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Northern Ireland Assembly

Monday 18 January 2021

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Before we commence business today, I want to record the fact that I wrote to all Members on Friday with an update on discussions on the management of Assembly business during the current COVID-19 restrictions. Last year, as Members will be aware, the Assembly made very significant changes to how it did business, and it is right and proper that we again respond in the current serious circumstances.

Although it is welcome that the figures show an improving picture, we all know from experience at this point that we cannot be complacent in dealing with the virus and the emergence of new variants. Given the role and functions of the Assembly, it is crucial that we have remained able to carry out our responsibilities, but the business that we do and how we do it cannot be in the normal way.

I acknowledge the cooperation that I have had from all party Whips, the Business Committee and the Assembly Commission in dealing with these issues. Although we may have to take decisions to introduce changes that, I understand, are far removed from how individual parties or Members would ordinarily wish to conduct business, we are dealing with extraordinary challenges that require us to move beyond our normal preferences.

That is not unreasonable, given the nature of the changes that we have required be made to many aspects of daily life for our whole community or, indeed, the exceptional efforts being made by key workers, particularly our Health and Social Care (HSC) staff, whom we cannot praise highly enough. The cooperation and understanding of all Members will make it significantly easier, particularly for officials, as we adapt in the weeks ahead. I therefore ask all Members to keep in mind why changes are being made.

Finally, we are at the end of the first full year since the return of the Assembly. It has been an

exceptionally busy year, dealing with issues that we could not have envisaged last January. That is particularly the case for the staff of the House. Again, I acknowledge their efforts and commitment, as was demonstrated by the fact that the year ended with their being recalled from leave on a number of occasions over the Christmas period. When we have to be in the Building to do business, it requires many staff also to be here rather than working from home.

I am not sure that all Members, or most people, were as conscious of that as they might have been over recent weeks, so I ask Members to be especially mindful of the support that they are given at this time by the staff of the House.

I have received notification from the First Minister and deputy First Minister that Ms Carál Ní Chuilín has resigned the office of Minister for Communities, effective from 15 December 2020. I have also been informed by the nominating officer for Sinn Féin that Ms Deirdre Hargey has been nominated as Minister for Communities. Ms Hargey accepted the nomination and affirmed the Pledge of Office in the presence of the Speaker and the Clerk/Chief Executive on Wednesday 16 December 2020. I am satisfied that the requirements of the Standing Orders have been met.

Matter of the Day

Belfast Multicultural Association

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

Mr Carroll: Last weekend, we witnessed harrowing scenes of a building, which in many ways represents the new multicultural and diverse Belfast and society that we want to see, set alight. Members of the Belfast Multicultural Association (BMCA), who, just last week, were collecting food to assist the local community in the middle of the pandemic, had the building that they worked in set alight and destroyed. Had this attack been carried out at any other time, we could be talking about tragedy, death and lives lost. Therefore, we need to send a resolute message to those who engaged in that hate-filled attack that they are in the minority and will not win. A clear message of solidarity and support should go out to those who volunteer for and use the BMCA that we stand with them and will do everything that we can to support them.

I commend the BMCA, all those who offered solidarity in the aftermath of this attack, people like Patrick Corrigan of Amnesty International, who set up an online fundraising drive, which has raised over £50,000 so far, and everybody who quickly donated over the weekend in a sign of solidarity.

We have to recognise and understand that this attack did not come from nowhere. For years, members of the migrant community, and in particular people from the Islamic community, have been vilified, profiled and attacked by Governments across the world. We have been told that we must be suspicious and unwelcoming of them, because they may have different religious beliefs or come from different parts of the world. This attack is the result, tragically, of decades of Islamophobia and racism. Whilst we must stand against these attacks, we must also vigorously challenge and oppose the ideas that give them fuel and cover.

