there is such a growing need for social housing cannot be reconciled. My Department is therefore committed to finding new and innovative ways of increasing the supply and, indeed, affordability of housing. I welcome the fact that councils are supporting this through their local development plans to increase the provision of housing in their towns and cities.

My Department has undertaken a wide range of work to assist councils in developing and implementing affordable housing policies through the local development plan process, and my officials are keen to continue to collaborate with councils on this very important work. Some of the work includes an advice note on delivering affordable housing, with planning conditions for any new housing development; a new definition of affordable housing; scoping new types of intermediate housing, including new initiatives within the private rented sector, such as below-market intermediate rents; and partnering with Belfast City Council, in part to fund a study to understand the viability of housing development, including affordable housing provision. The Housing Executive has engaged with councils on a strategic and scheme basis to ensure that housing need is addressed locally.

My officials are also working with local authorities on urban regeneration projects and programmes that have a strong housing element, and I would like to highlight some of the work that we are doing. For example, in Belfast, a key policy objective that we share with Belfast City Council is to increase the residential population living in the city centre and around the city core, in line with the local development plan. This will include the provision of 20% social and affordable housing

in proposed schemes. One example of this process in action is my Department's input into the strategic site assessments conducted by the council, which identified a number of key sites that it currently owns. However, it is not just Belfast. My Department has taken practical steps to help regenerate urban centres and provide housing right across the North. We are involved in mixed-use regeneration schemes that will deliver affordable and more social homes. These efforts will undoubtedly improve the economic and social fabric of our town centres.

It is clear that there are currently problems faced by town and city centres, and this needs to be addressed as part of the TEO high street task force. There was a clear lesson in the Living over the Shop pilot. There are fundamental issues that went beyond the influence of the scheme. The focus of any future intervention by my Department will always remain on targeting those in most need. I firmly believe that this focus should increase supply to reduce demand. In the meantime, the Department for Communities will continue to work actively to engage with councils and, indeed, other bodies, particularly in rural communities, to work with their local plans.

I will now turn to some of the contributions. Jonathan Buckley moved the motion and spoke of the need to revitalise our town and city centres. Given the economic conditions that we are living in, hardly anyone could dispute that. However, wedging public money for housing to landlords is not going to happen.

Fra McCann moved the amendment, spoke about the previous policy and spend, highlighted the role that councils play in other plans and developments, and, in particular, spoke about the challenge of delivering effective outcomes that was faced in the past. One of those outcomes was inclusion.

Mark, you can check these figures out, but I think that West Belfast has the highest number on the housing waiting list; North Belfast is next; and Foyle is after that. To be frank, those figures are not good. Those constituencies are in the top three. They have persistently been in the top three because there has been systematic inequality in housing for decades. That needs to change. Mark Durkan mentioned the need to look at opportunities, not just to have greater supply but to ensure that as much good-quality housing as possible is delivered without rushing to give out grants. That is quite appropriate.

Roy Beggs spoke next to support the motion and not the amendment. He mentioned planning and conservation concerns and planning policies. While all those issues are correct, it goes back to the point that Pat made. I grew up in Carrick Hill, an area with great Victorian character, but plumbing that was not great, outside toilets and overcrowding, with four generations living under one roof. As twee — not as twee, but as good as our upbringing was, our happy memories — there are good memories — and the fact that it grounded us all, I know that, given the housing figures in some of the areas of highest demand, families are being brought up in homes that are meant for one or two people on their own with no children.

Kellie and I were on the Committee with Fra and Mark. I, honestly, think that there is a nervousness in the Alliance Party about objective need, because I found both your contribution and John's convoluted and confused. While you support the motion and not the amendment, and spoke about NDNA and the need for inclusive space, you went on to talk about concerns about access —.

**Mr Principal Deputy Speaker:** Minister, I am loathe to interrupt, but you really should not refer to other Members with "you" or "your" in the debate. Try to keep your remarks through the Chair.

**Ms Ní Chuilín:** Apologies.

I believe that it is generally accepted that there is a housing crisis and that we need to look at ways in which to deal with it. However, I do not agree with some of the —.

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

**Ms Ní Chuilín:** No, thanks. I do not agree with some of the ways that the Members suggested.

Sinéad Ennis also mentioned the NDNA commitment on objective need, particularly in relation to some of Sinn Féin's proposals as part of those negotiations; on removing corporation tax and the historic debt in order to allow the Housing Executive to build more homes, despite the fact, as she pointed out, rightly, that it has missed targets each year. While, some years, there is an explanation, the Housing Executive needs to be a bigger champion and better advocate for people who are homeless and on the housing waiting list than it is currently.

I want to thank Clare for talking about her experience, because, sometimes, I think that that is missing. I commend the Member for South Belfast for her dignity in not responding to Mr Beggs's attempt to mansplain. If anyone has to go into a hostel with two small children after they have lost their home in the private rented sector, that is exactly the reason why the amendment needs to be supported, not the motion.

Gerry Carroll mentioned that sustainability and affordability are an issue, as did many other Members, and that is the case. Housing Executive and housing associations' rents need to be better reconciled. As has been mentioned previously, some people refuse housing association homes because they cannot afford the rent. Rent in the private rented sector, even with a public subsidy, is higher than it needs to be. I believe that there is mission creep going on here. It is not a renters' market. Some people who really need social housing not only deserve it but are being held in a situation where they feel as though they are almost locked into private rented accommodation and have nowhere else to go. That is absolutely horrendous. I, too, have been in that situation with small children.

There is a lot to be said, particularly when we talk about city centre living, and I would like to end on this: Carrick Hill, the Market, the Strand and all around York Road, those communities are still there generations later and have been part of the city since well before a lot of those other places in Belfast emerged. I do believe that each of us will have examples of that in our own towns and villages. It is important to try to sustain communities and to sustain families, but we also have to be honest. By and large, the private rented sector has played an important role. I am not saying that it does not have a role to play. However, it is not acceptable that the private rented sector is now being used to deliver a public and statutory duty and obligation. That is not acceptable. Public money should not be put into the private rented sector at the detriment of people who need a social home.

I thank the Members who spoke for their contributions. I am grateful for the opportunity to contribute to the debate.

**Mr Principal Deputy Speaker:** Thank you, Minister. As Question Time begins at 2pm, and will be followed by two questions for urgent oral answer, I suggest that the House take its ease. This debate will continue after Question Time and the two questions for urgent oral answer.

The next Member to speak will be Mr Cathal Boylan to wind on the amendment.

The House can take its ease while we change the personnel at the Table.

*The debate stood suspended.*

2.00 pm

(*Mr Speaker in the Chair*)

## Oral Answers to Questions

### The Executive Office

#### Commission on Flags, Identity, Culture and Tradition: Report

1. **Mr Catney** asked the First Minister and deputy First Minister when the report by the Commission on Flags, Identity, Culture and Tradition will be published. (AQO 622/17-22)

**Mrs Foster (The First Minister):** We are currently considering the final report of the Commission on Flags, Identity, Culture and Tradition. We will then decide on appropriate next steps, including a decision on the publication of the commission's report.

**Mr Catney:** Minister, I thank you for your answer. At the start of the summer, I was contacted by a young mother with two children under the age of seven. She had moved into a lovely new home in my constituency. Some people in the area made assumptions about her background and put a Union flag and a UVF flag outside her house. In her own words, she said:

*"I don't want this to happen, but I fear for my children if I complain. I was told that if I tried to move the flags, there would be other consequences."*

**Mr Speaker:** Will the Member come to his question?

**Mr Catney:** First Minister, does that sound like the Northern Ireland that you and I want to live in? I know that both you and I want to live in a better Northern Ireland than that.

**Mrs Foster:** I thank the Member for his question, and I am very sorry that one of his constituents has had difficulties in that area.

The commission had a very extensive stakeholder engagement. It met a number of people face to face. It received a wide range of written consultation responses as well. The deputy First Minister and I received the report on, I think, 17 July. We are currently going through the report with officials, and we very much hope that we will be able to come back to

the Committee and the Assembly in the near future with our response to it.

**Mr Speaker:** Before I call the next Member to ask a question, I remind Members who wish to ask a supplementary question to remember to rise from their seat.

#### Brexit/Protocol: Legislative Programme

2. **Mr O'Toole** asked the First Minister and deputy First Minister, given the deadline of the end of 2020, when they plan to bring details of the legislative programme relating to Brexit and the implementation of the protocol on Ireland/Northern Ireland to the Assembly. (AQO 623/17-22)

**Mrs Foster:** I thank the Member for his question. In response to the Speaker about preparing for Assembly business in the autumn, the deputy First Minister and I provided an early indication of the volume of legislation required for the end of the transition period. The legislative requirements include devolved, reserved and excepted matters, which means that legislation will be brought forward both in the Assembly and at Westminster.

The identified requirement is focused mainly on secondary legislation. It is therefore anticipated that most of the pressure will, in the first instance, be on the relevant Committees. Departmental officials are briefing their respective Committees on the volume of EU exit legislation expected to be brought forward.

**Mr O'Toole:** I thank the First Minister for her answer. We are in a very dangerous situation in Northern Ireland. In a few months' time, we will crash out of the EU at the end of the transition period. We may or may not have a deal with the EU.

I ask both First Ministers that they urgently step up together and make a joint, united plea to the UK Government for serious engagement on delivery of the protocol and on protection of all citizens of Northern Ireland and for them to stop messing around with our fragile society and the protections that exist for everyone here.

**Mrs Foster:** I thank the Member for his supplementary question. Across the Executive, we want to see that our businesses are protected at the end of the transition period; that we have unfettered access for them into the GB market; and, indeed, that the Joint Committee, which is currently tasked with using

its best endeavours to deal with a number of issues identified in the protocol, deals with those issues that are in the protocol, particularly issues around state aid and goods at risk of entering the single market, which comes through Northern Ireland.

I am amazed that that issue has not yet been solved, because it is very straightforward. I know that a number of our businesses want to see certainty around that, and I again call on the Joint Committee to find solutions to the issues that the Member has identified.

**Mr McAleer:** Can the Minister indicate what Brexit-related areas will require Assembly primary legislation?

**Mrs Foster:** Sorry, Mr Speaker. I did not quite catch the question, because there seemed to be interference. Sorry about that.

**Mr McAleer:** Sorry. Can the Minister indicate — ?

**Mr Speaker:** Use your microphone.

**Mr McAleer:** Can the Minister indicate what Brexit-related areas will require Assembly primary legislation?

**Mrs Foster:** Yes. Sorry, I did not hear that initially. The most recent 10 September returns indicate that consideration has been given to the potential need for three Assembly Bills and eight Westminster Bills. However, the numbers do remain fluid and may change. It is important that we continue to work with the UK Government on all of these issues.

The three Assembly primary legislation pieces are an education Bill, a health and social care cross-border healthcare Bill and an infrastructure omnibus Bill. Those are the three Bills that are currently identified. I hope that is helpful to the Member.

**Mr Stalford:** Can my Rt Hon friend tell me what her opinion is of the recent assessment that was given by Lord Frost that Monsieur Barnier, and other EU officials, have deliberately threatened the food supply of the people of Northern Ireland? Does the First Minister agree with me that such antics are despicable and reflective of an EU bureaucracy that has overplayed its hand?

**Mrs Foster:** As I have already indicated to the Member for South Belfast, the Joint Committee could have dealt with these issues in a quicker

fashion. I hear the Member for South Belfast saying that what Lord Frost said yesterday was a lie. I have to say, he will have to take that up with Lord Frost. However, I find it wrong. When the deputy First Minister and I joined the extraordinary Joint Committee last week, I did say that the EU needs to stop using Northern Ireland to get its own way. We are not the plaything of the European Union. It causes great difficulties when people use Northern Ireland in that fashion. I recall when the then Taoiseach, now the Tánaiste, used a photograph of a blown-up border post to make his point to European leaders in October 2018, and that was wrong as well.

We need to focus on getting answers for our consumers, our businesses and the citizens of Northern Ireland. It is quite wrong for the EU to use hyperbole to get its way. We need to see the actual protection of peace in Northern Ireland.

**Dr Aiken:** I thank the First Minister for her answers. I note that she very clearly used the words "best endeavours". Will the First Minister discuss with the Executive how to make sure that both the EU and the British Government, through the Joint Committee, make a very clear statement, very soon, about the implications for our food, state aid rules and, above all, the very onerous position the Assembly may be placed in at the beginning of next year under the jurisdiction of the ECJ?

**Mrs Foster:** When I refer to "best endeavours", I am specifically referencing article 6 of the protocol which says very clearly that:

*"the Union and the United Kingdom shall use their best endeavours to facilitate the trade between Northern Ireland and other parts of the United Kingdom".*

We need to see more "best endeavours" actually being put into action so that we can get a solution to some of the issues that are still outstanding on the protocol. Neither the deputy First Minister nor I — indeed, the entire Executive — will be found wanting in our engagement with the UK Government and the European Union. We both attended the extraordinary Joint Committee meeting last Thursday. The junior Ministers attend ongoing meetings with the Paymaster General about the negotiations. We will continue to engage at the highest level that we can to get across the fact that we need solutions for the people of Northern Ireland, and that is what is important.

**Mr Muir:** The House of Commons will consider the Internal Market Bill today. Does the First Minister agree that it is entirely inappropriate for any Government to announce its intention to break international law and it is precisely not the way to successfully conclude negotiations?

**Mrs Foster:** As I understand the Internal Market Bill, they are notwithstanding clauses and, therefore, the hope is that there will still be a negotiated settlement through the Joint Committee and, in particular, a free trade agreement in totality. We want an agreement that will give clarity for our businesses, our consumers and, indeed, our citizens in Northern Ireland. We want to see that agreement put in place. We recognise that time is very short in relation to all of that. We will not be found wanting in our continued engagement, despite all of the other pressures, because we recognise how important it is to find solutions to these matters.

### **Attorney General: Appointment Update**

3. **Ms Dillon** asked the First Minister and deputy First Minister for an update on the appointment of the new Attorney General. (AQO 624/17-22)

**Mrs Foster:** I thank the Member for her question. She will be aware that we have indicated our intention to appoint an Attorney General by means of an open competition based on the principles that apply to public appointments. While the post of the Attorney General is not regulated by the Office of the Commissioner for Public Appointments for Northern Ireland, it is our intention to adhere to the spirit of the commissioner's code of practice relating to public appointments.

We have also decided that it would be timely to review the various aspects of the role of the Attorney General, since the post has now been in existence for over 10 years. The outcome of that review will feed into the appointment process and we will be considering proposals on the review process in the near future.

**Ms Dillon:** Does the Minister agree that given the very significant challenges that we face at the moment, particularly around COVID and Brexit, it is important that the process is completed? I accept what she has said about the process; that is important and it is good that it is being followed, but it is important that we have some time frame for the appointment.

**Mrs Foster:** I thank the Member for her question. I am advised by the office that an open competition can take in the region of six months from start to completion. That is why the deputy First Minister and I have appointed the interim Attorney General for a period of one year so that we can have continuity of advice.

This is the first opportunity that I have had to pay tribute to the outgoing Attorney General. Mr Larkin QC has been in place for over 10 years during some very turbulent times and I believe that he discharged his functions in a very good way towards all of the Ministers of the Executive. Of course, he was the Executive's principal legal adviser, which is an onerous task. I wish him well in his future career.

### **COVID-19: Public Messaging**

4. **Mr Harvey** asked the First Minister and deputy First Minister, in relation to COVID-19, what discussions have taken place to seek to address potentially confused messaging across the four nations of the United Kingdom and to offer a more consistent and effective public message. (AQO 625/17-22)

**Mrs Foster:** I thank the Member for his question. Discussions take place on a regular basis between the four nations of the United Kingdom on a range of matters, including the communication of public health information. Our overall messages are aligned and consistent; those are regular handwashing, social distancing and the wearing of face coverings. The Executive have set out their own road map to recovery and renewal and decisions on the unfolding local context are based on medical and scientific evidence. We have deployed a high-impact public information campaign using television, radio and print and digital platforms to ensure that people in Northern Ireland understand how to stay safe and save lives.

**Mr Harvey:** I thank the First Minister for her answer. Has the idea of an agreed joint position on the fight against COVID been discussed in the four-nation meetings as we head into the winter?

**Mrs Foster:** I thank the Member for his question. Indeed, a proposal for a UK-wide public information campaign entitled 'Hands. Face. Space.' is currently being tested in Northern Ireland, Scotland and Wales. It will be a heavyweight UK-wide campaign. It will be consistent with our messages and it will amplify the call to adhere to the public health advice. The Chancellor of the Duchy of Lancaster, who chairs our quadrilateral meetings, is very keen

to have an agreed platform for the UK nations signed off as soon as we can.

**Mr Carroll:** In light of the recent changes to the restrictions, can the Minister provide us with the evidence that says that the virus can spread in homes where there are more than six people but not in workplaces or schools where there are more than six people?

**Mrs Foster:** Yes, absolutely. As the Member knows, the Executive acts on the advice that is given by the Chief Medical Officer and the Chief Scientific Adviser. Based on our very good track, trace and protect system, we have been able to identify that most of the spread of COVID in the community is caused by household activities, whether that is people going around for coffee or mixing socially in people's homes or, indeed, by the dreaded house parties which, unfortunately, are still taking place.

The reason why we have acted in the way that we have, which is in this graduated way, is because the evidence is pointing to the source of the spread of COVID being in our home. I wish that it was otherwise, but that is, unfortunately, where the evidence is pointing.

**2.15 pm**

**Mr Allister:** Whatever confusion might arise in the four nations, I suspect that the First Minister will agree that the greater challenge lies at home in the undermining of the Executive's message by the episode of the deputy First Minister's attendance at the Storey funeral. Has the deputy First Minister apologised to her — she has not apologised to the public — for attending the funeral and for breaching your own joint regulations?

**Mrs Foster:** I think that the deputy First Minister has acknowledged that the events at the end of June fundamentally undermined the messaging from the Northern Ireland Executive and that there was a confused message coming out. It is right that we have had an acknowledgement of that undermining of public health messaging, and now investigations will continue, as you know, through police and Assembly investigations.

Let me say this to the Assembly and, indeed, to anyone else who is listening: we are at a tipping point with COVID-19. I know that there are those who think that we are scaremongering about it. I just want to address that. We are not. We are in constant contact with our Chief Medical Officer, and again today, I am advised

that for the postcodes that we have particular concern about, that concern is very much still there. I do not want to see that spreading across Northern Ireland. We have to act to stop it spreading across Northern Ireland and stop people who are in those postcode areas from spreading COVID-19. Whilst hospitalisation numbers are not yet growing, we all know that there is a lag in hospitalisations and ICU admissions. I do not want to be standing here in four weeks' time talking about the huge rise in hospital numbers. I want us to act on it now so that we can get on top of COVID-19.

When you look at what the BMA is saying today about the fact that over 80% of doctors fear a second wave, you see that it would be very remiss of us if we did not act and take action.

**Mr Allister:** That is a no, then.

**Ms Anderson:** Minister, given, as you know, that Ireland is a single epidemiological unit and that the virus does not recognise any borders, do you agree that there needs to be a consistency in message in the public health approach across this island as well as across the islands?

**Mrs Foster:** I thank the Member for her question. As she knows, we have said in our own plan for dealing with COVID-19 that it is important that we continue with our four-nations approach, particularly in how we fight the virus through the joint biosecurity centre, where the Health Minister receives a lot of his high-level engagement on other jurisdictions across the world.

Of course it is important that we continue to work with our colleagues in the Republic of Ireland so that we can understand what is happening in that jurisdiction and that, if we have to take a different route in any one case, we understand why we are doing that and can then talk to each other about the messaging. That conversation with colleagues in the Republic of Ireland, as well, of course, with those in the other three nations, will continue, and, indeed, we will have another conversation this afternoon on these issues with colleagues from Scotland and Wales and with the Chancellor of the Duchy of Lancaster.

**Mr Butler:** I thank the First Minister for her answer to Mr Allister's supplementary question. On the topic of confused messaging, why would the increasingly erratic MP for East Antrim have formed the opinion that the First Minister was not on the same page as the Health Minister

about local restrictions in Ballymena and Belfast?

**Mrs Foster:** I think that it is important to acknowledge that those of us who have the privilege of sitting on the Executive have the onerous task of taking decisions that impact right across Northern Ireland. That is a big, onerous task to have on our shoulders, and I totally understand that other colleagues and, indeed, those from other parties may want to challenge us on the decisions that we take. I stand full square with the decisions that we took in the Executive last Thursday. They were the right decisions, and they were the appropriate, proportionate decisions to take at that time. There are concerns about those decisions, but I ask the community in Northern Ireland to work with us to defeat coronavirus and minimise the number of deaths from this dreadful pandemic, because it is so important that we continue to give leadership in that way.