It is disgusting beyond words to think that an organisation that carries out such excellent

work was targeted in this way by narrow-minded bigots and racists. It is worth noting that the BMCA has, in the recent past, contacted the PSNI, as well as other statutory organisations, about instances of intimidation, and it has stated that those warnings were not taken seriously enough or, worse, were met with a response based on victim blaming. Belfast and our society clearly has a racism problem, with racist attacks now, tragically, outnumbering sectarian ones. Recent PSNI discrimination against anti-racist protesters and a long-term failure by the Executive to implement a racial equality strategy means that tackling this institutional racism must be an immediate task. I offer my solidarity to everybody in the BMCA.

Mr Stalford: I thank the Member from West Belfast Mr Carroll for bringing this issue before the House and, thank you, Mr Speaker, for allowing the House to discuss the matter.

Since 2005, it has been my great privilege to represent Donegall Pass, first as a member of Belfast City Council serving alongside you, Mr Speaker, and then, latterly, as an Assembly Member. The people responsible for this disgraceful attack do not speak for the community of Donegall Pass or the people who live there. We are very fortunate, in South Belfast, to be the most diverse constituency in Northern Ireland. People from every background, religion and nationality choose to make their home in South Belfast and contribute to the society and general amenity of that constituency by their presence.

What happened at the weekend was disgraceful, and those responsible should be rightly condemned on the Floor of this House. I am sure that all Members will agree with me in that regard.

It is particularly galling that the building that was attacked was being used to benefit the community through the delivery of food parcels to vulnerable people who are struggling at this very difficult time in the middle of a pandemic. Therefore, I am grateful to you, Mr Speaker, for allowing us the opportunity to place on the record of this House our revulsion, our disgust and our absolute condemnation of those responsible for this heinous criminal act.

Mr Sheehan: I welcome the opportunity to speak to this Matter of the Day, and I thank Gerry Carroll for bringing it before the Assembly. I condemn in the strongest possible terms the arson attack on the Belfast Multicultural Association building. What is that building? First of all, it is a refuge for those

strangers who come to this city who do not know many people and may be frightened and apprehensive about what faces them in a strange new land. So, it is a refuge for people like that. It is also a place that has been working for the community. As the previous Member to speak pointed out, it has been involved in distributing food parcels to the most vulnerable in society during the public health emergency. It also operates a clothing bank for people who are in financial difficulties and cannot afford to buy clothes. It was also in the process of setting up education programmes for people in the community.

It beggars belief that anyone could think that anything could be achieved by attacking a building and an organisation like that. I agree with the previous Member to speak that there is no support that I can see anywhere in our community for that type of action. It should be stamped out and stamped out now. The people who carried out this action have nothing to offer society.

The Minister for Communities, Deirdre Hargey, met the Belfast Multicultural Association two days ago and is helping it to get back on its feet. It is heartening to see the crowdfunding exercise that Gerry Carroll mentioned. The initial objective was to raise £10,000, and, at the moment, the fund is sitting at just shy of £60,000. That shows the true spirit of the people of Belfast, who are disgusted by this type of attack. I welcome the fact that so many people have, clearly and without hesitation, condemned this attack, and others are helping financially to ensure that the association gets back on its feet as soon as possible.

Mr O'Toole: Mr Speaker, thank you for taking this Matter of the Day. We are debating this appalling incident on Martin Luther King Junior Day. As people will know, one of Martin Luther King Junior's statements was:

"Life's most persistent and urgent question is, 'What are you doing for others?'"

Over the last number of years and, particularly, during the pandemic, the Belfast Multicultural Association has been doing an enormous amount for others. That is what it is at its core. It is an organisation dedicated to helping people from all corners of the community, particularly those who are new to our society.

As others have said, including my constituency colleague, South Belfast is not just proudly diverse, it is gloriously diverse. Mr Speaker, you will know that as one who represented the area for many years. Diversity, tolerance and

pluralism are at the core of South Belfast. It is fundamental to the constituency. It is why I am so proud to represent it. That is why people across South Belfast, and, indeed, across this city, have been utterly appalled by the act that took place at the Belfast Multicultural Association.