### **Historical Institutional Abuse: Payments**

5. **Ms Bunting** asked the First Minister and deputy First Minister what progress has been made with the Catholic Church in relation to its contribution towards payments to victims of historical institutional abuse. (AQO 626/17-22)

**Mrs Foster:** I thank the Member for her question. Officials have held meetings with representatives of the main institutions that the Hart report found to be responsible for systematic failings. These have focused on providing relevant information to the redress board and on the moral obligation to contribute to the redress costs. Now that the redress scheme has launched, we are keen to begin negotiations, with a view to ensuring a fair and proportionate outcome. The next steps will include a round-table meeting with all the institutions to set out the principles for negotiations. Ministers are considering how best they can give visible leadership to this very important process.

**Ms Bunting:** I thank the First Minister for her answer. Given that the Roman Catholic Church is as wealthy as some countries, have the bishops given any indication of a notional figure that they will contribute and a timescale for payment? Also, are Ministers willing to be directly involved in ensuring that the Church and other smaller orders make appropriate reparation?

**Mrs Foster:** In answer to the latter question, we will be involved in that discussion and negotiation. The cost estimates for financial redress range from about £149 million at the lower end, to £402 million as a central estimate, and then up to £668 million at the upper end. Contributions from institutions could help to defray some of those costs. A meeting with the two archbishops, Roman Catholic and Church of Ireland, has been discussed, and we will shortly write to both and to the institutions. We need to understand the fact that the institutions are separate, which sometimes makes it complicated to gain contributions and have those conversations.

We will absolutely continue with the negotiations and have those conversations because there is a moral imperative in relation to this issue to put an end to this dark stain on our history.

**Mr McCann:** Will the Minister advise whether any progress has been made on the apology, as recommended by Judge Hart?

**Mrs Foster:** I thank the Member for his question. As the Member knows, an interim advocate has been in place. He was working with the groups in relation to the apology. It is fair to say that there has been a bit of a breakdown between some survivors and the interim advocate. Therefore, the Executive Office was separately engaging with one of those groups in a parallel process. We are waiting to hear from the interim advocate. We are also very close to the end of a process for the appointment of a full-time commissioner, and we look forward to making an announcement in relation to that issue. It is something that the House has taken a keen interest in and something that we want to pursue. When the commissioner is appointed, he or she will certainly take up the issues of an apology and the memorial, as well as dealing with victims' needs and the redress scheme.

**Ms Hunter:** I thank the First Minister for her answers so far. We welcome all and any progress in victims receiving payments. The First Minister said previously that the Executive are in conversations with other aspects of the Christian belief. Has any money been secured in addition to that from the Catholic Church, or is that still at the conversational stage?

**Mrs Foster:** When the Government set up the process, we said that we felt strongly that we had a responsibility to give redress to people who had been through such a horrific time as a result of being in an institution. We

fundamentally believe that there is a moral imperative on some of those institutions to come forward and talk to us about reparations for what happened in them. Therefore, we will pursue those conversations, because we believe they are something that the House, and the public in general, want us to pursue.

**Mr Speaker:** I call Claire Bailey.

**Ms Bailey:** Thank you, Mr Speaker. Question 8.

**Mr Speaker:** Sorry, First Minister. Ms Bailey, I thought that you were asking a supplementary; you are ahead of yourself. I will move on to Michelle McIlveen.

## Victims' Payment Scheme

6. **Miss McIlveen** asked the First Minister and deputy First Minister to outline the steps required to deliver the Troubles-related-incident victims' payment scheme. (AQO 627/17-22)

**Mrs Foster:** Thanks to the Member for her question. The Executive Office has designated the Department of Justice to exercise the administrative functions of the victims' payment board and has agreed to provide grants to the Department to establish the scheme's administrative arrangements. That will allow the recruitment of board members, IT developments and the other steps that are needed to establish the board to proceed. A substantial programme of work is under way with the Department. However, more work remains to be implemented before a scheme of this complexity and magnitude can become operational. The deputy First Minister and I will be meeting the Justice Minister shortly to discuss the next steps.

**Miss McIlveen:** I thank the First Minister for her response. Further to that, are all Ministers in the Executive now committed to ensuring that victims who have already been waiting far too long receive their payments at the earliest possible point, regardless of any dissatisfaction that they might have about issues such as eligibility or, indeed, any other matters?

**Mrs Foster:** I thank the Member for her supplementary question. I very much hope that it is the case that all Ministers are on board with this. We have had quite a divisive court case. It is important that we now move on and get the scheme implemented as quickly as possible. As I have indicated, a substantial programme of work has to be carried out by the Department of

Justice. We will support the Department of Justice where we can in that.

For example, to give an indication of what needs to be achieved, we need the appointment of the president of the victims' board by the Lord Chief Justice and then the appointment and induction of board members by the Northern Ireland Judicial Appointments Committee. We need to secure additional funding from Westminster in recognition of the fact that this is a scheme that operates not just in Northern Ireland but across the United Kingdom. We need the finalisation of an IT system, the appointment of an assessment-services provider, the development of an assessment process and then agreement by the victims' payment board of its governance and decision-making policy, so there is a big job of work to be done. We are up for that job of work, but we need to do it in quick time so that we can get funding out to the many victims who need to have their needs acknowledged, first of all, by the payment. Hopefully, the payment will ease some of the suffering that they are currently enduring.

**Mr McGrath:** Does the First Minister agree with me that it is important that she and the deputy First Minister offer an apology to those victims whom they forced to go to court to secure their right to that pension?

**Mrs Foster:** I have to say to the Member that it is a matter of deep regret that not just one member but, indeed, many members of the victims and survivors community felt that they had to go to court to have this matter dealt with. I hope now that we can move on in fast time and that we can support the Department of Justice in dealing with the issue as quickly as possible. Of course, we need to deal with the funding issue, and we will deal with that. It is important that we have all the processes in place as well. As I have indicated, quite a number of processes need to be dealt with. I very much want to see this dealt with as quickly as possible. It would, of course, have been wish that it was dealt with in the appropriate manner.

**Ms Flynn:** Does the Minister agree that there is a compelling responsibility on the Westminster Government to help fund the scheme?

**Mrs Foster:** I think that that is right, because, if you look at the Treasury's guidance on funding, you see that it clearly says that the funding follows the person who has made the policy decision, and the policy decision was made at Westminster by the then Secretary of State. It is important that the deputy First Minister and I

continue to work with the Minister of Justice and the Minister of Finance so that we can get the appropriate funding in place. We have to do that; it is not a case of, "We would like to do that". We have to do it to make sure that the funding is in place.

**Mr Speaker:** That ends the period for listed questions. We will now move on to 15 minutes of topical questions. Before I call Ms Martina Anderson, I notify Members that questions 2 and 4 have been withdrawn.

## Internal Market Bill

T1. **Ms Anderson** asked the First Minister and deputy First Minister whether the First Minister agrees with Nicola Sturgeon's assessment that the Internal Market Bill is a full-frontal attack on the Assembly. (AQT 341/17-22)

2.30 pm

**Mrs Foster:** As the Member knows, there are differing views on Brexit in the Executive. Each of us took a different view at the time of the referendum. The Internal Market Bill tries to deal with non-discrimination and mutual recognition for goods going from the Northern Ireland market into the GB market. As the Member will know, GB is our largest market, so it is important that we have unfettered access to it. That is what I hope this Bill will achieve.

**Ms Anderson:** Minister, as you know, Part 6 of the Bill empowers British Ministers to override the budgetary role of the Assembly and to make spending decisions without consulting you, other Ministers or the Finance Minister. Are you saying, Minister, that that unacceptable level of interference, and the undermining of the Good Friday Agreement, is justified?

**Mrs Foster:** I think that what I was saying to the Member was that it is important that the UK market succeeds in the future, because, as I have just indicated, it is our most important market. All the other markets added together are not as big as the GB market. Therefore it is important that we have a free flow, and the Internal Market Bill goes some way to dealing with that. It does not deal with all the issues, but it deals with some of them. It deals with issues surrounding unfettered access and export declarations. I am sure that no one in the House would want to see a fettering of access to the GB market for all our businesses and consumers.

One of the things that concerns me is that the Joint Committee has still not come to a determination on goods at risk, and that remains a huge issue for us. As I have already indicated, that should not be used as a bargaining chip. Instead, it should be dealt with as quickly as possible.

## Protocol on Ireland/Northern Ireland: Lord Chief Justice's Comments

T3. **Mr Dickson** asked the First Minister and deputy First Minister whether the First Minister agrees with the Lord Chief Justice, Sir Declan Morgan's, comments that breaking international law could undermine trust in the Government and the administration of justice. (AQT 343/17-22)

**Mrs Foster:** I think that is important that all of us look to the law on these issues and that we look again at the protocol, which, of course, my party argued against and voted against, as we did not believe that it was good for Northern Ireland. We still do not believe that it is good for Northern Ireland. The Internal Market Bill deals with some of the issues in the protocol.

It is important to look at the protocol, which says, in its preamble:

*"that the application of this Protocol should impact as little as possible on the everyday life of communities in both Ireland and Northern Ireland ... Having regard to the importance of maintaining the integral place of Northern Ireland in the United Kingdom's internal market".*

That is what I want to see happening. I do not like all of the protocol. In fact, I vehemently do not like it. What we have to do now, however, is clarify those issues that should be dealt with in the Joint Committee but which, thus far, have not been dealt with. Again, I make the plea that they be dealt with so that we can move on.

**Mr Dickson:** I thank the First Minister for her answers so far. Minister, would you not agree with me that any change to an international agreement undermines trust and confidence in the nation that entered into such an agreement and that it has the potential to make the United Kingdom look like a rogue state in the international community?

**Mrs Foster:** I am sure that the United Kingdom Government will take all the legal advice available to them on all those issues. However, I say again to the Member that the EU and the

UK have a job of work to do. Article 1 of the protocol states very clearly that:

*"This Protocol respects the ... territorial integrity of the United Kingdom."*

I have yet to see much evidence of that, Mr Speaker. We need to see evidence of that, for myself, as a constitutional unionist, of course, but also for our businesses, our consumers, and our citizens, as they all need clarity. We should have had that clarity by now. Unfortunately, however, negotiations are still ongoing.

### **Brexit Negotiations: FM's Key Objectives**

T5. **Mr Clarke** asked the First Minister and deputy First Minister what key objectives and outcomes the First Minister would like to see from the ongoing Brexit negotiations. (AQT 345/17-22)

**Mrs Foster:** My top line is that I would like to see a tariff-free EU/UK free-trade agreement. As I understand it, what has been put forward by Lord Frost, the UK negotiator, is in line with trade agreements made by the European Union with other nations. He cannot understand why the EU is putting up such a defence to some of the issues. I understand, from the chief negotiator, that the key issues outstanding at the moment are around state aid, fisheries and, of course, the protocol operation which is dealt with in the Joint Committee. There is much to do and I hope that we can achieve it so that we can have free trade between ourselves and the European Union, but, importantly, that we continue to have unfettered access to our main market.

**Mr Clarke:** I thank the First Minister for her answer. Further to previous questions, do you believe that all the parties recognise the potential impact to the Northern Ireland economy if there is an unsatisfactory conclusion to the talks?

**Mrs Foster:** Sometimes, when I listen to the EU negotiators and they talk about peace in Northern Ireland, it is apparently only if we have free access North/South. There is very little conversation about access east-west and, of course, we need that in a more fundamental way. I understand why North/South was such a big issue and I recognise that, but there were other ways to deal with that. Those other ways were pooh-poohed and not listened to and, unfortunately, we now find ourselves in this

situation. There needs to be an acknowledgement that east-west and the integrity of the United Kingdom needs to be protected as much as North/South trade.

### **Mental Well-being, Resilience and Suicide Prevention Working Group**

T6. **Ms Rogan** asked the First Minister and deputy First Minister for an update on the Executive's working group on mental well-being, resilience and suicide prevention. (AQT 346/17-22)

**Mrs Foster:** This is indeed a very important issue that we resolved to deal with at one of our very first Executive meetings. The Minister of Health, if I am correct in quoting him, said that it was one of the most apolitical meetings that he had ever seen because everybody just wanted to try to find solutions which, at the time, was pre-COVID. Now, we are having to deal with COVID as well as all the other pressures facing people right across Northern Ireland. We have had a number of meetings of the working group. It is something that we are all very much committed to working through. After that, of course, we have to find the funding to deal with many of the issues that will be identified.

**Ms Rogan:** Will the Minister reaffirm her commitment to tackling the issue of poor mental health and suicide in the areas of greatest social need?

**Mrs Foster:** One of the things that we are doing is having some scoping work carried out so that we can try to identify where the need is and whether different interventions are needed in different areas. That is important to acknowledge.

I should have also said that one of our NDNA commitments was to appoint a mental health champion and I am very pleased that Professor Siobhan O'Neill has taken up that role. She is already providing leadership in this area and we are very pleased to see that.

### **COVID-19: British-Irish Council Meeting**

T7. **Mr O'Dowd** asked the First Minister and deputy First Minister, in relation to coronavirus, whether a date has been set for a meeting of the British-Irish Council to discuss common messaging, common themes and a common travel policy within the common travel area. (AQT 347/17-22)

**Mrs Foster:** As you know, the deputy First Minister and I had requested a British-Irish Council (BIC) meeting. Unfortunately, we do not have a date as yet. I understand that the standing date for a British-Irish Council meeting is coming up very soon. If we do not get the free-standing meeting before that meeting, you can bet your bottom dollar that we will definitely bring up this issue at the BIC.

**Mr O'Dowd:** It is important that the institutions of the Good Friday Agreement are used in their totality — they can come into their own with regard to North/South and east-west relationships. I welcome the Minister pushing for that date. Does she agree that it is vitally important that we have a common messaging and understanding of the issues facing us as a result of COVID-19 across these islands?

**Mrs Foster:** Absolutely. It is important that we understand where every jurisdiction is on the battle against COVID. We raised this issue with the Chancellor of the Duchy of Lancaster — just last week, the deputy First Minister raised this issue again, and he said that he was in favour of holding a British-Irish Council meeting to discuss these matters. We hope that that will happen in the near future so that we can discuss the totality of issues that we want to discuss.

### **NDNA Commitments: Time Frame**

T8. **Mr Butler** asked the First Minister and deputy First Minister whether there is a time frame for the establishment of the Office of Identity and Cultural Expression and the appointment of Irish language and Ulster-Scots commissioners. (AQT 348/17-22)

**Mrs Foster:** As the Member knows, we entered government again back on 11 January with a whole raft of issues under New Decade, New Approach. Unfortunately, with the interruption which has been caused by COVID, we have not been able to proceed in as fast a manner as we would have liked. Having said that, we have been able to proceed with a number of NDNA commitments. We will certainly look to proceed in 2020-21 with those that we have still not been able to proceed.

As regards what we have achieved, the Northern Ireland Office has appointed a Veterans Commissioner. We have established an expert panel on tackling educational underachievement, and work is under way there. Just today, we have had the Flags Regulations laid in the Assembly. We have the interim mental health champion, who I have just

referred to, appointed and in place. We have also had confirmation that contaminated blood victims in Northern Ireland will have increased payments in line with Great Britain. Those are just some examples of the things in NDNA that we have been able to proceed with. Of course, there is much more that we need to do as well.

**Mr Butler:** I thank the First Minister for her answer. Some good work has indeed already happened out of NDNA. Is the First Minister confident that nothing has happened during the COVID pandemic to shake the relationship within the Executive and affect delivery on all the NDNA promises?

**Mrs Foster:** We have a very clear understanding, right across the five parties in the Executive, that we came back into this place on the basis of the NDNA agreement. Do not forget that there are things in NDNA that we need to discuss around prioritisation and funding. Those are not the matters that he has discussed; there are other issues that are just mentioned as "possible" or "could". However, there are things that we have all committed to and, therefore, we need to proceed.

### **COVID-19 Messaging: East Antrim MP**

T9. **Dr Aiken** asked the First Minister and deputy First Minister, albeit that he directed his question solely to the deputy First Minister, whether the remarks today by the MP for East Antrim have undermined the Northern Ireland Executive's common message on COVID-19. (AQT 349/17-22)

**Mrs Foster:** I think that he meant the First Minister, not the deputy First Minister.

**Dr Aiken:** The Executive Office.

**Mrs Foster:** *[Laughter.]* Ah, Steve, Steve. It is good to have a bit of fun in the Assembly. What is important is that the Executive continue to give a very clear message on COVID and the fact that we are in a dangerous position. I think that I have underlined that through what I have said today. Others will challenge and maybe even criticise at times but, when we are in the Executive Office, we have to show leadership in the functions and advice that are given to us. That is what I — I — will continue to do.

**Mr Speaker:** Before I call Mr Aiken for a supplementary, I thank and commend the First Minister for her handling of that intervention.

**Dr Aiken:** I thank the First Minister for handling the intervention as well but my supplementary is this: bearing in mind the remarks of the East Antrim MP, would she care to comment on the remarks of her deputy First Minister in not giving an apology to the people of Northern Ireland for the events of 30 June, which considerably undermined the health message for everybody who is trying to deal with COVID?

**Mrs Foster:** I seem to be answering questions for a whole range of people today. I am sure that the deputy First Minister will want to address the issues that the Member has raised. I have already answered Mr Allister in relation to that. It was important to reflect on what was said and done back at the end of June. We are now very much focused on delivering very strong messaging on COVID-19. It is important that we continue to do that.

### **NDNA: Ulster-Scots Commitment**

T10. **Mr Easton** asked the First Minister and deputy First Minister for an update on the implementation of the Ulster-Scots element of New Decade, New Approach. (AQT 350/17-22)

**Mrs Foster:** I have indicated elements in New Decade, New Approach that we have not yet been able to implement. That does not mean that work by officials has not been ongoing on those. There have been a number of meetings in relation to the Office of Identity, the Irish Language commissioner, the Ulster-British commissioner. It is important that we continue along the road and get moving on all of our NDNA commitments. It is important that we deliver on the reason why we came back into the Assembly.

**Mr Easton:** I thank the Minister for her answer. What are your hopes for the new Veterans Commissioner?

**Mrs Foster:** I very much welcome the appointment of the Veterans Commissioner by the Northern Ireland Office. I think that all of us in the House know Danny well and know that he will be very committed to working on behalf of veterans across Northern Ireland. He has a big job of work — we all acknowledge that — because there are some difficulties for veterans in accessing what they need. I very much look forward to meeting him in the near future so that we can discuss what he has identified as the needs of that community.

**2.45 pm**

**Mr Speaker:** The time is up. I ask Members to take their ease for a moment while we switch seats.

## **Economy**

**Mr Speaker:** Question 1 from Daniel McCrossan has been withdrawn.

### **University Places**

2. **Mr Blair** asked the Minister for the Economy what action she is taking to ensure that universities have the capacity to honour pre-existing offers, now that A-level students have received their final results. (AQO 637/17-22)

**Mrs Dodds (The Minister for the Economy):** I thank the Member — I lost you there — for his question, which is, indeed, one that is very important and close to my heart. I have argued many times that young people should not be the casualty of economic downturn and that providing them with a place at university is of the utmost importance.

We have a responsibility to our young people. As I argued in August, if additional places and the associated funding are required in the higher education sector to honour pre-existing offers, it is incumbent on us, as an Executive, to ensure that they are provided. I have secured agreement from the Executive to do so, with £3.2 million being allocated for additional places. That is a significant investment in young people's lives.

Anticipating some of the difficulties that would happen this year, my Department had already looked at the potential impact of COVID for the year 2020-21 in creating additional demand for local places. Through the June monitoring round, an additional allocation of £1.5 million was secured, which would deliver an increase of 5% in funded places over three years. At the end of three years, the recurring commitment to maintain that 5% uplift will be £7.1 million. That will see an additional 1,232 places available in the local higher education sector, 410 of which are available for this academic year.

We are still working with the universities to complete the process. Ulster University has already stated that it will not require further additional places. While Queen's is not yet in a position to formally confirm its additional numbers, current indications are that they are not as substantial as previously indicated.

As a final point, I note the wealth of higher education opportunities available at our further education colleges, where courses offer outstanding education and opportunity for young people.

**Mr Blair:** I thank the Minister for the answer and the information given. Further to that reply, has the Minister identified any support that can be given to further education colleges whose numbers and courses may be affected due to the increase in university places, where that is the case?

**Mrs Dodds:** I understand exactly the question and the problem identified by the Member. A few days ago, I was at the Northern Regional College's Newtownabbey campus, looking at how young people are finishing their vocational courses and getting on with their career paths, and I was really impressed by the standard of teaching and the interaction with those young people. There is no doubt that the additional places that will be created for universities and, on the other side of the coin, the additional places that will be created in sixth-form colleges as the result of GCSE grade uplifts will pose a challenge to our further education sector. I will work with the sector to deal with that. We are still a couple of weeks away from knowing the full extent of that challenge, but I will be happy to report to the House when we have the full figures. I am immensely proud of our further education sector and look forward to working with it to ensure that no child is left behind.

**Dr Archibald:** This will be a difficult and uncertain year for many students, and part-time jobs will be hard to come by. At the end of the last academic year, the Minister and the Executive allocated additional funding to the student hardship fund. Will the Minister consider doing so again this year to support students facing financial difficulties?

**Mrs Dodds:** As the Member is aware, I took some fairly extensive steps to ensure that students were supported in their route through university, particularly because many young students will not have the opportunity to have additional part-time work etc. That is why we have an additional £5.6 million in the system to deal with student hardship. Of course, we will look at that throughout the year and monitor it to ensure that young people are able to stay on at our colleges and universities, because some of the money also went in that direction, and to ensure that they find career pathways and profitable, genuine employment.

**Mr Allister:** Last week, the Health Minister announced that Queen's University was making available 80 extra medical school places. Will the Minister tell the House if that meets entirely the demand from those disappointed until their grades were upgraded, or is there any knock-on effect on next year, which would be most unfortunate for that upcoming cohort?

**Mrs Dodds:** Medical places are a matter for the Department of Health, which has the policy remit on that and sets the numbers that are applicable for each course. I advise the Member to speak to the Health Minister and get an indication from him of how those numbers are progressing. In general, for courses in very high demand such as medicine, nursing and midwifery, there will potentially be a difficulty. I understand that the Health Minister has made a bid to the Finance Minister to satisfy those place numbers, and I am sure that he will update the Member on the outcome of that bid.

**Mr Durkan:** As the Minister with responsibility for further and higher education, will she explain why it has taken years, an extremely detailed business case and unprecedented lobbying to get the medical school at Magee eventually approved, yet the extra medical places at Queen's in Belfast can be agreed without such a business case and apparently at the drop of a hat?

**Mrs Dodds:** The Member will know that we are in extraordinary and unprecedented times. I apologise if those words are somewhat overworked in the current context, but we are in those extraordinary times. This year, young people did not have the opportunity to sit their exams and faced a period of great uncertainty. I am glad that my colleague moved to take away that uncertainty, that the grades issue was sorted out and that many of those young people will find placements in medical school in Northern Ireland. I look forward to those young people completing their courses and contributing to society here. The Member will also be aware that we have been supportive of the graduate-entry medical school at Magee. That work is ongoing and will be ongoing. I understand that we will be on course for an intake of students in September 2021.

## **COVID-19: Support for Businesses**

3. **Ms C Kelly** asked the Minister for the Economy what steps she will take to support those businesses excluded from COVID-19 support since the start of the pandemic. (AQO 638/17-22)

**Mrs Dodds:** The Executive have provided an unprecedented level of support to businesses since the start of the COVID-19 pandemic. The business support schemes introduced by my Department on behalf of the Executive have provided around £340 million of support to over 32,000 businesses in Northern Ireland. That is in addition to the business rates relief from the Department of Finance, which is valued at over £300 million, and a suite of other local support measures, including those introduced by local councils. Just the other week, I was delighted to be in mid Ulster — I know that it is not the Member's constituency — for the launch of its £1 million business support intervention scheme. There are many levels of support working together for businesses. In West Tyrone, claims to the UK Government's job retention scheme and the self-employed income support scheme totalled over £50 million. More widely, businesses throughout Northern Ireland have also received substantial support from the UK Government schemes, with almost 250,000 workers furloughed and around 78,000 claims made to the self-employed income support scheme.

I acknowledge that not all businesses have received support, because they were ineligible for either the business support schemes or the UK-wide schemes. Over the past six months, I have met a wide range of business owners to hear their concerns for their business. I provided a paper to the Executive on the options to utilise available funds for our economic response and recovery. That included options for those who have not been able to avail themselves of support thus far. It will, therefore, be up to the Executive as a whole, guided by the Finance Minister, to determine on the further distribution of any available resource.

**Mr Speaker:** I call —

**Mrs Dodds:** Sorry, just one second.

However, I assure Members that my Executive colleagues and I remain committed to collectively agreeing further support measures as soon as possible, recognising that this is a very difficult time for many individuals and businesses but also recognising that some of those interventions would be best placed at a national level to be truly effective.

**Mr Speaker:** I remind the Minister that answers should take no more than two minutes.

**Ms C Kelly:** With many businesses and their workers struggling to cope with the economic

fallout of COVID-19, the delay in reopening wet pubs has further increased the risk to jobs and businesses in that sector. Can the Minister confirm whether she will actively look at and introduce a new support scheme for those businesses and their employees?

**3.00 pm**

**Mrs Dodds:** The House will know that I have been extremely supportive of the opening of our tourism and hospitality sectors throughout Northern Ireland, driving much of that process, indeed, at Executive level.

I am on record as saying that it is regrettable that traditional pubs have not yet been able to open. However, I note that we now have an indicative date of 21 September for the opening of those businesses. We will work with Hospitality Ulster and the wider industry to ensure that the conditions are in place for those businesses to reopen. Again, I am on record as saying that it is particularly unfair that one small section of a sector is held back. We now need to get on with opening up our economy. The best way to help business is to have business open and ready for business.

**Mr Dunne:** I thank the Minister for her efforts to date. We all appreciate the significant financial support of £340 million that has gone out to businesses, which has been a real lifeline to so many. Will the Minister outline what further measures will be available to support and sustain existing businesses during this tough time of the COVID crisis?

**Mrs Dodds:** That is a very good question. We are undoubtedly seeing one of the toughest times for the economy in a significant period. That downturn will be significant, and many of us fear, as we look towards October and the end of the furlough scheme, that there could be ramifications for the employment of many people throughout our constituencies. It is really important that we get to a stage at which we are continuing to announce and support schemes that will strategically support the economy and individual businesses to survive.

I have made around 32 bids to the Minister of Finance, each of them in line with my published document, 'Rebuilding a Stronger Economy', to help recovery. Many of those bids are structural, looking at demand in the tourism and hospitality sector and trying to ensure that we help businesses to survive over what, I think, will be a difficult period in the autumn.

We have also made significant interventions in the economy in terms of skills. It is important that, when we get to the stage at which we are ripe for economy recovery, we have the right skills to support the economy. That is why I announced the apprenticeship schemes, with about £22 million of support.

**Mr Dickson:** Minister, will you tell the House what engagement, if any, you have had with Her Majesty's Revenue and Customs (HMRC) to assess whether your Department can address the tax data issue for sole traders and the businesses that consider themselves to be and, indeed, are excluded from any of the schemes that you have so far provided?

**Mrs Dodds:** I thank the Member for facilitating the meeting of the group with Members last Thursday. It was a very important meeting. I always believe that it is much better to talk face to face than over social media.

I have written to HMRC requesting that we have access to the data that would help us to look at the necessary verifications for such a scheme. I understand that the Finance Minister has also written to HMRC to try to ensure that this agreement is made between us so that we can look at how we progress the issue.

**Mr McNulty:** I welcome the news today, Minister, that Nichola Mallon will step outside her remit to provide support for the private coach and taxi industries. Six months into the pandemic, why did it take so long for you to admit that you were not willing or able to offer support to those industries?

**Mrs Dodds:** That is a really timely question, and I am delighted to be able to answer it. The Department for the Economy, as you will see from the Audit Office report that was published recently, is next to Health in its interventions and its work to support the economy, way beyond anything that any Department apart from Health, as you would expect in a pandemic, has done. The Department for the Economy has not been found wanting in reaching out to support the sectors that it can reach out to. However, Ministers have regulatory responsibility, and the Executive and the First Minister and deputy First Minister have made a decision that where that regulatory responsibility lies is where the responsibility should be for bringing forward such schemes. I welcome the fact that the schemes will now be brought forward.

It is a pity that the Minister for Infrastructure was a little late in coming to the decision that

we would be able to have the schemes, unlike other Ministers, including Education, which stepped in with childcare, and Communities, which has been working with disadvantaged groups, the arts sector and other sectors within its remit. It is important that Ministers step up. I am glad that the First Minister and deputy First Minister made the decision that they did, and I look forward to supporting the Minister for Infrastructure as she brings forward the schemes, which are much needed.

**Mr Speaker:** Question 4 has been withdrawn, so I move on to question 5.

## Civil Service: Remote Working

5. **Mr Lynch** asked the Minister for the Economy for her assessment of whether remote working within the Civil Service can contribute positively to the development of a regionally balanced economy. (AQO 640/17-22)

13. **Ms Bunting** asked the Minister for the Economy, given the impact home working is having on the local economy, to outline any discussions she has had with both her Executive colleagues and businesses in relation to getting people back into offices. (AQO 648/17-22)

**Mrs Dodds:** With your permission, Mr Speaker, I will group questions 5 and 13, so that we can proceed with a range of the questions that are available today.

Clearly, for those able to, working from home and the use of videoconferencing have allowed many people to continue working throughout the pandemic and been an invaluable tool in keeping parts of the economy going when others were, effectively, shut down. For certain sectors, for example the digital economy, it has had little impact on productivity, with some reporting an increase in productivity, and has demonstrated the resilience of the sector, now a good selling point for Invest NI as it talks to companies interested in coming to Northern Ireland.

One of the impacts of remote working could include the wider regional redistribution of some office worker spend by moving expenditure away from the area around the office to where workers live. However, sudden moves of large-scale economic activity from one place to another will bring benefits to some and hardships to others, which is why any such changes will usually be based on extensive planning and gradual implementation. COVID-

19 has allowed us time for neither and has been quite a disruptor in that respect.

Some commentators believe that these changing work practices are here to stay, with greater levels of flexibility for many on when and where they work. One should be cautious about predicting these things, though. Many of the businesses that I speak to are already planning on returning to the office for a range of reasons, including the social side of work, the ability to enhance team working and the informal engagement in workplaces, which all contribute to the way a business operates. The trend has had a dramatic impact on Belfast city centre, where footfall has dropped, which, in turn, is having a severe impact on local cafes, coffee shops, restaurants and the wider retail sector as well as on the number of people using public transport to move around the city.

Whilst I am on record as saying that I would like to see people return to their offices as soon as it is safe to do so, that will, ultimately, be a decision for each business to make.

**Mr Lynch:** The Minister mentioned Belfast city centre and returning to work to boost the local economy, but, in my constituency, local small businesses have seen a reduction in footfall, trading and numbers. Will the Minister commission a report to identify how remote working can impact on local economies?

**Mr Speaker:** I remind the Minister that she has two minutes to respond to a question. If you think that you need more time, you can ask for an additional minute.

**Mrs Dodds:** Thank you, Mr Speaker.

I recognise that, at the moment, we are seeing — my local town in Upper Bann is seeing it as well — somewhat of a move in that people who usually work in Belfast during the day are now working at home. Therefore, the local economies are seeing some progress in very difficult circumstances. We will publish an economic strategy, and, as part of the research for that, it would be welcome to do some research into the impact of working from home, from both sides of the argument.

**Ms Bunting:** I am glad that the Minister is well aware of the troubles in Belfast city centre as a result of the dramatic reduction in footfall. On that basis, I ask her — I appreciate that it is not necessarily her remit — to outline to the best of her knowledge what percentage of full-time civil servants is still working from home? Does she agree that we have to learn to cope with COVID

and that it is time for the Civil Service to lead by example and return to offices?

**Mrs Dodds:** It is no secret — in fact, it was leaked to the papers — that I wrote to the then head of the Civil Service to indicate that I thought that we should be looking at a phased and safe return to on-site duties for Civil Service staff. That is important, and it is reasonable to do that where it is safe and possible to do so. It was the end of his period in office, and his response was not that helpful. However, when the new head of the Civil Service is appointed, I will take the matter up again.

On a general note, this is about the balance that we will bring to life and to the working environment. I do not think that things will ever be the same again in a post-COVID world, but we will have to find that new balance and support city centres, which, generally, throughout the region, are experiencing very difficult circumstances. That will also involve learning to live and work with COVID as a backdrop.

## Student Accommodation

6. **Ms Hunter** asked the Minister for the Economy to outline the steps local universities are taking to provide accommodation for the higher number of first-year students being accepted this September. (AQO 641/17-22)

**Mrs Dodds:** While my Department is responsible for higher education policy in relation to teaching and research, as autonomous institutions, the universities are responsible for their own policies on student accommodation. My Department has no remit to intervene. It is clear, however, that universities will need to consider steps to ensure that young people are helped to secure accommodation. Furthermore, universities need to ensure that clear information is developed with the Public Health Agency and communicated to students to ensure that accommodation is provided in a safe manner that is consistent with the current health guidelines. I am aware that universities offer a limited number of accommodation places to students in any given year and that off-campus accommodation is provided, albeit through private landlords.

In this respect, the Member may wish to address her question directly to the universities or, indeed, to the Department for Communities, which is responsible for private landlords and

the legislation regarding houses of multiple occupation.

**3.15 pm**

**Ms Hunter:** I thank the Minister for her answer. On the topic of university admissions, I spoke at length with several Coleraine students recently. This year is a little different for them. Predominantly, this semester, they will use the internet to work from home, not in a lecture hall. In the Minister's opinion, because of the educational "new normal", should there be a reduction in university fees at this time?

**Mrs Dodds:** I have spoken to the universities on this issue. They assure me that, while lectures will be online because they are so large that it would be impossible to accommodate social distancing, tutorials, teaching and other elements of student life will be available to students within the campus set-up. It is not for me to comment on how universities organise this, except to say that my Department will monitor it to ensure that students get not only the best value for money but the best teaching available to them.

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

### **Taxi Drivers/Bus Operators: Lack of DFE Support**

T1. **Mr Durkan** asked the Minister for the Economy what her excuse is for not doing her job in relation to taxi drivers and bus operators, thereby leaving them in the lurch for so long, given that the Infrastructure Minister, Nichola Mallon, has confirmed that she will step up to help taxi drivers and bus operators when the Executive Office confers on her the powers to do so, which is necessary because of the Economy Minister's failure or reluctance to use her powers to help them. (AQT 351/17-22)

**Mrs Dodds:** As I said in my previous answer, to which I will revert, the Department for the Economy has provided a huge range of support to businesses right across Northern Ireland. Indeed, over a third of a billion pounds has been allocated through my Department to help businesses in Northern Ireland, including some taxi firms that will have availed themselves of rate relief, the hardship fund or the 10k fund. Many of those firms have already been helped. However, it is also important that the Departments that have regulatory responsibility step up, take on that responsibility and look at

the areas where they can provide help. In the case of, for example, haulage, the Department for the Economy does not hold any of the stats, figures or other information needed to have a scheme for the haulage industry. The Department for Infrastructure holds all those figures. Therefore, it would seem sensible for the Department for Infrastructure to step up and get going with a scheme that will help the industry, which, in the height and the depths of COVID, kept food supplies running to Northern Ireland.

**Mr Durkan:** I thank the Minister for her answer. However, methinks the Minister doth protest too much. She has always had the power to intercede but did nothing. You cannot cherry-pick who you want to help. Can the Minister tell the House whether there are any other areas of work that she is having difficulty fulfilling and might be waiting for another Minister to come along and do for her?

**Mrs Dodds:** I appreciate that the Member is trying to spare his colleague's blushes, so we will move on from this. Many areas of the economy are suffering very, very deeply in this recession, and we will experience even more difficulties as we come to the end of the furlough scheme. That is why I published my economic recovery paper. That is why I have indicated that, while we need to support the core elements of the economy, we also need to go out and grab new opportunities for Northern Ireland in the digital economy and in the green economy, which are really important issues for Northern Ireland. It is time that we got on with doing those things, and, to that extent, over the last number of weeks, my Department has submitted to the Minister of Finance about 32 bids looking at interventions in the economy in a structured way that will allow it to grow, prosper and provide jobs for families in Northern Ireland.

### **Fracking Licences: Legal Challenges**

T2. **Mr Carroll** asked the Minister for the Economy, in the light of the fact that, in January, her Department wrote that if it did not give fracking licences to Tamboran Resources and EHA Exploration, it would leave it open to legal challenge, to explain why that was the case and to state whether the same rationale would follow that if he were refused planning permission for his house, he could sue also. (AQT 352/17-22)

**Mrs Dodds:** I thank the Member for his question. Currently, we are not exploring the issue of licensing. In fact, we are looking at and

collating the responses to the applications that are with us. We are doing some research on the overall topic. Be assured: this is a controversial and cross-cutting issue. It will be a matter on which every Executive party will give a view. Therefore, when the time comes, whatever the recommendations from the Department may be, they will go to the whole Executive for a decision.

**Mr Carroll:** I respectfully disagree, Minister. I do not think that fracking is controversial. It is crazy, and it is dangerous to the environment. That has been proven by multiple people.

I have already raised this issue with the Minister. My constituents, and many constituents across the North, still await a decision on an application that would give a private company the right to drill for petroleum across the North. Can she give a commitment to them that she will not proceed with granting that licence?

**Mrs Dodds:** I refer the Member to my previous answer.

## Internal Market Bill

T3. **Ms Dolan** asked the Minister for the Economy whether she is concerned by the obvious confusion in Brexit preparations that has been created by the UK Internal Market Bill that was introduced on 9 September, with the British Government conceding that it will breach international law. (AQT 353/17-22)

**Mrs Dodds:** Since taking office, my absolute top priority in negotiations with our national Government and in conversations with my Executive colleagues is to make sure that Northern Ireland's firms and businesses have that unfettered access to the United Kingdom's internal market: our internal market. That is hugely important because jobs, families and prosperity depend on that access to that market. Therefore, I think that there are a number of things that we need to consider around the Internal Market Bill. That is not just on the idea of unfettered access but is around the idea of state aid. I do not want Northern Ireland's firms to be encumbered and lumbered with EU state aid regulations while the rest of the United Kingdom is able to move on in that direction. Therefore, there are many issues that concern me around the Internal Market Bill, but my absolute top priority for prosperity in Northern Ireland is to ensure that we can access that market in an unfettered way, and that our firms do not suffer a competitive disadvantage in that market.

**Ms Dolan:** I thank the Minister for her answer. The Irish protocol was put in place to protect the Good Friday Agreement, the economy in the North and the economy across this island. The withdrawal agreement and the Irish protocol are the result of hard-fought and hard-won compromises. Is the Minister concerned that the British Secretary of State, Brandon Lewis, has stated that the Internal Market Bill breaks international law?

**Mrs Dodds:** It is no secret to the Member — indeed, to all Members in the House — that, as a member of the European Parliament, I did not vote for the withdrawal agreement or the Northern Ireland protocol. I see the Northern Ireland protocol as being absolutely disastrous for the Northern Ireland economy. I am concerned that they have the access to our internal market that will make sure that they are able to compete, both competitively and without disadvantage within that market. Again, I make no apology for repeating that that means that unfettered access to that market is of the utmost importance to me and that the operation of the protocol could be detrimental to that access. I do not understand why this House wants so desperately at times to put up barriers between us and the biggest part of our marketplace. That would be disastrous for business and disastrous for families and incomes in Northern Ireland.

## Fracking: Health Impact Assessment

T4. **Miss Woods** asked the Minister for the Economy, on the very important issue of fracking, whether, in relation to the petroleum licence application PLA2/16 in Fermanagh, a health impact assessment of the cumulative impacts of the full development of the Fermanagh shale basin across the lifecycle of the project has been stipulated as part of her Department's research process. (AQT 354/17-22)

**Mrs Dodds:** I thank the Member for her question. We are, as you know, doing research into the wider impacts. Health will be part of that research, and I look forward to sharing the research and, indeed, to maybe sitting down with the Member and discussing these issues in further detail as we get towards a conclusion of the process.

**Miss Woods:** I thank the Minister for her answer. I will be very happy to meet the Minister. The Department claims that, although adverse effects on human health can be associated with shale gas production, there is evidence in scientific literature to demonstrate

how effective measures can mitigate the risks to reduce them to an acceptable level. Can the Minister outline how fracking can be regulated for with limited impact on public health?

**Mrs Dodds:** We have no intentions for regulation in that direction at this time. As I said, I am happy to talk about the health implications of any and all of these processes with the Member.

### **Internal Market Bill: Trade Friction**

T5. **Mrs Cameron** asked the Minister for the Economy, in the context of the Internal Market Bill, whether she agrees that anything that reduces trade friction with the rest of the UK is to be welcomed. (AQT 355/17-22)

**Mrs Dodds:** As I have said in the House many times, our biggest market is in GB. For our agri-food industry, between 65% and 70% of everything that we produce goes to market in Great Britain. Therefore, any frictions in that marketplace have potentially a detrimental impact on business and bring a competitive disadvantage to our businesses in the marketplace. We also need to remember that about two thirds of everything that we need for manufacturing and that very important supply chain for manufacturing and from retail comes from the Great Britain market. It is, therefore, absolutely essential that we do not have frictions in that way either. I think that we should really focus on this as an issue and forget the politicking around it and ensure that our businesses have the ability to survive, compete and do well in what is our largest market.

**Mr Speaker:** We can have a very brief supplementary question from Pam Cameron.

**Mrs Cameron:** I thank the Minister. Will the Minister also agree that not only should the NI Executive be working together to protect trade with our largest market in Great Britain but they should work to ensure that Northern Ireland fully benefits from post-Brexit international trade deals signed off by Her Majesty's Government?

**Mrs Dodds:** Absolutely. This is a hugely important area for Northern Ireland. I have been speaking to Greg Hands, a Minister in the Department for International Trade, to ensure that the Northern Ireland protocol will not hinder Northern Ireland firms from being able to be full parts of those trade Bills. To really prosper and grow our economy, we have to look out towards other economies. It is, therefore, absolutely vital that we are able to be part of

those trade Bills. I look forward to further discussions with Minister Hands, and I would like to see legislative underpinning in the trade Bill of our part in it.