It is shameful, and it is shocking. Not only does it not represent local people, it does not represent our city. I am glad that, today, the Assembly is taking a clear stand against this appalling attack. However, we need to go further. We need to investigate the roots of hate crime in our society. We need to be serious when thinking about why these attacks are happening. As Gerry Carroll correctly said, most years, hate crimes consistently outrank sectarian crimes in Northern Ireland. We need to understand why that is happening, and we need a coordinated strategy to tackle that. In the past year, we have been thinking a lot about issues of racial inequality and prejudice. We cannot let those statements be just part of debates in the Assembly. It is welcome that we, today, are standing up and making our voices heard. As legislators, we need to take clear action to tackle this cancer in our society, and we need to do that consistently.

12.15 pm

As Gerry Carroll said, the Belfast Multicultural Association has, in the past, raised concerns about threats. We will need to understand how the threats were handled and the circumstances around this particular attack. However, for now, and for today, let us be clear and firm in our utter revulsion at and rejection of this attack and stand united in seeking to stamp out such attacks happening in the future.

Dr Aiken: I thank Mr Carroll for bringing this matter before us today. I stand here as the chairman of the all-party group on ethnic minority communities and the leader of the Ulster Unionist Party, and we wholeheartedly condemn this racist attack on the most vulnerable in our society.

I want to raise the question of why hate crime legislation in Northern Ireland is not in step with that in the rest of the United Kingdom. As an Assembly, we should be pushing very strongly for the legislation, rules and recommendations of the Macpherson report to be brought in in Northern Ireland. This community, and all our communities, have been calling for that for some considerable time. I want the Assembly to call on the Justice Minister to action rapidly the changes needed to bring hate crime legislation

in Northern Ireland in line with that in the rest of the United Kingdom. We cannot afford to allow our citizens, wherever they are from, or the most vulnerable who come to Northern Ireland seeking safety to feel as though they are being undermined or to be terrified in their own communities. Northern Ireland needs to be a place of refuge. It needs to be a place of tolerance. It needs to be a place in which we look at these people from the rest of the world and welcome them into our society.

Furthermore, anyone who has looked at our National Health Service will see that many of our doctors and other medical professionals come from these societies. We should be reaching out to them and welcoming them with open arms. Perhaps the best way we can do that is to make sure that our hate crime legislation is rapidly brought into line with legislation in the rest of the United Kingdom.

Ms Armstrong: I thank Mr Carroll for bringing forward this Matter of the Day. I also thank all the other Members who have spoken, because they have shown that there is unanimous support in the House for people in our society who have been attacked in this vicious and vile way.

On behalf of the Alliance Party, I wish to express my sadness at the blaze at the Belfast Multicultural Association, which damaged the building extremely badly. My sadness is because I am so disappointed that it happened. More than 50 of our firefighters were needed to bring the fire in Donegal Pass under control. Investigations are, of course, ongoing to identify those who carried out the attack. My thoughts are with the Belfast Multicultural Association. Normally, my colleague Paula Bradshaw would speak about matters such as this, but she has, unfortunately, had to go to a funeral today. However, she confirmed that she has worked with the volunteers who have worked extremely hard to establish their premises and who do amazing work for many sectors of the South Belfast community. No one was hurt in this attack, but this was not the only attack. Cars have been damaged, and there have been spates of attacks around this centre and many other multicultural centres across Northern Ireland.

Unfortunately, there has been experience of it in my constituency, where people dressed up in KKK outfits or left pigs' heads outside the doors of some centres. It is disgusting and disgraceful. An attack on a centre like that is an attack on us all. We are one society. We are working our way past being a divided society.

I must acknowledge the overwhelming support that shows that our society does not want that type of behaviour. As others have mentioned, the funds that have been raised voluntarily by the community have reached almost £60,000. Islamophobia, racism and hate crimes are disgusting. They are a blight not only in South Belfast but across Northern Ireland. I condemn the attack wholeheartedly. I ask anyone who has any information about the people — if they can be called that — who carried out that attack to go to the police with that information so that we can get those people off our streets.