**Mr Speaker:** I call Mr Alan Chambers. You are unlikely to have time for a supplementary question.

**3.30 pm**

### **HMS Caroline**

T6. **Mr Chambers** asked the Minister for the Economy what authority her Department had to temporarily close HMS Caroline as a visitor attraction, given that no written agreement exists with the National Museum of the Royal Navy. (AQT 356/17-22)

**Mrs Dodds:** I thank the Member for his question. Indeed, I signed off an answer to a priority written question from him on this issue just prior to coming to the Chamber.

The Member will be aware that the HMS Caroline issue arose because, while we wanted to take matters forward and settle the issues with the naval museum, we had to do so on a sustainable footing. However, the museum decided that it wanted to terminate the agreement, and that left us little time to actively pursue a new operator for HMS Caroline. However, be under no illusion on the matter, and let me be absolutely clear on this: I am committed to this very important piece of our heritage reopening and remaining in Northern Ireland and to making sure that we do everything that we can to ensure that it does so in a sustainable way. I ask the Member to join me in that commitment.

**Mr Speaker:** That ends the period for topical questions. Time is up. I ask Members to take their ease for a moment, please.

## Speaker's Business

**Mr Speaker:** Before we move on to the next item of business, I want to make a few remarks. Upon the resumption of business last week, I wrote to all Members to highlight that I had been in correspondence with the Executive about a range of issues in recent months. One of those has been the importance of the scrutiny and accountability role of the Assembly and to remind Ministers of the key courtesies and conventions that they are expected to observe towards the Assembly. That includes Ministers coming to the Assembly to make major announcements and take questions from Members.

In earlier months, we had many good examples of Ministers coming forward to update Members, particularly through the Ad Hoc Committee on the COVID-19 Response, which was set up to make that easier. However, I have written today to the First Minister and deputy First Minister to express some concern about the timeliness with which Ministers are coming forward to update the Assembly and take questions on changes to the COVID-19 regulations. Clearly, significant announcements were made last week in relation to changes to the current regulations and the developing and worsening situation.

Given the importance of public awareness to reducing the risk to public health, I fully appreciate and, indeed, often support why, in this situation, Ministers would undertake press conferences and interviews before they have the opportunity to come to make specific statements to the Assembly. However, given the importance of these issues, it is regrettable that Ministers have not sought to come to the Assembly today or tomorrow to address the changes to the regulations, which were announced by the First Minister and deputy First Minister last week.

It is crucial that, on major issues such as this, the Assembly has the opportunity to question Ministers. For that reason, I have accepted a question for urgent oral answer so that Ministers can answer questions on the changes to the regulations today. However, Ministers should be proactively bringing these matters promptly to the Assembly themselves rather than requiring Members to table questions for urgent oral answer.

I know that these are the most challenging times possible, but it is difficult to defend the absence of Ministers coming to the Assembly when they are frequently discussing these

matters on the agenda. That has been raised with me on a number of occasions in the Business Committee and in other contexts with Members generally. I have, therefore, again asked the First Minister and deputy First Minister to ensure that all Ministers make sure that plans are made to come to the Assembly promptly when key decisions are made.

The Member for Strangford Michelle McIlveen raised a related point of order with me earlier about the importance of Ministers respecting the role and views of the Assembly. It may have been inevitable that there would be teething problems on the return of Assembly sittings after a three-year absence. In addition, the First Minister and deputy First Minister have publicly acknowledged the role that the Assembly has played in being flexible and allowing Departments to focus on fighting the pandemic. However, I have raised many of these issues frequently since January, and Departments should now understand how they are expected to work with the Assembly. Improvement is required in that general area. I hope that all Ministers take note of that and ensure that I do not have to return to these issues so frequently.

## Questions for Urgent Oral Answer

### The Executive Office

#### COVID-19: Local Restrictions

**Mr Speaker:** Mr Colin McGrath has given notice of a question for urgent oral answer to the Executive Office. I remind Members that, if they wish to ask a supplementary question, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary question.

**Mr McGrath** asked the First Minister and deputy First Minister, following their announcement on Thursday 10 September, what support the Executive will provide to customers, workers and businesses in areas where local restrictions have been announced and there is a financial detriment as a result of these restrictions.

**Mr Speaker:** I call the deputy First Minister. Sorry; I was advised to call the deputy First Minister. I call the First Minister. Apologies.

**Mrs Foster (The First Minister):** I think that there is a conspiracy going on here, Mr Speaker. One is quite concerned about it.

**Mr Speaker:** Just do not take it personally.

**Mrs Foster:** Thank you very much. The local restrictions that were put in place last week were a necessary and proportionate approach to address the increasing number of COVID cases that we have witnessed since early July and which have accelerated over the past week. If allowed to continue, that would, inevitably, lead to an increase in hospital admissions and deaths, which we cannot allow to happen.

Let us be clear: rapidly rising rates of infection are not good for businesses or employees. The Executive are, therefore, bringing in restrictions now to try to slow and stop the worrying increase in cases. The new restrictions are focused on reducing contact between people in household settings, which is viewed by the Executive as the most effective way to reduce the interactions between people at this time. It is not a lockdown, so hospitality and other businesses will continue to operate, but they will be subject to strict guidance, regulation and appropriate enforcement where necessary. The Executive have put a range of support

measures in place for businesses to help to deal with the impact of COVID-19, and we will continue to explore ways of continuing support in the future.

**Mr McGrath:** I thank the First Minister and deputy First Minister for their attendance and response. Once again, as you mentioned, Mr Speaker, it was via TV that we heard about these matters. We then had to trawl NI Direct to try to find what the outcomes and actions are. It is not always a clear navigation through that website to find out what the regulations and various changes are.

The public are rightly concerned about what they can and cannot do. The restrictions, which came quite quickly and for the right reasons, have resulted in changes in specific postcodes, which has added to and fuelled concerns that people have. However, given that the message includes suggestions of travelling only when necessary, and some of those places have businesses that were badly impacted by the original implications of COVID, it would be good to know whether you will introduce any additional specific help for those businesses and city and town centres that will be impacted by the lower footfall as a result of the new recommendations.

**Mrs Foster:** I thank the Chair of the Committee for his question. First of all, Mr Speaker, I will address the issue that you have rightly raised. At the beginning of COVID-19, the deputy First Minister and I felt that the Department of Health and, in particular, the Minister of Health had a heavy burden in relation to a lot of the health regulations. We offered up — I am not sure whether they were delighted about it or not — the two junior Ministers to help navigate the health regulations through this House. Given the pressures that are now on TEO around a number of issues, including high street task forces and other issues that we are involved in, we have decided that the time is now right to allow the Health Minister to bring the health regulations to the Floor of this Chamber. So, from now on, changes to the coronavirus regulations will be led by the Department of Health.

Why did we do that? Often, we had to get briefing from the Department of Health to the Executive Office and that was slowing the response down, and we did not think that that was the best use of time. So, that is one of the reasons, and we apologise, Mr Speaker, that you felt that there was a need to make your statement today, but that is one of the reasons why, today, we find ourselves in a sort of handover situation with the regulations. I just

want to make that point so that people are clear around that.

With regard to the restrictions, we received a very full briefing from the Chief Medical Officer. I know that some people were rightly surprised by the level in some of those areas, but if you look at Belfast City Council area, some areas in Ballymena and some areas in Lisburn, there are now over 80 cases of COVID-19 per 100,000. When you look at other areas of Northern Ireland, it is as low as 10 and 11. That is why we decided that we needed to intervene in those postcode areas of concern.

I know that some people in those areas feel that we should have put it right across Northern Ireland, but that would not have reflected the danger that we felt some of those postcode areas were in. That is why we took the decision to put what is, I think, the House will accept, a minimum intervention at this stage. We hope that it works. We will review it in two weeks' time, and if it has not had the desired impact, we will have to revisit the restrictions.

It is a limited intervention. It does not impact on businesses at this stage. It is just about household contact. I understand the Member wanting to raise issues about support in the future, and we are certainly keeping that under review. The Minister of Finance is engaging with his counterparts in Westminster because you may have seen that there has been an announcement of £1,000 to £1,500 of support for businesses that have to close for three weeks. We are looking at that and the Minister of Finance is looking at that, and, indeed, we are speaking with the Minister for the Economy on this issue, and it is something that we will continue to monitor.

**Mr Robinson:** Does the First Minister agree with me that the key challenge for the Executive is protecting lives from COVID, but, at the same time, seeking to ensure that our economy can function as best as possible?

**Mrs Foster:** The Member has summed up the challenge that lies ahead of us. We want to protect the citizens of Northern Ireland from COVID-19 and to alert them to the dangers, but, at the same time, we want to effect a recovery for our economy, and, therein, lies the challenge. We have taken these limited intervention rules so that we can say to people that they need to be alert and they need to be aware in households settings. We hope that that will stem the spread of COVID-19 in that way.

It is a balancing act. We acknowledge that. That is why the Executive spend considerable time looking at the evidence that is presented to us and looking at the interventions that we can take. We make no apology for that because it is right that we have all the evidence in front of us.

**Dr Archibald:** Businesses and workers have faced a very difficult few months. Some have not yet been able to reopen, and some, although not yet, may be forced to close again due to restrictions being reimposed. The furlough scheme has been an absolute lifeline. What representations have Executive Ministers made to the British Chancellor about extending the furlough scheme and also the self-employed income support scheme?

**Mrs Foster:** I thank the Member for that question. We have made representations in relation to the furlough scheme both through our own party representations and, indeed, through the Minister of Finance, who wrote to the Chancellor of the Exchequer two weeks ago now saying that a cliff edge coming on furlough was going to cause a lot of hardship for a lot of people here in Northern Ireland.

### 3.45 pm

We have looked on with interest at the economic indicators that were put out today. Northern Ireland is very low in terms of economic recovery. We look at those stats very closely to see what we need to do to try to assist the Northern Ireland economy. You know as well as I do that we have an economy very much public-sector focused here, and we need to try to make sure that the productivity of our economy grows again in a sustainable way. That is one of the issues that I am sure the Minister for the Economy is looking at.

Yes, we have made representations on the furlough scheme. This is not about closing businesses; it is just about household contacts at the present time. We hope that it will be effective, but it will only be effective if people work with us.

**Ms Bradshaw:** I was in the Holylands this morning — it is part of my constituency — and there were 10 or 12 young people standing in the front garden, drinking away. My specific question in relation to the announcements last week is, given we know that they are not socially distancing in that community, do you believe that the term "avoid unnecessary travel" relates to them going home to their families at the weekend? If so, can some further guidance be produced for the students?

**Mrs Foster:** I thank the Member for her question and declare an interest, because I have two children returning to university in the very near future. We have an ongoing dialogue with Queen's University and the Ulster University. At the moment, we are not advising that people should not go home at the weekend, but it is something that we are going to continue to work on with the universities as to whether we need to look at more online learning so that people can remain in their own homes, as opposed to coming to Belfast.

The published guidance has been outlined on nidirect. When it comes to issues like travel, socialising outside the home, work, shopping and attending functions, people should use their discretion and common sense and continue to work from home where they can. Really ask yourself how important the journey or other planned activity is, how much additional risk you would bring to others by going out and engaging in that activity, how difficult it is going to be to maintain social distancing if you go to that activity, whether good hand hygiene is being operated and whether people are wearing masks. It is about trying to strike the right balance at this early stage. We may have to be more interventionist in the future, but we are trying to say to people at the moment that our evidence shows that it is around household contact. That is why we have taken the measures that we have.

**Mr Allister:** Mr Speaker, you will know that I am not noted for my level of agreement with the Member of Parliament for North Antrim. Indeed, maybe the First Minister could say the same. However, I must say that I do agree with his severe reservations on this issue. He said that we have to learn to live with COVID and that we cannot kill our economy. Messages such as that are contradicted, I have to say, for a trading town like Ballymena when it is headlined as, effectively, a hotspot. You told us, First Minister, that this did not impact on business. Sorry, but it does. When you pick out a town like Ballymena and headline it as a hotspot, then footfall is affected. Hence, I think, the original question: what are we going to do for those businesses that are now going to feel the draught from all of this? They have already suffered more than they can; I fear for their future now.

**Mrs Foster:** I thank the Member for agreeing with the MP for North Antrim. In relation to that, we do have to learn to live with COVID, so I agree with the MP for North Antrim as well. We do need to protect our businesses and grow the economy, but we also have to protect people's

lives. It is about livelihoods and lives. I say that very sincerely today.

As I have indicated, in Great Britain they are looking at a scheme whereby, if businesses have to close, they can be supported with a grant of £1,000 to £1,500 if they are closed for a period of three weeks. That is something that we would support, and we want to hear what we can do in relation to it and whether there will be Barnett consequential, given our very tight budgetary position. On a quadrilateral call with Scotland and Wales, both those jurisdictions raised the issue of the support that is available for people who have to self-isolate, stay at home and not go to work due to COVID's being in the community. We know that some people, such as those who are on zero-hours contracts, will not have an income if they have to stay at home. The Department for Communities is looking at that issue. We already have a helpline to deal with issues of severe stress. Again, there is no perfect answer to any of this, but we are trying to make sure that we put measures in place if we do have to move to close businesses. I very much hope that that will not be the case.

**Mr Carroll:** I thank the First Minister for her answers so far. Following on from her answer to my earlier question about the evidence that exists to show that the virus spreads rapidly in homes, and therefore requires action, but seemingly does not spread as rapidly in schools and workplaces, and does not require action, will she commit to making that specific information available to members of the Health Committee and the House?

**Mrs Foster:** It is not for me to commit on that issue. It is for the Minister of Health, of course. He has provided us with that evidence. The reason that we talk about households is because everybody is quite relaxed when they are in their household, as one would expect — it is their home — rather than in a regulated environment. I have had the chance to visit some schools to see how they are managing the COVID restrictions — very well is the answer that I gained from doing so. Of course, there has even been very good regulation in hospitality outlets as well. Those are regulated environments, where people are taking precautions. That is why we are asking people to be alert in the household setting, and to stay safe in order to save lives.

**Mr Stalford:** The question that was tabled relates to business support. At the Economy Committee, we have been discussing excluded groups. I have been told that there are 30,000

such groups, and, if they were to be paid the minimum grant of £10,000, the bill would come to £300 million. Can my Rt Hon friend tell me whether there is anything like that amount available in the Budget, because, ultimately, those interventions in the economy need to be paid for?

**Mrs Foster:** As the Member and House know, we have been able to make a number of interventions, both our own interventions through the Minister for the Economy, working with the rest of the Executive, and, indeed, through UK schemes that we have been able to take advantage of, such as the furlough scheme and the scheme for the self-employed. If one looks at the furlough scheme, for example, and the number of people in Northern Ireland who have been put on furlough, which, I think, was in the region of 211,000, one will see that there is no way that we would have had the financial wherewithal to support that scheme. We needed the Whitehall intervention to enable us to furlough those people. That is why we are appealing to Whitehall and the Chancellor again to intervene, so that we can have a tapering off of the furlough scheme. I think that we all accept that it will have to end. However, the point is that we are saying that we cannot have a cliff edge to the furlough scheme.

I know that, on 15 September, the House will debate Excluded NI. Of course we want to help citizens who are in difficulty and have not been able to gain from some of the schemes that we have introduced. However, it is a matter of having the financial wherewithal to be able to do that and, indeed, to identify those people in a way that does not allow fraud and ensures that we get the money out to the people in need. Again, I am sure that the Minister for the Economy will address some of those issues in that debate. It is about ensuring that we have the finances available, and not making promises on which we cannot then deliver.

**Ms Anderson:** Today's announcement that the Infrastructure Minister will finally take the lead in providing a scheme for the transport sector is very welcome. As the First Minister will know, that sector, particularly taxi drivers and others, felt that it was like a game of ping-pong between the Department for the Economy and the Department for Infrastructure. In future, for those sectors where two Ministers are engaged or involved, will help be provided to ensure that all necessary assistance is put in place and they do not fall between two stools ever again?

**Mrs Foster:** I thank the Member for her question. She will know that the deputy First

Minister and I intervened to direct that the Minister for Infrastructure should take forward that scheme. It is disappointing that the scheme has not been put in place until now. It is wrong that that sector, in particular, has not had the help and assistance that it has been looking for.

We have also intervened in the area of childcare. She will know that, having been to the Executive Committee and spoken about this. Again, that was a split between policy and regulation, and the difficulties that pursued there. We are trying to make sure that it is an approach by the whole of the Executive, and that is what it is about. We are trying to identify the gaps in provision and then, if we can, to intervene and to assist. I hope that the scheme for taxis and the haulage industry can come soon and as quickly as possible.

**Mr McNulty:** Thank you, First Minister, for coming to the House today, and for your answers thus far. Pardon the oxymoron, First Minister, but why is your party happy to brief with false facts against other Ministers in the Executive?

**Mrs Foster:** Unfortunately, since the Executive returned, we have seen parties briefing out and putting things on Twitter after Executive meetings. There was a case on Thursday evening, after the EU exit meeting, where a full summary of that meeting was given to the BBC. That certainly did not come from the First Minister's party or the deputy First Minister's party. Unfortunately, we have leaks. We have some Ministers who love to resort to Twitter, who love to brief 'Good Morning Ulster', and then the rest of us are left to deal with those issues.

I say this very sincerely: everybody should wise up. We are dealing with huge issues in the Executive. People should stop briefing against each other. We are supposed to be in a five-party coalition dealing with all of these issues, and that is what I hope that we do moving forward.

**Mr Dickson:** Thank you, First Minister, for your answers so far. I will save your blushes over the little local difficulty, which I am sure you are having with the Member of Parliament for East Antrim, and cut to the chase.

Those who have been excluded in Northern Ireland have been failed by the Economy Minister, and have been failed by her comments, where she says that the responsibility lies with the Executive, and not her, to provide the appropriate funds for any

schemes coming forward. Will the First Minister explain to the House why, if an excluded business was located in any of the English regions, Scotland or Wales, they would not be excluded?

**Mrs Foster:** Can I say to the Member, I hardly think that Sammy Wilson would ever be called a "little local difficulty", and I would defend him on that to the very end.

In terms of Excluded NI, we are, of course, wanting to assist everyone who has had difficulties relating to COVID-19. That is why we introduced a range of schemes. However, when introducing a range of schemes there are always those who will fall through the gaps. What we now need to do is to deal with furlough and the self-employed scheme, and we have the backing of Westminster to do that. I also say to the Member, because we do not have tax-raising powers in Northern Ireland, we do not have the data on those people who were newly self-employed. The Member may not agree with it, but that is the reality. The Member should know that the Minister for the Economy and the Minister of Finance have tried to get that data from the Treasury, but without success.

I have no doubt that we will have a full debate on those issues tomorrow. Be assured, that we do want to help and assist where we can, within our Budget, but we will also lobby Westminster to help those who have been excluded.

**Mr Gildernew:** In light of the ongoing worrying rise in positive COVID cases, and in the context of the necessary restrictions that have had to be put in place, can I ask the Executive to confirm whether the Economy Minister intends to provide updated workplace health and safety guidance in order to mitigate the spread of coronavirus within workplaces?

**Mrs Foster:** I say to the Member that that is a very good point. I am sure that he knows that the Health and Safety Executive have been proactive in working with employers and trade unions in the LRA forum to try to deal with some of the issues that have been brought forward. The LRA forum was a good sounding board when we were in the midst of COVID and in trying to get people to come back to work at that time.

I think that we do have good guidance at present, and that guidance has not changed, but we can always revisit guidance in the light of where we are with particular circumstances. Of course, the Member will be delighted, as I

am, that Fermanagh and South Tyrone continues to be a compliant area.

**4.00 pm**

**Mrs Cameron:** I ask whether this debate on local restrictions is on whether the glass is half full or the glass is half empty. Does the First Minister agree with me that introducing restrictions that allow for a balance to be struck between our economy continuing and, more importantly for me, the health service remaining open, or reopening, is a way in which to live during the COVID-19 pandemic?

**Mrs Foster:** I remind Members of why we intervened back in March. It was to try to push down the curve and make sure that we did not have the number of deaths that were being predicted at the time, but it was also to protect the NHS from being overwhelmed. There are concerns about that at present, given that we are now entering the autumn/winter period, with all the usual seasonal dysfunctions that happen then. We are therefore very conscious of that.

I agree with the Member that the glass is half full. We are making limited interventions. We are not closing down businesses but are instead trying to say this to people: the evidence points to household spread, so we are asking you to work with us on all these issues. I know that people can come up with all sorts of scenarios in which they think that there are difficulties. That is fair enough. What we are trying to say to people, however, is this: please, please use your common sense. Work with us. Try to stop the spread of COVID. In that way, we can control the spread. Do not forget that Northern Ireland, out of all the regions of the United Kingdom, is the best-performing region when it comes to COVID. Let us make sure that it stays there.

**Mr Catney:** First Minister, when we were talking at the Finance Committee, the honourable Member from Derry stated that this had fallen between two stools: the Department for the Economy and the Department for Infrastructure. I say that it fell between three stools, with the third being the Department of Finance. That question was asked in order to see where the power sat. I commend the First Minister and the deputy First Minister for at least bringing forward the regulations that state that the power that sat with the Economy Minister will now be transferred to the Minister for Infrastructure, from whom we are used to delivery and things happening.

**Mrs Foster:** It is only fair that I say this: the power does not sit with the Department for the Economy. The Minister for Infrastructure has argued that it does not sit with her, so what we have done is to say that she can use the Financial Assistance Act 2009, which was put in place after the local flooding some time back in 2007, if I am not mistaken. I think that I was the Minister of the Environment when the Financial Assistance Bill came through the House. We are designating the Department for Infrastructure to take forward the actions for taxis and haulage.

**Mr Nesbitt:** To return to Sammy Wilson, I must say that, as party leader, I found that to let the odd elected rep go is profoundly positive for party discipline. *[Laughter.]* My question to the First Minister is this: does she have any idea how Sammy Wilson came to the apparently mistaken belief about what you were lobbying for around the Executive table?

**Mrs Foster:** If I can point the Member to some of the tweets that were put out by some of my Executive colleagues, he may find the answer there.

**Mr Speaker:** That concludes the item of business. I ask Members to take their ease for a moment or two.

## Health

### COVID-19: Testing

**Mr Speaker:** Mr Colm Gildernew has given notice of a question for urgent oral answer to the Minister for Health. I remind Members that, if they want to ask a supplementary question, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary question.

**Mr Gildernew** asked the Minister of Health what actions he is undertaking to ensure that COVID-19 tests are accessible locally.

**Mr Swann (The Minister of Health):** Testing capacity in Northern Ireland has increased significantly since the beginning of the pandemic and is delivered through two routes. First, we have increased capacity through our health and social care (HSC) trust laboratories and local testing partners as part of our Northern Ireland Scientific Advisory Consortium. That is known as pillar 1 testing. My Department continues to work very closely with the network of local partners to enhance testing capability and capacity. Active plans are

under way to develop this further in response to the recent increase in demand for testing.

Secondly, testing is delivered through participation in the national testing programme, which is managed by the Department of Health and Social Care (DHSC) in London. That is known as pillar 2 testing and currently includes four drive-through fixed testing sites and six operational mobile testing units (MTUs), with two more mobile testing units due to be operational shortly. MTUs are deployed in towns and villages across Northern Ireland in response to local need. The home-testing option is also available through the postal service, whereby the test is delivered directly to a person's home.

Demand for testing has increased significantly across the UK in recent weeks. I am aware that the national testing programme is experiencing exceptionally high demand. At times, that has made it more difficult for members of the public to book a test slot at a time or place that is convenient. Anyone who tries to book a test and is unable to do so, or who is offered an inconvenient time or location, is strongly encouraged to wait a few hours and then try again. I am advised that more appointments and home-testing kits are available nationally every day.

I am aware that there have been some problems with the digital portal, which have impacted on cases in Northern Ireland. The problems have caused testing slots to be offered at sites that are outside Northern Ireland. I understand that there have been similar issues with the digital portal across the UK. Matt Hancock has personally advised me that a fix to the digital portal is being developed. Again, our key message is that if you are experiencing problems booking a test, please leave it a few hours and try again.

Overall testing capacity is continually reviewed by my Department, and plans to further enhance capacity are kept under active consideration. I have spoken to Matt Hancock on a number of occasions over the last week, and the Health Ministers of the four nations spoke on Friday. My officials continue to be in daily contact with their counterparts in London to ensure that capacity for Northern Ireland is maximised through the national testing programme.

**Mr Gildernew:** We are all very conscious of the testing difficulties. I am sure that every Member of this House has been receiving representation from constituents about testing difficulties. I am also deeply conscious that we have,

unfortunately, recorded another two bereavements as a result of COVID-19. I extend my condolences to the families that have been affected.

Minister, you announced recently that you had written to Matt Hancock about testing. Is that the first time that you have formally raised testing issues or problems with your English counterpart? Given the number of people who have been unable to access tests, what is your assessment of the impact that the testing disruption has had on the spread of COVID-19?

**Mr Swann:** I thank the Chair of the Committee for his supplementary questions. The four Health Ministers speak regularly, and testing has been on the agenda for nearly every meeting that we have had. Over the past week, we have had intense meetings specifically about testing and digital portal access. What has been experienced in Northern Ireland has also been experienced by my counterparts in Wales and Scotland. The particular peculiarity is that the digital portal takes a postcode and measures the distance in miles, without taking the Irish Sea into consideration. My Welsh counterpart, Vaughan Gething, said that they had experienced a similar problem with the Bristol Channel. So it is not a problem that is peculiar to us, and how the digital portal programme assesses a person's location is being looked at. We have continual engagement with each other.

We have been made aware today that there is a significant backlog in the tests that are being processed through the national testing laboratories. We have raised that issue, and I am looking to see what impact that has on Northern Ireland's testing capability and on results from the national testing pillar. From our data, there does not seem to be a significant impact in Northern Ireland, but we want to make sure that it is not affecting us and the number of positive cases that are coming through. We are aware that the Department of Health and Social Care in Westminster is working with Germany in order to pick up some of the backlog that there is in our testing capability. That is similar to what the Republic of Ireland Government did in the past.

**Mrs Cameron:** I thank the Minister for his attendance. Schools are back and there is no doubt that there is confusion among schools and parents and even in workplaces. Many schools are struggling to get through to the Public Health Agency (PHA) to receive appropriate guidance around risk assessments and they are sending large numbers of children home. There are reports of schools and

workplaces demanding a negative COVID-19 result before individuals can return to work or school.

I welcome the information that was published by the Chief Medical Officer (CMO) last week. Does the Minister agree that it is vital that he takes any offer of help or assistance from the Education Minister to bulk up the level of support from his Department that is required to deal with the volume of queries that are coming from schools and parents at this time?

**Mr Swann:** I thank the Member for making a valid point. We expected an increase in the number of tests being sought when the schools returned, because we saw something similar in Scotland, but just not to the extent that we have had. We have been working very well between the two Departments and with the Minister of Education. My departmental officials have two meetings a week with Education officials to make sure that any peculiarities, misconceptions or misinterpretations of the guidance are ruled out. That resulted in the CMO issuing that specific letter last week to school principals to make sure that we had that clear sight and guidance.

Over the weekend, the PHA established a dedicated telephone line for school principals so that they can seek direct guidance from the PHA. We realise that it is a very pressurised and trying time for school principals who want to make sure that they are giving parents, pupils and their staff the correct advice about COVID-19 and how they should be managing each situation.

**Mr McNulty:** What is being done to ensure that staff and patients are being tested — and that test results are available — in a timely manner? I am talking specifically about what has been happening in Daisy Hill Hospital over recent days to some staff members and some patients in the medical wards. I want to offer my condolences to those families who have lost loved ones in recent days. I also want to convey my best wishes to those people who have contracted COVID and I hope that they can make a full recovery.

**Mr Swann:** I thank the Member for his comments and I especially welcome the support that is there for those families and staff who have lost a relative or have been involved where there has been a loss of life due to COVID-19. In my opening comments, I explained the two pillars that we work on — pillar 1 and pillar 2. Pillar 1 is our own in-house testing capacity in our HSC system, which is

available for our staff and for patients to ensure that testing is accessible and timely but also for the reporting of tests and results. That is why we have the two pillars; that one is very specific to staff and patients who need that quick turnaround. Pillar 2 is used for the national programme, which is accessible to the general public should they develop symptoms.

**Mr Chambers:** Whilst I note the very high demand for testing locally, as well as the increase in our testing capacity, how important have the over 204,000 tests provided by the UK Government under pillar 2 been to our efforts in Northern Ireland to tackle the pandemic?

**Mr Swann:** I thank the Member for his comments. It is important to note that our access to the national pillar and the national testing programme have been vital for our response to processing tests and making sure that testing is available for those people who need it. In the past five days, we have averaged around 7,400 tests in Northern Ireland, so we are completing a significant amount of testing per head of population. We are above average in our testing per head of population not only on this island, by comparison, but across these islands.

#### 4.15 pm

Access to pillar 2 is vital to the programme that we carry forward because that pillar in the national testing programme is also the testing support that we use for our care homes and care home staff who are currently green and not experiencing symptoms or do not have COVID-positive tests. Pillar 2 is vital for our response.

**Ms Bradshaw:** Minister, my question follows on from Mr Gildernew's on the number of queries that we are getting through our constituency office. Are you minded to set up a public representatives' phone line to filter those through so that we are not just going through the general helpline?

**Mr Swann:** I thank the Member for her question. We are exploring with nidirect the possibility of doing that, because they were seeing something like, I think, 1,600 calls in the first week of the schools going back. The ability to filter out — . I apologise, I do not mean "filter out", I mean direct to the right location — that is crucial in order to make sure that we get the right information to the right people who deserve it. That is being taken forward and explored by nidirect and the Public Health Agency.

**Mr Carroll:** Thank you, Minister, for your answers so far. The Minister may or may not be aware that the University of Cambridge is testing every student once a week and that Boston University is testing every student twice a week. He will obviously agree that mass testing is fundamental to elimination, especially as we just heard as he entered the Chamber that a vaccine is unlikely to be available until 2024. Are there any plans for mass testing to be made available outside schools, universities, colleges and workplaces in order to ramp up the testing that is required?

**Mr Swann:** I thank the Member. Again, I do not know whether he has been following announcements from my colleague Matt Hancock about, I think what is called Operation Moonshot — I guided him to the suggestion that he look for a better name, but, unfortunately, that is the direction they went — which looks for that national testing capability to be ramped up. I know that they are talking some time in advance. We will be part of that, as, again, I think Mr Chambers pointed out, because of that national input that we have to our national testing programme.

When that mass testing becomes available, Northern Ireland will be integral to it and will be part of it, but at this minute in time, due to the capacity that we have under pillar 1 and pillar 2, I will say to people that they should use the testing capacity wisely and use it if they are guided to get tested and if they have symptoms. They should not use it simply if they feel that they may have COVID and want to see whether they do. It is not something that should be abused. It should be used wisely.

**Ms Kimmins:** I thank the Minister for coming this afternoon. In light of a previous Member's comments about the confirmed cases at Daisy Hill Hospital, can the Minister reassure me that Health and Social Care staff will have access to COVID testing? Over the weekend I had contact from staff who stated that they have been refused testing despite being in that vicinity.

**Mr Swann:** I thank the Member for that. If she wants to contact my office specifically with those concerns, she can. If staff are experiencing symptoms, they have direct access to pillar 1 under their occupational health contacts. If they have symptoms or are in contact with a positive case they should be able to access that testing through the appropriate trust procedures.

**Mr Buckley:** I thank the Minister for his answers thus far. There is no doubt that the impending crisis around testing, accessibility and local capacity is important, and I hope that we can address those issues soon. The Minister will be aware of the ongoing issues surrounding the local testing centre in Craigavon, which is being used via the MOT centre, and the backlog that that has caused for MOTs and in holding up the decision to start driver vehicle tests. I wrote to the Minister some two weeks ago about this, and I was wondering whether he has considered any alternative sites, as indicated by his Department.

**Mr Swann:** Again, I appreciate the Minister for Infrastructure's support from the beginning when she was able to make MOT centres available as COVID-19 centres, because they were very suitable and fit for purpose for what we needed to do at that time.

My understanding is that that site is due to close in October, which will allow it to be reutilised for MOT testing, and I know that is something that is of particular interest in that specific area. If it is my call and I have to toss up between testing cars and testing people, I will come down on the side of testing people. It will be a managed process, while we look for a new suitable site. We will make that transition as soon as possible, but we will ensure that we have continuity of testing in that area.

**Ms Flynn:** I thank the Minister for his answers thus far. An issue, that has been raised with me locally, is that there are variations in sensitivity between the different testing kits. Is the Minister aware of any differences between the kits that are used by the trusts, care homes and the PHA? That is particularly worrying, given that they are used in discharging vulnerable and elderly people from the hospital into the community.

**Mr Swann:** The specificity — I can never get that word, but anyway. I am guided by my scientific advisory consortium in regard to what tests are utilised in each setting, and also what tests are applicable to use. That is vital in the work we do. I would rather have a test that errs on the side of caution, than one that produces a number of false positives. The tests we use have been through the system and been approved, for the results that they give and their reliability. I do not think we are using any test system, or test, that I should be concerned about. If we used any such test, I am sure that my scientific advisory consortium and my expert advisory group on testing, would have highlighted it by now.

**Mr Catney:** Thank you, Minister, for your answers so far. I am looking at the procedure and comparing the percentage at pillar 1 with that at pillar 2. I note that most in pillar 1 are within the healthcare system. Is there a percentage lying between those, that are testing negative? Can we find out whether one test is exactly coming out on the figures against the other one, and whether we are missing something in that?

**Mr Swann:** I do not have that specific breakdown of pillar 1 versus pillar 2, because, as I said in an earlier answer, they are looking at different cohorts in society. Pillar 1 is very focused on our healthcare system, whereas pillar 2 is for the general public. I can say to the Member that, across our entire testing programme, over 15% of the population of Northern Ireland has been tested. That is quite a high percentage.

Access to testing is crucial, but it must be reliable. A higher percentage of those tested now come out positive. It is not just that we are increasing the number of tests; the number of people who test positive is increasing disproportionately to the increase in testing. That is what raises concerns in the Department of Health.

**Mr Nesbitt:** I want to follow on from the concerns expressed by Mr McNulty, with regard to the timeliness of testing for patients and staff in hospitals. A couple of weeks ago, I had to undergo a process in Belfast City Hospital and, as part of the preparation, a COVID test. I assure the Minister that it was delivered not only in a timely manner, but by a team that offered professionalism and empathy in equal measure. That was important to me.

I accept that there may be ongoing issues that the Minister will address, as, indeed, there must be for all aspects of our reaction to COVID-19, but I would hate for this House to send out a message to those involved in testing that they are delivering anything other than a first-class professional service. I ask the Minister to ensure that those professionals are aware of our gratitude.

**Mr Swann:** I thank the Member for his comments, and his sentiments towards the staff. I am glad to see him back after his procedure. The point he makes is a valid one. When testing began in Northern Ireland, a short five or six months ago, and that is something that we need to keep in mind, those staff stepped outside their normal roles and routines to take up positions in our testing system. They

have to be applauded and acknowledged, because they continue that work outside their routine. When I visited the Newtownards MOT centre, I realised the diversity of those volunteers who had come forward to provide the staffing complement for those testing facilities. They varied from student nurses, through speech and language therapists, to professional nurses. They all played a part, and they all continue to play a vital role in combatting COVID-19.

**Mr Robinson:** I thank the Minister for his answers so far. Minister, is there any local mechanism that can speed up test results? I ask that because a constituent of mine who is a health worker has been waiting for their results since Friday at 2.00 pm. Also, why is there no PHA service at weekends to answer local queries?

**Mr Swann:** In regard to the PHA, it is not a public call centre. There is an indirect line that can be used to get guidance on the regulations. If the Member wants to supply me with the details of his constituent who is waiting for results, I will follow that up and pass it to the trust.

**Mr Speaker:** That concludes this item of business. I ask Members to take their ease.

## Private Members' Business

### Living over the Shop Scheme

*Debate resumed on amendment to motion:*

*That this Assembly recognises the role that repurposed and attractive residential space above retail premises can play in promoting the success of town centres across Northern Ireland; notes that making high streets high-quality locations to live as well as work can aid the economic recovery from COVID-19; and calls on the Minister for Communities to consider establishing a living over the shop grant scheme to assist landlords to convert space above retail premises into residential accommodation. — [Mr Buckley.]*

*Which amendment was:*

*Leave out all after "repurposed" and insert:*

*"and accessible space above commercial properties could potentially play in revitalising town and city centres by providing additional affordable, accessible and high-quality accommodation; further recognises this potential to increase the supply of homes to meet demand; acknowledges that increasing this type of housing in high streets can help assist in the social and economic recovery from COVID-19; and calls on the Minister for Communities and her Executive colleagues to explore this option to reduce housing demand based on objective need." — [Mr McCann.]*

**Mr Speaker:** We now return to the debate on the Living over the Shop scheme. I call Cathal Boylan to wind up on the amendment. You have five minutes.

**Mr Boylan:** I welcome the opportunity to take part in this interesting debate. We all know that many Members certainly support our towns and want to try to revitalise them; there is no doubt about that. I have listened to my colleagues, and I bow to Mr Fra McCann, who is not in the Chamber at the minute, because he has been an expert in this field for long many a day. He was on the old Social Development Committee, along with my former colleague Mickey Brady, so he is well versed on the issue.

I want to pick up on a few points, and then I will pick up on some Members' comments. It is quite interesting that some Members obviously did not read either the motion or the amendment. The original motion asks the Minister "to consider" a grant scheme. From the

comments of some Members, especially Mr Blair, in an intervention with Mr Durkan from Derry, it was clearly seen that they had not really read the motion or the amendment.

#### 4.30 pm

It is interesting. Mr Beggs is not in the Chamber either. He mentioned that the 2016 report had sat on a shelf for four years. If you read some of the comments, you will see that, in June 2016 — the proposer of the motion would know this, because, if he had read it at the time, he certainly would not have included it in the original motion — a selection of property agents across all 11 council areas were consulted to obtain their views on a revitalised Living over the Shop scheme.

*"All of the agents felt that, currently, the refurbishment of vacant ... accommodation in city and town centres is not currently ... viable, as the level of rents ... are not sufficient to provide an adequate investment return on the ... costs to carry out refurbishment to a standard that will meet building regulations and a finish that will attract tenants."*

If people had been listening to that or had seen it, they certainly would not be coming along today in relation to —.

**Mr Buckley:** I thank the Member for giving way. I would like to respond to that point. I think that the Member was in the Chamber for the start of the debate, so he will have heard me say that Northern Irish councils have identified that 1,015 of the 3,595 non-domestic property vacancies would be suitable for residential conversion. As the Member well pointed out, that would go some way to helping with the housing stress that we are under.

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

**Mr Boylan:** I thank the Member for the intervention. I took notes when the Member moved the motion. We are talking about levels of £25,000 and up to £50,000 of interventions in some cases, and that is in the report. That is a lot of money. It is about public spend; it is about looking after people and about proper spend in our town centres. That is what this is about, to be honest.

I want to turn to Members' contributions. It is interesting. The Member, in moving the motion, talked about the Minister considering introducing the scheme. Still and all, he said

that he wanted direct action across the Executive. He is saying one thing. Why, then, did the Member not consider putting something to that effect in the motion? There are other ways and means. The Minister has already responded to the debate, and I will not repeat all that she said.

It is interesting to listen to the Member talk about footfall being down 79% — that was certainly the case in April — and all the other points that he mentioned. Nobody would argue that our high streets are not in decline — there is no doubt about it — but it is about how we go about revitalising them. The Member talked about online shopping. However, online shopping has hit all the towns; there is no doubt about that. That was some of his commentary. There are other ways and means, and other agencies have to play their part, including councils.

Mr Beggs talked about planning, and he has mentioned planning in a number of Committees. Planning policy and local area plans have a big part to play in revitalising our town centres, and the Minister mentioned some of the stuff that Belfast had done to try to revitalise its city centre. Is that me finished?

**Mr Principal Deputy Speaker:** It is, I am afraid. It is a timed debate. I am sorry about that.

**Mr Boylan:** I support the amendment.

**Mr Principal Deputy Speaker:** Grand.

**Mr Newton:** I thank my colleagues Mr Buckley and Paula Bradley for tabling the motion. Paula should have made the winding-up speech, but she has, unfortunately, had to go home because of some domestic problems.

When I was asked to make a winding-up speech, I tried to think of some introductory remarks on the motion and the issues in it, and it came to my mind that, when you think about who was the most famous politician ever to live above the shop, you come to the name Margaret Thatcher and her political career. Then, we were reminded, during the debate, that Pat Catney also lived above the shop *[Laughter.]* It certainly has not done him any great harm in his political career.

I was extremely disappointed by the Minister's response. I know that the Minister wants to provide housing for constituents — I know that — but I was extremely disappointed by her response. She just dismissed it; in fact, it was a

forceful rejection of the scheme. Indeed, she said that she would not even consider such a scheme. No matter how good, how different, how it might be worked up, what the priorities were or where the finance comes from, she would not even consider such a scheme. Minister, I feel for all the people currently on the growing waiting list in their need for housing.

Whether or not you like it or think it is appropriate for people to live in the city centre and contribute to the city centre, I was looking at the value of city centre living. In London, an area known as Beckenham, you can pay £240,000 to buy a flat above a shop. If you want to live close to Del Boy in Peckham, you can buy a two-bedroom flat for nearly £300,000, and, if you want to live above a fish and chip shop in Mayfair, you could pay £5 million for that privilege. That is successful use of housing in London. It is maybe not the intention or the area that we want to cover, but it indicates that it is possible to do the job of successfully living and that people will pay huge amounts of money to live there. Minister, we need to consider how we can make use of vacant space in city centres.

The need for a strategic approach to delivering such a scheme has been referred to by others. In proposing the scheme, Mr Buckley eloquently indicated that you would need the statutory bodies such as the councils on board. They have a major role to play in how this might be developed. I feel that you also need to have the arterial routes as suppliers for folk to live in the city and feed into the city. We also need to consider, as Mr Buckley indicated, the outlying towns and villages and how their high streets might benefit from such an initiative. That strategic approach, Minister, needs to be considered rather than just dismissed.

Such major schemes cannot go forward without specialist input from those experienced in town and country planning, experienced architects and those with imagination on how such a scheme can contribute. Kellie Armstrong indicated the need for play areas, green spaces and so on to make sure that it is an attractive area for families to live, work and play. Such schemes need to be considered with a holistic approach, a team approach and with everyone playing their part. We also need the potential for residents — tenants who may live in the properties — to have a need for security of tenure. That is where the Minister for Communities, whoever that may be, has a role. We need to make sure that the shops that exist in close proximity need responsible tenants. There is always the fear that, if you are living above a restaurant or fast food outlet, the

potential dangers are, perhaps, increased. Families, obviously, need facilities. They need play parks, doctors' surgeries and schools close by. Those are all factors that can be taken into consideration, Minister, as such a scheme makes its contribution to solving the housing problem.

I turn now to what others said. There was a variety of responses. Mr McCann, who is not in the Chamber, indicated that he would not support the motion but would support the amendment. He indicated that there was a need to deal with "the tangled web". He said that the Minister was willing to discuss all issues with the Committee. Well, the Minister is not willing to discuss this issue or this approach with the Committee. Mr Mark Durkan highlighted the needs in his city and the problems in his constituency. He acknowledged that there was a need to address the issue. I know from my time on the Committee that this is an issue that is close to his heart as well. He said that we needed to learn from the failed schemes of the past, and I agree with him. We need to learn, where there have been failures in the past. Mr Beggs indicated a need for flexibility and the reuse of town centres. He also indicated that planning policies need to be refreshed in order that schemes such as this can go forward. He highlighted the homelessness problem in his constituency, which is something that affects all of us. I have already mentioned Kellie Armstrong. She highlighted that we cannot go forward without grant support. Sinéad Ennis said that she would support only the Sinn Féin amendment. She stressed the need to address city centre development.

Now, when I look at the motion and the amendment, I am a bit flummoxed. The motion proposed by Mr Buckley states that we want to make:

*"high streets high-quality locations to live as well as work".*

The amendment talks about:

*"revitalising town and city centres by providing additional affordable, accessible and high-quality accommodation".*

Yet, we have a big issue. It seems to me that we are actually all on the same page in addressing the issue of providing additional homes and, at the same time, regenerating our city centres.

I have already referred to Pat Catney, but he stressed the potential affordability of LOTS

schemes and the potential to enhance areas. I assume that he is talking about the city of Lisburn in his constituency and what could happen there. He also indicated that professional experience needs to be brought into play. Mr John Stewart indicated that this would certainly contribute to the increasing of local rates and highlighted the social potential of the scheme.

I am sorry that I have not got to everyone's comments, but most, if not all, Members made a very positive contribution, albeit that I might not agree with all that they said.

*Question put, That the amendment be made.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Principal Deputy Speaker:** OK. We will have a Division, which is always good fun.

Clear the Lobbies. The Question will be put in three minutes. I remind you that we should continue to uphold social distancing and that Members who have proxy voting arrangements in place should not come to the Chamber.

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

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

**Mr Principal Deputy Speaker:** Before the Assembly divides, I remind Members that, as per Standing Order 112, the Assembly currently has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies. I also remind Members that social distancing continues to be observed whilst the Division is taking place. Please be patient at all times and follow the instructions of the Lobby Clerks.

*The Assembly divided:*

*Ayes 40; Noes 41.*

## **AYES**

*Ms Anderson, Dr Archibald, Ms Bailey, Mr Boylan, Ms S Bradley, Mr Carroll, Mr Catney, Ms Dillon, Ms Dolan, Mr Durkan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Ms Hunter, Mr*

*Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Ms Mallon, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Ms Rogan, Mr Sheehan, Ms Sheerin.*

*Tellers for the Ayes: Mr Boylan and Ms Ennis*

## **NOES**

*Mr Allen, Ms Armstrong, Mrs Barton, Mr Beattie, Mr Beggs, Mr Blair, Mr M Bradley, Ms P Bradley, Ms Bradshaw, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Butler, Mrs Cameron, Mr Chambers, Mr Clarke, Mr Dickson, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs Long, Mr Lyons, Mr Lyttle, Miss McIlveen, Mr Middleton, Mr Muir, Mr Nesbitt, Mr Newton, Mr Poots, Mr Robinson, Mr Stewart, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mr Buckley and Mr Newton*

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

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

*Mr K Buchanan voted for Ms P Bradley, Mrs Cameron, Mrs Dodds, Mr Dunne, Mrs Foster, Mr Givan, Mr Harvey, Mr Hilditch, Mr Irwin, Mr Lyons, Mr Newton [Teller, Noes], Mr Poots, Mr Robinson and Mr Weir.*

*Mr Butler voted for Mr Allen and Mr Swann.*

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

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

*Question accordingly negated.*

*Main Question put and agreed to.*

*Resolved:*

*That this Assembly recognises the role that repurposed and attractive residential space above retail premises can play in promoting the success of town centres across Northern Ireland; notes that making high streets high-quality locations to live as well as work can aid the economic recovery from COVID-19; and calls on the Minister for Communities to consider establishing a living over the shop grant scheme to assist landlords to convert space above retail premises into residential accommodation.*

## Assembly Business

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

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

*That, in accordance with Standing Order 10(3A), the sitting on Monday 14 September 2020 be extended to no later than 8.00pm.*

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 10(3A), the sitting on Monday 14 September 2020 be extended to no later than 8.00pm.*

**Mr Principal Deputy Speaker:** I ask Members to take their ease for a few moments to change the top Table.

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

## Private Members' Business

### Race Equality

**Ms Sheerin:** Ba mhaith liom a mholadh. I beg to move

*That this Assembly recognises that the racial equality strategy 2015-2025 was not fully implemented and is now significantly outdated; acknowledges the commitment contained in New Decade, New Approach to the publication of a new and updated racial equality strategy within 100 days of the restoration of the Assembly; further recognises the positive contribution made to society by those from black, Asian and minority ethnic (BAME) backgrounds; deplores the discrimination black, Asian and minority ethnic communities face regularly; condemns racism in all its forms; commits to act urgently on the forthcoming report on the review of hate crime legislation; calls for the promotion of an anti-racism ethos in our schools; and further calls on the Executive to formulate and implement urgently a meaningful racial equality strategy.*

**Mr Deputy Speaker (Mr Beggs):** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and a further 10 minutes to make a winding-up speech. One amendment has been selected and is published on the Marshalled List.

**Ms Sheerin:** I rise today to urge Members to support the motion, to send a clear and unequivocal message to the population of the North that racism is a scourge that the representatives in this Chamber take seriously and will act with urgency to stamp out. Sinn Féin believes in a society that cherishes equality and respect as central tenets, a society free of discrimination in all its forms. The House must send a resounding signal that we have zero tolerance of racism here.

We tabled the motion to prioritise the updating and implementation of a racial equality strategy. In 2016, the UN Committee on the Elimination of Racial Discrimination called on the Executive of the day to adopt comprehensive anti-discrimination legislation without further delay, yet the racial equality strategy of 2015 has never been properly implemented.

We need to acknowledge the blight of racism and the very real and lasting impact that it has on the lives of many in our community. Racism thrives where it is not challenged, where people

turn a blind eye to insults and derogatory remarks. Violent attacks and vandalism are the symptoms; hatred and intolerance are the cancers that cause them. Racism is not an arbitrary pie-in-the-sky notion that exists in books and films and stops there. It is 100% true that it should have been relegated to the dustbin of history long ago — it was not right then either — but it has not been. It impacts real people today. Families, mothers, brothers, fathers and daughters growing up as an "other" or feeling the constant need to justify their identity is not acceptable in any 21st-century society, and, given the history of Ireland, it is certainly not acceptable here.

As recently as 2018, the British Government exacerbated the hurt felt by the very people who they called upon to rebuild their country when they needed help by criminalising an entire generation of immigrants from the West Indies in a debacle that has now become known as the Windrush scandal.

Racism, like any form of prejudice, is a mould.

It grows under shadows, fed by hatred and intolerance and shrouded in secrecy. It is allowed to fester only when it goes unchallenged. As we in the North of Ireland are no strangers to, when discrimination becomes institutionalised, and when it is practised by those who make and enforce the law, it is legitimised.

### 5.15 pm

In a year unlike any other, in the middle of a global pandemic, we watched the fallout of the deadly virus called racism in America as the murder, in cold blood, of George Floyd on a Minneapolis street played out on our televisions and our timelines. People took to the streets, again. A few years ago, on a holiday in the Deep South of America, I stood outside the Lorraine Motel, and I felt the sadness of what had happened there overcome me. That the children and grandchildren of the freedom riders, the marchers and the students who staged sit-ins in diners still have to walk behind placards in their bid to be treated with decency and respect is beyond belief. It is shameful that, in 2020, because of the colour of your skin, protest is still required to live a life free of harassment and bullying. We can dismiss this as something that happened far, far away across the Atlantic, but the reality is that racism is experienced on these shores every day as well. Countless accounts of members of black and ethnic minority communities who have made their home here have told the same

stories of verbal and physical abuse, of remarks and messages from behind a keyboard.

In a 2018 life and times survey, in answer to a question about whether there was more racial prejudice in the North now than 40 years ago, 41% of respondents said that there was more now. That is not acceptable. The European Court of Human Rights describes racial discrimination as:

*"a particularly insidious kind of discrimination."*

It states that, in view of its consequences, it requires from the authorities:

*"special vigilance and a vigorous reaction."*

Yet, in the North, we have less protection for victims of racism than anywhere else in these islands. We need to address this. We need the implementation of stronger hate crime legislation, the report on which we await. This legislation must tackle institutional racism at its core and should be based on international best practice. It needs to be clear in people's minds that bullying on the basis of race is a crime that carries a penalty and that it is unacceptable before the law here. Supplementary to this, we require affirmative action to ensure proper representation of black, Asian, and minority ethnic communities in our public sector and on the boards that make decisions. We should be, as part of this strategy, properly furnishing the groups who represent these communities with the resources that they require. The absence of ethnic monitoring means that we lack data relating to the presence of black and ethnic minorities in government and industry. If you do not have the full picture, it is difficult to address the issues.

In recent times, much has been made of how this is a decade of centenaries. We are also in the middle of the UN's International Decade for People of African Descent, which we should honour in the Chamber. What better legacy could we have than creating a society where racism was nothing more than a horrible memory? For anyone who is brave enough to leave their home to make a life elsewhere, far from family and the surroundings that they are used to, Ireland should be a warm and welcoming shore. We all have a duty to call out racism when we see it and to act together to create a society built on justice and respect that treats everyone equally. The Executive have to demonstrate that they have zero tolerance for racism here.

**Mr Deputy Speaker (Mr Beggs):** One amendment has been approved and is published on the Marshalled List. I invite Paula Bradshaw to formally move the amendment.

**Ms Bradshaw:** I beg to move

*Leave out all after "further calls" and insert:*

*"on the First Minister and deputy First Minister to set up a working group with members of the black, Asian and minority ethnic communities to co-design and co-produce an updated racial equality strategy and to publish a timetable for the implementation of the strategy."*

**Mr Deputy Speaker (Mr Beggs):** The Member has 10 minutes to propose the amendment and a further five minutes in which to make a winding-up speech.

**Ms Bradshaw:** I will speak to the Alliance Party amendment, but I thank the Sinn Féin Members for bringing this important subject to be debated today.

I represent South Belfast, which is noted as the most culturally, ethnically and socially diverse constituency in Northern Ireland. It is that diversity that makes it all the more enriched and prosperous, in all senses of the word. Therefore, the frustration for many, not least the minority ethnic community, is that the issue of race relations does not appear to receive the attention and concentration of effort that it deserves and requires. As such, our amendment is to provide a mechanism for fully engaging with and drawing on the lived experience of the BAME community to co-design and co-produce an updated race relations strategy for Northern Ireland. That community's input will not only provide space to link the amended strategy more closely to the issues faced but will ensure greater buy-in from this diverse community. The premise for wide and authentic co-design and co-production is that, firstly, we have the identification of all the problems and the solutions. Then we ensure that we translate the solutions into firm actions, outputs and outcomes. This is where I feel that the strategy from the Executive Office is light on detail, and where it needs to go further and to be more ambitious. That is why I am calling for an update as opposed to a replacement.

Our amendment also calls for a timetable for this work to be completed and, more importantly, implemented. The BAME community has been raising concerns for many years, not least at the lack of a sense of

urgency in addressing the issues that they face in many aspects of their lives.

To address the substance of the motion, I very much welcomed the inclusion in the New Decade, New Approach agreement of the need to produce a new and updated strategy within 100 days. To be fair to the Executive Office, nobody in January could have predicted that our lives and the work of the Assembly would have been so significantly disrupted by the COVID-19 pandemic. As such, it is entirely reasonable and understandable that the target of 100 days may have slipped. However, it is time for this work to recommence.

Therefore, moving on from today, while it is important that the Executive Office leads on this work, with full engagement from the BAME community and other voluntary sector stakeholders, it is also vital that there is cross-departmental feed-in to the strategy and, in turn, complete cooperation with the agreed actions and their time frame for implementation. This departmental cooperation will be vital to ensure that the existing and forthcoming work complements the content and aspirations of the race relations strategy. This will require some work on assimilation and coordination, but it is very much necessary.

The next stage will be the requirement that sufficient funding is allocated so that the actions can be fully delivered in a timely fashion. Where cross-departmental working is required, it is absolutely vital that there is agreement from the start, with the collaboration forthcoming and not wrangled, especially with regard to financing, which, we in the Chamber know, has been the reason why many a fine project has not gotten off the ground.

Further to this, I have met with numerous voluntary sector groups, especially in my constituency, that are doing the most amazing work with ethnic minority communities with origins from all parts of the world. However, they are operating on an absolute shoestring with stressful levels of funding, uncertainty and risk. If we are serious about empowering and integrating people who choose to live here, we have to properly support those groups that have the connections, understanding and ability to properly engage with them.

In taking forward the themes of empowering and integrating people, we need to ensure that members of the BAME community are educated about all the aspects of our public services, with particular reference to providing them with an understanding of the standards of support and the duty of care that they should

expect. In turn, equipping them with the power to stand up and to speak out for those rights.

On integrating, we know that individuals and families are coming to Northern Ireland to settle here for many years, decades and even centuries. The time has long since gone that we remove some of the barriers to their full assimilation into life here, in our schools, workplaces and community life in general. On this, it is equally important that we put in place measures to ensure that this integration is not blocked or frustrated by others through covert or overt racism, or, in extreme cases, through hate crime. I very much welcome the ongoing work in the Department of Justice into a review of hate crime legislation. It is this type of robust work that needs to be replicated across many Departments to ensure that the relevant legislative framework is fit for purpose.

Measures may also be required to address educational achievement among BAME pupils. That can be a result of, or at least in part way perpetuated, by bullying and marginalisation in our schools. As such, there may be a need to produce anti-racism policies or to update the existing anti-bullying policies to reflect the needs of these pupils in securing the appropriate support.

Another key area that I feel the race relations strategy has a huge role to play in is in the workplace. From the time of recruitment processes, with regard to fair employment, through to access to training and promotional opportunities, it is in everyone's interests that the legislative and policy frameworks are workable and effective in ensuring harmony and integration for all BAME employees.

In closing, I hope that MLAs can support our amendment, and I place on record my thanks to those groups and individuals who have worked so hard over the years in campaigning for the rights of BAME members of our society. Their efforts are very much appreciated and welcomed by the Alliance Party. Lastly, I wish to send my best wishes to the members of Belfast Multi-Cultural Association whose cars were damaged at the weekend. If ever there were a stark reminder that we need a fresh look at race relations in Northern Ireland, it was this.

**Mr Deputy Speaker (Mr Beggs):** All other Members who are called to speak in this debate will have five minutes.

**Mr Robinson:** I do not believe that any MLA would support anything but racial equality and would condemn all racial attacks in Northern Ireland from whatever quarter they came. We

must also remember that, while the motion states:

*"that the racial equality strategy 2015-2025 was not fully implemented and is now significantly outdated",*

progress in dealing with this matter in a timely manner was prevented as the Assembly did not sit for three years. It is important that the strategy is moved forward, and this must be done with care to ensure that whatever decisions are made are practical and, most importantly, workable. Whilst I appreciate that speed is desired, it is better to ensure a practical and workable strategy. I fully believe that an interdepartmental approach is required, and I am glad that there is a racial equality champion in every Department. I also see benefit from each Department's observations being brought to an interdepartmental forum so that best practice can be seen to be the result. Speed is not the most important aspect; accuracy is. Any conclusions must be informed by the ethnic minorities. This is a positive way to produce the best possible strategy, fully informed by those who it is intended to help. That is a good example of best practice for greatest results that will be truly beneficial.

As I said earlier, I fully support the need for the racial strategy to be completed and implemented, but this must be a workable strategy with genuine beneficial results for Northern Ireland and the increasingly multiracial population, which we should all embrace.

**Mr McGrath:** I welcome this debate, because I think that it is timely. Over the summer, in places such as America, we have seen some of the most atrocious behaviours from those who are meant to uphold and protect the law against those who should be protected. It is not an understatement to say that, in places such as America, racism remains and is not on the decrease. However, to simply look at such a splinter without acknowledging the plank in our own eye is wrong. We have racism in our society with the things that are said and done, the things that are not said and are not done and the things that are said and done and left unchecked. These are all existing in our society, and we have not yet successfully challenged or removed them. The scourge remains among us.

Many lauded the launch by the First Minister and deputy First Minister of the racial equality strategy here in 2015. It was a comprehensive document and contained 11 key actions. Sadly, many of them have never been introduced or developed. This is sad and an indictment of

where that Executive and, to a lesser extent, this Executive places the challenging of racism. These matters contained in the racial equality strategy of 2015-2025 are as relevant now, this second, this minute, this hour. The strategy does not suffer from being outdated; it suffers from never being implemented. Would Members consider a review of the current Race Relations (Northern Ireland) Order significantly outdated? That piece of legislation has not been touched for eight years. Surely, that legislation requires a review. Is it outdated to seek a review of fair employment legislation? What about working with the Department of Education to tackle racist bullying in schools? We have anti-bullying legislation that the Minister is yet to enact, however this legislation places the onus entirely on schools to record and monitor without having to actually report back to the Department, so we do not get a wider picture of what racial bullying actually looks like.

### 5.30 pm

Ethnic monitoring is a huge element of the strategy. However, there is a drastic need for it to be introduced. Without any form of ethnic monitoring, we will be searching for a solution to an issue that we do not even have a full picture of. There will be a new census next year, and, at present, there are 16 ethnic groups to choose from, with titles as generic as "African", yet there are literally thousands of ethnic groups and cultures in Africa. How on earth do we expect to gauge the needs of the people who live here if we do not know where they are?

I have been asking all Ministers about racial equality champions. The champions should be raising awareness of the racial equality strategy and Departments' commitment to it.

The authors, contributors and Ministers who lauded the strategy back then knew that what they were challenging was so deep-rooted and so systemic that it would take time to challenge. That is why the strategy was set for 10 years — a generation, nearly, of schoolchildren and wider society who could learn the benefits of a multicultural society where all are accepted, regardless of their backgrounds, beliefs, colour or creed. The only outdated action is the lack of action that has been taken to implement that strategy.

The passage of time means that all strategies should be reviewed and assessed, and having a living document is much preferable. I am not under any illusion that the current document does not need some amendment, but I would

like to see more concrete outcomes, more measurable activity to observe how it is being implemented to make sure that we see progress. Although some of the activities of the summer will have sparked new thoughts, ideas and approaches, those can also be incorporated into the strategy. However, it is not substantially out of date. It does not require renewed formulations. All the ingredients are there. It needs action, not more discussion.

Of course, it would be remiss of me not to highlight the fact that the party that proposed today's motion, highlighting the inactivity and suggesting that the strategy is out of date, is the very party that launched the existing one five years ago and then oversaw no implementation and co-contributed to three years of inactivity here on the hill and has been back in charge since January. There is more headline-chasing here —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr McGrath:** — than substance. Many in the sector think that, if what we have is grand, let us implement it alongside a review and polish up what we have. People want action. I want action, and getting on will deliver action. Let us do the right thing.

**Mr Beattie:** I rise to address this important motion and support it. I shall keep my comments general, as opposed to getting into detail, due to the time. The fact that we are still talking about discrimination due to somebody's colour or ethnic background is really quite depressing. Dealing with it is long overdue. I simply cannot fathom why some individuals in our society feel that they have a right to treat their fellow human being in such a derogatory way through intimidation, discrimination, threats of violence and violence on the basis purely of the colour of their skin. Of course, those people will argue a variety of reasons for their bigotry and will use terms like, "I have black friends". However, the reality is that, if you treat someone differently purely because of the colour of their skin or ethnic background, you are a racist. You are in denial, if you say that you are not.

I have been very lucky in my life in that I have lived in many countries around the world. I spent a lot of time in Africa — in Uganda, Sierra Leone, Kenya and Somalia. While I was there, I immersed myself in the culture — wonderful, rich cultures; wonderful, rich and giving people. It has broadened my horizons. It has given me a wider left and right of arc to understand why

they may wish to come here to eke out a better life than they might have in some other parts of the world. It has allowed me to see people as people. That is exactly what they are: nothing more, nothing less.

In Northern Ireland, black, Asian and other ethnic-minority people work in our factories, shops, garages and hospitality sector. They are in our care homes and our hospitals. They are paramedics. They are clinical and non-clinical staff. They are doctors and surgeons. Without them, we would be a poorer place, so we need to ensure that our black, Asian and other ethnic-minority people are valued, cherished, supported and protected. We need to do that through legislation, a racial equality strategy, an anti-racism ethos, education and civic society with better understanding. We must address it through our justice system. I am disheartened that we are not doing more. We need data to inform any strategy. The final draft report on the review of ethnic monitoring gave a list of recommendations, including appointing an independent adviser on race equality; setting up an ethnic monitoring unit; extending fair employment legislation; and enacting a public-sector equality duty. It is not hard to do. It will take resource and money, but it is the right thing to do.

There is no place for racism in Northern Ireland. There never was, there never is and there never will be. It is important to future-proof our society and put a firewall in place between our young people and racism. This is not just for the Executive Office; this is cross-cutting. All Departments have a part to play. It is as much an issue for Justice, Economy and Education as it is for the Executive Office. There is no point in trying to package this in one place. Everybody needs to be involved, take ownership and be a part of it. We support the motion.

**Mr Stalford:** Much like Mr McGrath, the one element of the motion that I disagree with is the reference to the strategy being "significantly outdated". If the strategy was put in place for the period 2015 to 2025 and we are in 2020, you could probably say that, OK, we know things now that we did not know in 2015 that we should maybe include in the strategy, but it is not fair to say that it is "significantly outdated". As Mr McGrath did, I point out that we were without a Government for a period of time, but I do not wish to rehearse the reasons for that.

I am privileged to represent the constituency that I was born and reared in: South Belfast. It is a diverse and cosmopolitan constituency, and it has always been thus. Much like the rest of

Northern Ireland, South Belfast has always been a welcoming place for people from beyond our shores. Seventy years ago, lots of Italian people came here in the immediate aftermath of World War II to make their home. Sixty years ago, in the early 1960s, it was people from Indian and Chinese backgrounds who came here and put down roots. In my constituency, I am proud of those communities and the contribution that they make to our society. They are people who came to Northern Ireland and invested in Northern Ireland at a time when nobody else wanted to because we were thought of as, frankly, a hellhole on the edge of Europe that no one wanted to be in. Those people came and made a contribution to our society.

Children do not naturally hate; they have to be taught it. I am the father of four young children, three of whom are at primary school. When I went to Nettlefield Primary School at the bottom of the Woodstock Road, there were very few people from a different background, whether that was eastern Europe, Africa or anywhere else. There are now, probably, about 25 languages spoken in the school. In Fane Street Primary School, as my colleague Paula Bradshaw can attest to, I suspect, there are probably more than 50. Botanic Primary School is the same.

So, I represent a very diverse constituency, but, as the father of young children, I see the children play peaceably and happily together. They have to be taught to hate. It is important, therefore, that we recognise the contribution that schools are already making to ensuring that children grow up respecting each other, loving each other and being kind and decent with each other.

In the school that my children attend, my daughter's best friend is from Romania and her other friend is from Estonia, and you see the contribution that the schools make, fostering a spirit of togetherness amongst the children. So, I absolutely accept the reference to schools and why that is important. All I am saying is that that there is already important work going on orchestrated by schools.

Co-design in any strategy going forward is a really important principle. We do not have the lived experience of people who have travelled here to make their home. We can never have that lived experience. Most of us in this room, if not all of us, were born here, and we have known nothing else. There are significant obstacles and challenges that people face when they come here to build a new life for themselves and to make a contribution to our

society, especially things like getting access to healthcare, getting access to education for their kids and getting access to social services and benefits. All those things that people who were born here know inside out, those people do not know that, so assistance needs to be given there.

It is really important that we do not throw the baby out —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr Stalford:** — with the bathwater. There is good work that the Executive can point to, but we can always do better.

**Ms Dillon:** The stats highlight clearly the increase in the number of hate-related crimes and racially motivated attacks. That is extremely concerning, particularly given that we are all well aware that many incidents and crimes in this category go unreported for many reasons, including language and cultural barriers, but also due to the fear of reprisal, especially where there is concern that there may be paramilitary involvement.

A 2018 Policing Board report found that some victims suggested that PSNI officers had assessed their credibility based on negative stereotyping. Whilst paramilitary groups targeting minority ethnic communities has been evidenced, no joint strategy appears to have been put in place to tackle that.

Current legislation in the North is failing victims, as highlighted by the previous DPP, Barra McGrory, when he stated that there is no easy opportunity to identify the race element in court. It is the law. It is the way that it is framed. The policymakers and lawmakers on these issues may want to revisit that. I will pick up on what Doug Beattie and others said in relation to that. We have many Departments that need to take responsibility here, including Justice.

These crimes currently come under the Public Order Order 1987, which does not meet the stipulations of international human rights standards. Serious consideration needs to be given to a restorative approach post-conviction or incarceration. That will assist in reconciliation and meaningful rehabilitation, as imprisonment alone will often not address the underlying issue. Any restorative approach must be victim-led and voluntary, but it is a very important part of the approach because that is what will lead to real and meaningful reconciliation, as we well know from our own lived experience here.

We need laws that properly meet the needs of victims, but as a community, and we, in particular, as leaders in our community, need to have a zero-tolerance approach to racism in all its forms. The best way to protect ethnic minority groups from attacks is by ensuring that they are not seen as isolated and vulnerable. The way to do that is to ensure that we all, as individuals, reach out to our neighbours and those in our constituencies who may fall into those categories. It is not good enough to stand back or to put a statement out and say that what has happened to a person who lives near me or in my constituency is terrible.

#### 5.45 pm

We have to be seen to be standing with those people; we have to be seen to be reaching out to our neighbours; we have to be seen to let our children play with those children. Too often you see that it is just easier not to, because they speak a different language and there are all kinds of barriers. If you have children who live near children of other cultural backgrounds, you should be encouraging your children to embrace that diversity. As Mr Stalford has already said, it is really, really important. No child is born to hate; they learn it. What we need to do is teach them differently, and as parents and leaders we all have responsibility around that. I thank the proposer of the motion and support the amendment.

**Ms Anderson:** It is a sad indictment of our society that, in this day and age, we need to call for the full implementation of a racial equality strategy, but unfortunately we do. We know from the 2018 life and times survey that a significant group in the North are intolerant of people whom they do not want as either a friend or a neighbour. Nelson Mandela said that no one is born hating another person because of the colour of their skin, their background or their religion. People must learn to hate. Children are not born hating, as has been said. They learn hate from within their peer groups, from their communities and, sadly, sometimes from within their own homes.

Prejudice is a blight on our society that needs to be tackled, and a good starting point would be to address it within our schools and our education curriculum. Schools are one of our children's earliest learning experiences, so we need to teach them that, based on our common humanity, we are all equal, no matter the colour of our skin, our background or our religion. Thankfully, many schools now include new nationals, so schools must adopt an anti-racist ethos that will stamp out racism whenever it

raises its ugly head. That could be advanced through enhanced training of teachers to support them when dealing with children who suffer racist bullying, confronting narrow-mindedness and developing inclusive processes and procedures which include ethnic minority children. Teaching children that all human beings are born equal could reduce racism in the future.

Of course, it is not only schools that need to stamp out racism. This Assembly needs to step up to the plate by advancing, as was evidenced by my party colleague Linda Dillon, who highlighted the impact of legislative failure. Previously, I put questions to the SDLP Minister for Infrastructure, Nichola Mallon, about the legality of Translink facilitating the targeting of people on the basis of colour or ethnicity on cross-border transport services. It is just wrong that the colour of someone's skin, or their appearance —

**Mr O'Toole:** Will the Member give way? Just on a point of information, what particular evidence is she talking about where Translink staff are stopping members of the public? It would be helpful if she could clarify exactly what she is talking about.

**Ms Anderson:** Transport facilitating buses being stopped and people being taken off the bus because of the colour of their skin. It is wrong that the colour of someone's skin, or their appearance, can determine whether they are singled out on a bus full of people. This is not equality, and, as has been said by the SDLP Chair of the Executive Office Committee, we cannot have things done and left unchecked. We need mandatory ethnic monitoring of how stop-and-search powers are being used. The powers of law enforcement officers to stop persons and seek papers confirming their identity and status is clearly provided for by law.

To our new nationals, Sinn Féin says, "Céad míle fáilte. A hundred thousand welcomes. We will do all within our power to protect you, particularly from abuse, racially motivated intimidation, violence and discrimination." As political leaders, we have a duty to send out a strong message to everyone within our society that racism is a cancer that we will not tolerate. An important first step, as the motion points out, is for this Assembly and Executive to ensure that we have a robust racial equality strategy accompanied by an action plan that clearly sets out steps that we will take, both legislatively and legally, to protect everyone within our society.

As the joint First Minister, Michelle O'Neill, stated today, there is a:

*"Responsibility on us all to create a society free from racism, which values diversity and which treats everyone with respect."*

As a Sinn Féin MLA for Derry, I want the North West Migrants Forum to, once again, hear that Sinn Féin message loud and clear. If anyone or any party in the Assembly or Executive is an obstacle to that, let us find out and call them out.

**Mr O'Toole:** I am now the third Member for South Belfast to stand up and speak to the motion. That is appropriate. I will echo a lot of what both Paula Bradshaw and Christopher Stalford said about the constituency of South Belfast: not only is it the most diverse in Northern Ireland, but it has some claim to be the most diverse on the whole island of Ireland. We are, rightly, proud of that. It adds to the richness of our community and the economic and cultural vibrancy of the place in which we live.

In 2020, we have all been focused in large part and to a much greater extent on deep questions about structural racism and racial inequality in societies. The issue was first forced into public debate this year by the appalling murder of George Floyd and the protests that followed in the States.

Like Emma Sheerin, I visited the deep south of the United States. It is difficult to visit that part of America without being deeply affected by the burning sense of profound historical injustice and unresolved wrong that continues to afflict it. That is not irrelevant to this part of the world. It is not something that we can ignore in our society, not least because, as I said about South Belfast, society is becoming more diverse.

There is no real difference in the Assembly about the importance and urgency of addressing structural racism in our society. This afternoon, we debated one of our own long-standing pet preoccupations in this part of the world, namely flags, and associated questions of identity in this part of Ireland. Those kinds of debates and our tendency to have quite a few of them in this place — that is not to say that there were not aspects of this morning's debate that were not important — do tend to alienate many people from newer communities in Northern Ireland who think that these institutions do not do enough to reflect the fact that we no longer exist in a green/orange binary society, and that they face very real and

profound injustices in their everyday lives and the economic opportunities that they and their families have.

The meat of the motion reflects the fact that a new racial equality strategy is needed because the previous one was not fully implemented. As my colleague Colin McGrath said, we cannot completely ignore the reasons for that racial equality strategy not being implemented and why we were not here to do that. I do not have any problem with the context of the racial equality strategy being reviewed. In fact, I think that it is essential, so, on that part, I completely agree with the motion. There is concern in the sector about taking time to go away and redraft an entirely new strategy at a time when there is huge urgency to implement what was agreed in 2014 but left on a shelf. What the motion should not be is permission for our institutions and Executive to go away and delay implementing what has already been agreed, including some of the issues around hate crime legislation, which Linda Dillon talked about very eloquently, given that we know that those issues need to be implemented. We should just go ahead and do it.

However, it is also the case that the context has changed since 2014. The context has changed since January 2020, when we came back to this place; yes, because of COVID-19, but also because of some of the circumstances around Brexit, which will fundamentally alter not just our economic relationships but the constitutional and legal underpinnings for the broader human rights agenda in Northern Ireland.

There is a very long list of unanswered questions that the British Government have failed to engage on that are directly relevant to how we proceed with equality legislation and the broader racial equality strategy here. There are specific things that we need to improve upon in the implementation of the existing strategy around budgets and meaningful accountability. If today's debate does anything, let it do this: let it not be the last time that we discuss this for months until we come back for a private Member's motion and an amendment to it. Let us keep up the pressure and keep talking —

**Mr Deputy Speaker (Mr Beggs):** Would the Member draw his remarks to a close?

**Mr O'Toole:** — about whether this is being delivered, and hold to account those who said that they were going to deliver this strategy. Let us hold them to account to actually deliver it. Yes, I want to see a new focus on delivering

racial equality in society, but no, I do not want to see us just spending time —

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

**Mr O'Toole:** — debating —

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

**Mr O'Toole:** — what we should already be getting on with and implementing.

**Ms Bailey:** I am the fourth South Belfast MLA to speak. It is great to see all my South Belfast colleagues here today, and, obviously, I am proud to take the shout-out for my constituency being the most diverse across the land. I know for a fact — well, I would be pretty confident, — that Deirdre Hargey, the fifth MLA for the area, would be here today if her health allowed.

I am also part of the Italian immigration story that was referenced by my colleague Christopher Stalford. My family are all integrated educational alumni. There were 27 languages spoken in my children's primary school. All of those were reasons why I chose the school.

This motion really does confuse me. Many have already pointed out the problems with it. It states that:

*"That this Assembly recognises that the Racial Equality Strategy 2015 - 2025 was not fully implemented and is now significantly outdated".*

Unless I am mistaken, we are only in 2020, so there are five years in which we can rectify that and to look at what we need to do.

Let us be real, this strategy, like every other Executive strategy, is only as good as the political will to implement it. I have consulted with black and ethnic minority leaders over the last few days, and they, like me, believe that the strategy continues to be very much serviceable. The problem lies in the lack of implementation. Do we really have the resources to develop a whole new strategy when the current one has not been delivered or implemented? What is needed are action plans and resources to implement the undelivered 11 key actions already committed to in the current strategy, along with an anti-racism strategy that will also be resourced.

One key action in the racial equality strategy is the establishment of a Ministerial panel: that has not been done. So what has been done with regards to racial equality since January 2020 when the Assembly reconvened? I know of only two of the key actions that have been implemented: the appointment of departmental champions, for which we have had no updates on ongoing work and we know nothing about the training and resources given to them; and the subgroup has been established —.

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

**Ms Bailey:** Yes, sure.

**Mr McGrath:** Would the Member agree with me that it is not good there has been only one departmental champion, as I understand it, who has been there since the strategy started in 2015 and the rest have continually turned over. They have had one training session in five years. If we talk about things being outdated, it is getting those people into a room to find out what they can actually do in a Department.

**Mr Deputy Speaker (Mr Beggs):** The Member has an extra minute.

**Ms Bailey:** That comes back to a strategy only being as good as the political will to implement it. There is still lots to do. The subgroup has been established and meets regularly on a quarterly basis. It is sad that it was probably not even consulted before this motion was tabled.

However, I believe that commissioning a new strategy could be quite a regressive move and would delay us tackling the racial inequalities that exist. Our time would be better spent reviewing and resourcing the current strategy as it is, and developing and rolling out anti-racism training which is absolutely key for us all to learn about tackling racism in our society. There is a need for more significant staff resources and funding to be dedicated to tackling racism, and that needs to be for the long term.

The Northern Ireland Assembly must renew its commitment to building a society in which racial equality and diversity is supported, understood, valued and respected and in which people from minority ethnic backgrounds have a sense of belonging that is acknowledged and valued by people from all backgrounds, as outlined in the strategy, in order to ensure accountability for the its implementation, while working hand in hand with the current subgroup and using its expertise to move us forward.

## 6.00 pm

We know that a lot of our BME community are key workers in the COVID-19 crisis. It is shocking to realise that those people appear to have suffered disproportionately during the crisis because of the inequalities and further barriers that they encounter in our society. Tackling those inequalities must be a priority. We must be prepared to learn from their experience, but we have limited time. The BME community has been patient enough with us, and we must act resolutely to ensure that our young people have the opportunities that they need and deserve.

Today's debate, regardless of any majority vote in the end, will carry no sway in mandating the Executive Office to deliver on either the current strategy or any future strategies. What it has allowed for has been the acknowledgement that, to date, we have failed to protect fully our BME population and failed to remove barriers to full participation for them. The fact that I am a white woman speaking to a room of other white people is also not lost on me. We have much to do —.

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw her remarks to a close, please?

**Ms Bailey:** Yes. We have much to do and a lot to get done, but let us not rely on asking already under-resourced and under-pressure organisations to do that work for us. Let us today pledge to review and implement the strategy and to resource the next five years to make the world an easier place for our new communities.

**Mr Carroll:** First, the Chamber should commend the black- and ethnic minority-led groups that initiated the proposal to bring forward an urgent discussion and a call for action on racial equality to the Assembly. It is unfortunate that the BAME community felt it necessary to register its disappointment at the lack of political will to tackle racial inequalities here; indeed, it is a matter of profound disappointment and, frankly, is something that the Executive should be ashamed of. This is another example of parties hypocritically saying one thing and doing another or, in this case, doing nothing.

There are some who claim that there is no structural racism in the North. The letter from the BAME community was prompted by the horrific murder of George Floyd. Some might say — I think that some in the Chamber did say — that it is something happening very far from

here, yet we have the embarrassing spectacle of DUP MPs enthusiastically proclaiming their support for President Donald Trump — the tyrant in the White House — who has defended the murder of black people by police in the US and given encouragement and protection to racist vigilantes who have killed Black Lives Matter protesters.

The letter from the BAME community calls on the Assembly to ensure that people from minority ethnic backgrounds living here cannot be treated as lesser human beings and to put in place the necessary resources for a genuine racial equality strategy to be implemented. That needs to be done immediately. People Before Profit heeds the call from that community to support the motion. We will give it our full support. We do not want just to see the motion passed but to see it implemented in full, with the full participation of the BAME community. We need to fire up the effort to eradicate racism from every aspect of our society.

I acknowledge that we tabled an amendment to the motion that was, unfortunately, not accepted. The amendment sought for the Assembly to support the call for all fines and threats of prosecution for those who organised and attended the socially distanced Black Lives Matter rallies in Belfast and Derry on 6 June to be dropped. As everyone in the Chamber knows, the health guidelines have been breached by many events and in many ways during the pandemic. Unlike all those other events, the Black Lives Matter protests were organised in the safest possible, socially distanced way, with masks, sanitiser and gloves, yet it is only the Black Lives Matter protesters who have been systematically criminalised. I repeat: the Black Lives Matter protesters were systematically criminalised. Therefore, the treatment of the Black Lives Matter organisers and protesters is a blatant example of institutionalised racism. Members of the black and ethnic minority community were visited in their homes the night before the protests and threatened with prosecution by the PSNI. What a disgraceful state of affairs. On the day of the protest, people of colour and many who were attempting to attend the protests were harassed by the PSNI.

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

**Mr Carroll:** Yes.

**Mr Stalford:** I hope that the Member will recall the debate in the House on the breaches of health regulations that took place at Milltown cemetery. I hope that he will recall that, on that

occasion, I highlighted the discrepancy between the treatment of people taking part in one event and the people taking part in the Black Lives Matter event.

**Mr Deputy Speaker (Mr Beggs):** The Member has an extra minute.

**Mr Carroll:** I am sure you did. However, have the police visited people who run care homes where there have been COVID-19 outbreaks? Have the police called into workplaces where there have been health and safety issues raised about COVID-19? If the Member cannot see the issue, I am sorry, but I cannot help him.

To treat the protesters in that way, legislation had to be undemocratically rushed through the Assembly. It is a blatant example of institutionalised racism, and it appears to be completely lost on some in the House as well as the Member for South Belfast. The Justice Minister and all those who stood over, voted for and defended what occurred on 6 June say that they are not racist and that they support civil rights and racial equality, but they did not do it on 6 June. The failure to recognise institutional racism does not stop here. In the city council, some parties who claim to support civil rights and racial equality and the Black Lives Matter movement did not support a motion tabled by my party to drop the fines and threats of prosecution relating to 6 June. It is really shocking.

The point is that the Assembly voted for a racial equality strategy but did nothing to seriously implement it. Now we have the danger of more lofty gestures when there is still a refusal to acknowledge institutional racism towards the Black Lives Matter movement. That is called hypocrisy, and even the dogs in the street are barking about it. We call on all Members of the Assembly to vote for the motion as a way of fully acknowledging the structural and institutional racism in our society and the need to act in order to eradicate it. We call on Members to fully take on board the demands of the BAME community. We call for the Black Lives Matter protesters' fines and the threats of prosecution to be dropped immediately and for a sincere apology to be issued to that community for the treatment that they have received.

**Mr Deputy Speaker (Mr Beggs):** I call the junior Minister, Gordon Lyons, to respond to the debate. You will have up to 15 minutes.

**Mr Lyons (Junior Minister, The Executive Office):** I am grateful for the opportunity to

respond to some of the concerns that Members have expressed about the current position of the Executive's racial equality strategy. I want to reassure the House that addressing the needs of all of our minority ethnic communities in Northern Ireland is a particularly important matter for us and one that has been and will continue to be a priority. As the Executive's 'Racial Equality Strategy 2015 - 2025' acknowledged, we are under no illusion about the size of the challenge involved in tackling racial inequalities, and that will require time, effort and resources. Mr Beattie said that this should be a cross-departmental issue. Of course, it will be. Additionally, we have to recognise and our strategy recognises that every one of us has a responsibility to play our part in combating racism and racial inequalities. Success requires the support and active participation of all sections of society and not government alone.

The strategy, however, establishes a framework for action for the Northern Ireland Executive and commits to 11 key actions. Good progress has been made to date in implementing those key actions, and I will highlight them now: specifically, the structures to support delivery, including the racial equality subgroup to act as the voice of minority ethnic people and the racial equality champions in each Department, are in place. Work on developing a joint work programme is ongoing, as the subgroup have been exploring ways to work and make best use of the connections with the champions.

The Department engages regularly with the members of the racial equality subgroup along with people from a broad range of organisations that represent minority ethnic groups. A review of the Race Relations (Northern Ireland) Order 1997 and relevant aspects of other legislation is under way and research into ethnic monitoring, which also includes the potential for amendments to our fair employment legislation, has just been completed.

Ethnic monitoring can be defined as the process that is used to collect, store and analyse data about people's ethnic background. That system is critical to achieving racial equality, monitoring service usage and ensuring that services are meeting users' needs. Without that monitoring, Departments and agencies will find it difficult to identify gaps and monitor whether racial equality work is having any impact. The racial equality subgroup has been engaged to inform the final research report, which we expect to receive in the coming weeks. It will be used to develop future proposals, and we will want to engage with other Departments and agencies to explore the

possible and most appropriate options for implementation.

There is growing evidence of a disproportionately high number of BAME deaths from COVID-19 in England and Wales, and we understand that work is ongoing with the Department of Health to examine the situation here.

**Mr McGrath:** I thank the junior Minister for giving way. He has twice mentioned the racial equality subgroup, which is supposed to operate under the auspices of a ministerial subgroup. Does he agree that the early appointment of that ministerial subgroup would be really useful to help garner the views that are being expressed and pass that information through to the various Departments in order to help them to reflect on and change anything that needs to be done?

**Mr Lyons:** We can consider that as part of the monitoring of what is taking place and how we can best hope to implement the strategy. I appreciate that the Member has raised that point with me.

I was talking about BAME deaths in England, and that example reinforces the need for reliable evidence gathering to fully identify the extent of racial inequalities across the board. Our work on ethnic monitoring will support the establishment of an improved evidence base.

A review of the delivery model for the minority ethnic development fund, which is a key element of our policy for supporting racial equality and good race relations, has also just completed, and we expect, again, a final report in the next few weeks. The findings will inform the future operation of the fund. We are also working with the Department of Education to identify ways to tackle racist bullying in schools. Again, that is supported by the racial equality subgroup, which is also engaging with the PSNI to agree actions to increase identification and monitoring of race hate crime.

A draft refugee integration strategy for all refugees and asylum seekers is being finalised, and we hope to publish that for consultation later this year. That is of the utmost importance at this time, particularly given the increase in those who have sought asylum here over the last number of years. We have drawn on the learning and best practice from our work with the Syrian vulnerable persons' resettlement scheme (VPRS), which will help us to inform the development of that strategy.

Indeed, the Syrian vulnerable persons' resettlement scheme is a shining example of successful cooperation and collaboration across Departments, agencies, local councils and the community to achieve results that really improve people's lives. To date, we have successfully welcomed 1,815 individuals here, and we are committed to the continuation of what is now known as the global resettlement scheme. The work that is carried out by the Executive and all partners on making the scheme a success is central to what underpins the racial equality strategy — all sectors working together to tackle racial inequalities. That work has been widely recognised as best practice and provides a model for approaches to addressing other areas of racial equality and marginalised communities. For example, it is planned to extend the remit of the current structures that oversee the Syrian VPRS to deal with the issues that are faced by asylum seekers who come here outside of a formal scheme.

The 'Northern Ireland Racial Equality Indicators Baseline Report: 2014-2017' was published in November 2018 and presented data that measured the progress of the racial equality strategy. We are pleased that the report shows headway that has been made in a number of areas. Notably, it shows that there has been a significant decrease in the proportion of respondents reporting that they are prejudiced against people from minority ethnic communities. In 2014, that figure was 24.8%, and, in 2017, it was 19.7%. We do, however, appreciate that there is more to do, and we will continue to work to fully implement the actions that are in the strategy.

## 6.15 pm

At this juncture, I take the opportunity to highlight that the racial equality strategy is a 10-year strategy of which we are in year 5. It was never meant to be that the strategy would be fully implemented at this stage, and, as highlighted, we have a number of key actions that are ongoing and at critical stages. We believe that those actions remain important in our efforts to address racism and inequality and in ensuring that people of all backgrounds and ethnicities can participate equally in society. We, therefore, remain very much committed to seeing them through to completion.

I acknowledge the reference to the racial equality strategy amongst a list of other strategies in the 'New Decade, New Approach' document. That is in the context of the Programme for Government and strategies that could underpin it. While there was an action in

'NDNA' to publish a new comprehensive timetable within three months for the development and delivery of the strategies that are necessary to achieve the outcomes of the Programme for Government, it was not explicit or, in my view, intended that a new racial equality strategy would be published, as such a strategy exists and has not run the full term to enact all its commitments, which remain important today.

Members, however, will be aware that the Executive agreed at their meeting of 17 February a two-stage approach to the PFG. Those were first, preparation of an immediate outcomes-focused PFG that is to be ready by April 2020, and, secondly, development of a new strategic PFG reflecting agreed longer-term priorities, and that is to be ready by April 2021. In the weeks following that Executive meeting, good progress had been achieved towards preparing a PFG 2021, and an intensive engagement process had been initiated to take the views of stakeholders ahead of the programme's planned publication in April. However, in mid-March, in the light of the developing situation with the COVID-19 pandemic, it was decided that work on the PFG and 'NDNA' should be temporarily paused.

The changes that have been brought about by that crisis and its impacts are, as we all know, considerable. The Executive have, therefore, subsequently agreed a revised way forward on the Programme for Government. Those are first, an activity-based recovery programme is to be developed as the basis for driving economic health and societal recovery, which will continue through to 2021. Secondly, a new outcomes-based strategic PFG is to be developed for the commencement of April 2021 that is informed by citizen and stakeholder engagement and co-design. It will also have to reflect any Executive decisions on the prioritisation of the actions in the 'NDNA' document. However, we remain committed to our goal of full implementation of the racial equality strategy, which will continue to contribute to addressing key outcomes on equality and good relations.

To say that the current strategy is outdated suggests that those key actions that have been set out and that we are progressing are no longer appropriate. While we understand — our officials have discussed this with partners across the sector — some frustrations with the speed of progress, we have not had feedback that suggests that the frustration is with the overall aims of the strategy or, indeed, that those actions that have been identified are no longer needed.

**Mr Stalford:** I appreciate the junior Minister's giving way. He touched on the inherent problem, which is that if you hit reset on this project and go right back to first principles and to the very start, it may end up taking longer to secure the outcomes that you want.

**Mr Lyons:** I thank the Member for his intervention, and I absolutely agree. We do not want to go back to that starting point. Given that people are waiting for the strategy to be implemented, I think that that would take longer. Not only that but those in the sector are not calling for a new strategy. There is nothing wrong with the outcomes in the strategy, which we all expressed in the Chamber today that we share, or how we go about it. What people really want is an increase in the speed with which those are delivered.

The motion requests a commitment to:

*"act urgently on the forthcoming report on the review of hate crime legislation".*

That is not within the remit of my Department but it is being taken forward by Judge Desmond Marrinan on behalf of the Department of Justice. I understand that he is analysing responses to his consultation, and DOJ expects to receive his final report at the end of November 2020. Any recommendations relating to devolved matters that require new legislation or amendments to current legislation will be considered and brought forward by DOJ in due course.

The issue of an anti-racism ethos in our schools is being addressed by the Department of Education. The Addressing Bullying in Schools Act 2016 will require schools to record incidents of bullying, their motivation and outcome, including racial bullying. The Minister of Education, Peter Weir, will announce the commencement of the provisions of the Act in due course. In addition, key elements of the curriculum include mutual understanding, citizenship, cultural understanding and ethical awareness. Our schools have the freedom to use a variety of resources to introduce key concepts, such as the impact of racism in society, into many areas of learning. In fact, today, on the first day of Good Relations Week, we are celebrating 14 more schools, which serve Urban Village areas, achieving a School of Sanctuary award.

As part of its work on tackling the enabling factors of hate crime, DOJ has commissioned the Council for the Curriculum, Examinations and Assessment (CCEA) to review the primary and post-primary curriculums to gain an

understanding of the teaching of topics that contribute to reducing hate crime and to ensure that issues such as racism are adequately addressed in order to increase understanding of diversity and the negative impact of prejudice-based bullying.

It is worth noting that the PSNI hate crime statistics indicate that there has been a decrease in racially motivated crimes and incidents in the last 12 months. However, we will not be complacent.

On the point of addressing the contributions made by members of our ethnic minority communities and racism in general, I once again reiterate that we have made it clear, in previous answers and statements, that tackling racial inequality with good race relations is one of our key priorities. We recognise the need to continue our efforts across government and wider society to tackle racism and the racial inequality that has been brought into even sharper focus by recent events. We remain committed to the implementation of the strategy and welcome the ongoing support and advice from the subgroup.

Let me just finish by saying that racism, in any of its manifestations, is an evil that can have no place here. We reiterate that today. We have a zero tolerance approach to racism or discrimination of any kind.

**Mr Deputy Speaker (Mr Beggs):** Kellie Armstrong will make a winding-up speech on the amendment. The Member will have five minutes.

**Ms Armstrong:** I thank all who have spoken. We have heard a unanimous voice from the Assembly, stating very clearly that, in this Good Relations Week, racism is wrong and has no part in our society. I thank Ms Sheerin for tabling the motion. It has helped to focus our attention on the fact that we have a number of issues with our existing racial equality strategy.

Like many Members, I have spoken with members of the black and minority ethnic community and representative bodies, and they have indicated that they do not wish the hard work that was completed in advance of the 2015 strategy to be wasted. What needs to happen is an effective implementation of the current strategy, given that, as many of us in the Chamber will acknowledge, not all of the recommendations have been carried out. Let us not delay by writing a new strategy. The Alliance Party's amendment says that we would like to see an updated strategy. We want the strategy to be updated by the people it most

affects. I appreciate that Members have said that a working group exists. Members of the BAME community have confirmed that many of the people who are part of the working group are volunteers. Many of them have lost funding for groups, and many of their employed members of staff no longer have jobs. We would like to ensure that, if we are going to include people's voices, we include those people and ensure that they are supported to take an effective part in looking at the update of the strategy. That is right and proper. Any of us, who have worked with strategies in the past, recognise absolutely that, part way through a strategy, you look back at what has been done and what needs to be done in order to see it fulfilled.

We have only 18 months of this Assembly term left. If we wait until the end of it to see the rest of the recommendations implemented, they will never happen.

It is noted by the Equality Commission that the current strategy has a few problems. It lacks outcome-based actions, and that needs to be reviewed. Actions should be designed to address the inequalities experienced by people from minority ethnic communities in areas such as health and social care, education, housing, employment and participation in public life. That is why we go back to the amendment that we have tabled that calls on the First Minister and deputy First Minister to act. Responsibility for racial equality lies with the Executive Office, and it will be the Department that rolls that out across all the Departments. All the Departments recognise the need to improve on racial equality in the work that they do. That is why they have champions, but those champions are hidden; we do not know who they are, and we do not get reports on what they are doing. We would all like to see those actions happening as soon as possible.

We also lack effective data recording to measure how effective measures are or where there are opportunities for improvements. As we all know, in order to access investment, you need to produce a fact-based business case. Unless we have appropriate data collection, that is impossible.

If we are to have racial equality, we need to address negative attitudes and ensure that black, Asian and ethnic minorities are visible and that their voices are heard.

As part of this Good Relations Week, we need to do more to ensure that strategies are reviewed and updated to ensure that they remain effective and still deliver an outcome. As

mentioned earlier by Ms Martina Anderson, one of the key ways in which we could do that is through teacher training in our schools. Of course we want to see better racial equality training and help for pupils in our schools, but we need to start with the adults who are with them in their classes. To be honest, that teacher training needs to be published so that we can all see the content of it.

In the disability community, we say, "Nothing about us without us". The same must apply to the racial equality strategy. This room, as has been acknowledged, is white. I am going to use my white privilege to say that I do not know what it feels like to be a person who has black skin or who is from an ethnic minority in Northern Ireland today. They do, and those are the best voices to have an input on that. The BAME community must have an integral role in updating the current strategy, and we must take leadership by timetabling effective delivery of all the recommendations.

Following on from the Black Lives Matter movement and the impact that COVID has had, our society needs to do more to achieve better good relations for everyone. The timetabling is key. People do not want to hear about what we will do: they want to see a timetable for when it will be done by. I ask that the Assembly supports the amendment and the motion. We have an opportunity to make a difference, but we have short time left to do so.

**Mr Gildernew:** I support the motion, obviously, and the amendment. Colleagues from the across the House have highlighted the important areas that are in urgent need of reform to tackle the institutional and structural racism that is evident in the North. Whilst having these discussions, it is important to close with some reflection on the positive impact that migrants have on our society and to highlight why they deserve better. At this point, I should declare an interest in the sense that — we have heard today from many South Belfast representatives — I represent South Tyrone, and we, too, have a very vibrant and valued ethnic minority community. Indeed, that exists right across Fermanagh and South Tyrone, and Mid Ulster.

In 2017, the migrant population of the North comprised 138,000 people — a mere 7.5% of our population. Of a total of 1.85 million people living in the North, 3.3% were born in the EU 26 nations, and only 2.6% are from the rest of the world. Moreover, since the EU referendum, international inflows have decreased by 13%, while outflows fell by 7%. That suggests that this problem is linked to the Brexit campaign

that dubbed migrants as a problem and led to an increase in racist hate crimes. That is also evident in the very significant shift in attitudes displayed in the North of Ireland life and times surveys between 2013 and 2017.

### 6.30 pm

In 2017, out of a total of 835,000 workers, 83,000 were born outside these islands. That accounts for 10% of the working population. Despite those relatively low numbers, when respondents in the life and times survey were asked about their attitudes and whether the needs of migrant workers were putting a strain on schools, a worrying number of respondents agreed: 17% strongly agreed, and 28% agreed.

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

**Mr Gildernew:** I will.

**Ms Dillon:** Would the Member agree with me that we, as leaders, have a responsibility to remove that negative language and to ensure that people understand the value of migrants: that they are not a drain on our resources; they are actually a benefit to our communities?

**Mr Gildernew:** I absolutely agree. I referenced South Tyrone and my background in an engineering company. The South Tyrone engineering and food manufacturing sectors are world-leading, but, in the early 1990s and the early 2000s when I was involved in an engineering business in South Tyrone, we were being constrained not by the economy or the lack of ideas or an inability to export but a shortage of skilled workers. People came bringing not only their skills, their diligence and their enthusiasm but their deep, rich culture as well. Our society has benefited massively from that.

We see shifts in attitudes, and that needs to be a wake-up call to everyone in the Chamber. Recent, and in my view shameful, media reports have created a false narrative of a migrant invasion, targeted at refugees. That narrative is used to create fear in the population that migrants are coming to take our jobs, our benefits and our houses. A load of nonsense. Scapegoating migrants and refugees for British Government failures in service provision and, in some cases, their handling of the COVID-19 pandemic is an age-old stratagem.

Throughout the pandemic we have seen that many of our skilled, front-line workers are migrants. We are forever indebted to the work

that they have done for us all in our health service, our shops, our factories, our delivery services and in other front-line services. Migrant workers are often recruited to work in places in the North. Therefore it is important to note their crucial contribution to our economy. Immigration provides vital skills to our workforce. It is estimated that minority-ethnic enterprises contribute about £16 billion per year to the economy across these islands.

In my own constituency, Dungannon is one of the places that has benefited most from immigration. In 2017, Dungannon had the largest proportion of overseas-born residents in the North. Workers come to staff our engineering companies, our meat plants, they add diversity to our schools, and they support businesses in the town. It would do your heart good to walk through Dungannon square on a Friday afternoon and see the wide range and diversity of culture of the young people from across the world, as they interact, banter and engage with one another, and, indeed, wear tops from sports across our whole society. They contribute in so many ways.

However, despite their hard work, many migrant workers are exploited for their labour. They receive a smaller wage than local people for the same job and often work in very precarious conditions. That was evidenced by recent outbreaks at local food-processing factories across these islands, where the workers tend to be majority migrant. As migrants are here on work visas or have insecure status, they are afraid to speak up in case they lose their job.

Martina Anderson mentioned racial profiling. That issue has been raised in relation to Black Lives Matter, which Gerry Carroll mentioned, and in relation to transport. There is no requirement for anyone from those areas to produce passports in this country, or across these islands. We should not allow creeping racial profiling to come in by identifying people solely because of the colour of their skin.

A recent Unite survey showed that of the 20% of the workforce at a COVID-19-impacted meat processing plant, 43% were migrants who live with two or more of their colleagues, and 11% live with five or more. An overwhelming majority of them said that they continued to work while sick as they could not afford to lose pay. That shows that we must protect those workers as we protect everyone else. They are in need of additional consideration, given their precarious work and the fact that many of them live in houses of multiple occupancy.

However, when discussing those clusters, we rely heavily — indeed, too heavily — on data from elsewhere on these islands. I note the acknowledgement by Gordon Lyons on the data, but I have not seen anything clear to date by way of evidence. It is a huge gap.

As Emma pointed out, due to the lack of the implementation of the racial equality strategy, there is little ethnic monitoring in workplaces at present. It would provide us with the information that we need. We are also limited — Gordon Lyons referred to it — in data on how COVID-19 affects black and Asian minority ethnic communities in the North. We are aware of the difficulties that they have faced across the islands, but we do not, to my knowledge, have concrete information and data yet. That is an issue that we must address quickly.

The same issue applies to the under-reporting of crime, mentioned by Linda Dillon. We see an under-reporting of crime and a reluctance in some of the communities to come forward and report a crime in the first place. That is something that we absolutely need to tackle.

In the years since the Good Friday Agreement was signed, we have progressed into a much more open, accepting and multicultural society. Since the violence ceased, migrants feel safer to come, work and contribute to life here. As a result, our communities benefit from that contribution and the rich diversity that they bring. As Martina highlighted, having more migrant children in schools gives our young people the opportunity to learn about other cultures and languages that they, otherwise, may never learn. Early intervention against racism is key to halting its growth throughout our society. That will have a major impact on our children and young people, as they learn to be open-minded and tolerant, and creates a racism-free future. Both of my lads — in primary and secondary school — regularly talk about their friends who, clearly, come from other countries, and they benefit from that. One of our Members stated the important and relevant fact that no child, instinctively, is racist or bears hatred: that attitude is learned.

One of the key components of the Black Lives Matter movement was the need for broader education in schools. That includes a more comprehensive curriculum, including dealing with the skeletons from the colonial era and the long-term effects that that has had on our society globally. Creating an anti-racism ethos in schools is key to assimilating black and Asian minority ethnic communities into our society as children alongside their peers. It is important to emphasise that those who are prejudiced and

display prejudice are in the minority, but we cannot take that as a reason to be complacent.

Finally, I apologise to Members that I did not get round to many of the very fine contributions that were made, but it is fair to say that the House is united in our view that we need to deal with the issue quickly and robustly. I thank the Northern Ireland Council for Ethnic Minorities, the African and Caribbean Support Organisation and the North West Migrants Forum, who have contributed to those bringing the debate to the House today. I support the debate and the amendment.

*Question, That the amendment be made, put and agreed to.*

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly recognises that the racial equality strategy 2015-2025 was not fully implemented and is now significantly outdated; acknowledges the commitment contained in New Decade, New Approach to the publication of a new and updated racial equality strategy within 100 days of the restoration of the Assembly; further recognises the positive contribution made to society by those from black, Asian and minority ethnic (BAME) backgrounds; deploras the discrimination black, Asian and minority ethnic communities face regularly; condemns racism in all its forms; commits to act urgently on the forthcoming report on the review of hate crime legislation; calls for the promotion of an anti-racism ethos in our schools; and further calls on the First Minister and deputy First Minister to set up a working group with members of the black, Asian and minority ethnic communities to co-design and co-produce an updated racial equality strategy and to publish a timetable for the implementation of the strategy.*

*Adjourned at 6.38 pm.*

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