Ms Bailey: Thank you Gerry for bringing the Matter of the Day to the House. The Green Party also condemns that arson attack and more so the people who carried it out. I want to put on record that, in the light of that attack, the community response to help BMCA after that despicable hate crime against it has been quite phenomenal. We should not lose sight of that, because that is the core of who we are as a people.

It was an absolutely disgusting and seriously dangerous attack on a community association that is doing really important work in the community. That arson attack could have resulted in death or serious injury. It is fair to say that the people who were behind it neither knew nor cared whether anyone was inside the building at the time. It was a savage fire, and it was started by savage people. That fire gutted an historic and beautiful building. I really hope that it has not gutted or damaged the aspirations for a better world of the staff and supporters of the cultural association.

In recent weeks, the cultural association had been putting together food parcels, for goodness sake. It has been helping people through the COVID crisis. Its volunteers have shown absolute selflessness in the middle of a pandemic that has disproportionately impacted on black and minority ethnic communities. Compare that with the reckless and disgusting behaviour of whoever was behind the attack. I urge anyone who has any information or saw anything suspicious in any way at all to contact the PSNI and have those people in front of the courts and held responsible for what they have done.

The vast majority of people in South Belfast are fair-minded and peaceful. I know that they are disgusted by that attack. That goes for people right across Northern Ireland, not just in my constituency. I look forward to helping the cultural association and seeing it get back on its feet and continuing its brilliant work. It can

always count on my and my party's support whenever it is needed.

Mr Speaker: That concludes the item of business. I thank all Members who contributed to this particular discussion for their clear and resolute remarks, which, I think, reflect the views of all in this House.

Assembly Business

Public Petition: Remove Fines for Protesters Following Social Distancing

Mr Speaker: Mr Gerry Carroll has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes in which to speak.

Mr Carroll: Mr Speaker, I thank you and the Business Committee for allowing me to present the petition, which calls for fines that were issued after the 6 June 2020 Black Lives Matter protests to be dropped. I want to thank publicly Mr Reece Lawson for organising the petition, the almost 6,000 members of the public who signed it and everybody who shared and promoted it.

As the petition states, people who attended the protests on 6 June were standing against racism and joined with millions of others across the world who were repulsed and infuriated by the murder of George Floyd in America. Disgracefully, those protestors were targeted by last-minute rules that were brought in by the Executive at the eleventh hour, which gave the green light to the PSNI to target those who attended a protest that was widely commended for maintaining social distancing.

Racism, as we heard, is a horrible cancer in our communities, and, worryingly, it is on the rise. The issuing of such a disproportionate number of fines to people who took part in events that were not only righteous and important but safe should never happen again. Our cities should be places where minorities can express their rights, demonstrate and show their disgust at racial injustice. Never again should members of the BAME community or any other minority community here be frightened to take a stand for what they believe in.

Whilst the PSNI distributed fines to protesters for allegedly breaking social-distancing guidelines, we did not see the same approach being taken towards those who own care homes and who have let the virus rip, which has taken the life of far too many, or employers who have put staff at risk by forcing them into work when they can obviously work from home. Indeed, the week after the protest on 6 June, we saw a "defend the statues" protest at City Hall, with no social distancing whatsoever or widespread mask wearing, but not a single fine or legal threat was issued. That double-standard approach cannot continue.

The weekend's events and the statistics over the past number of years that show that racial crimes outstrip sectarian crimes clearly demonstrate that we have a problem with racism in society. Instead of enforcing legislation that criminalises anti-racist protests, the Executive need to ensure that the laws that they pass and police do not disproportionately impact on marginalised communities. They should not defend police action as proportionate, as the deputy first Minister and the Justice Minister did in this case. If the Executive have any intention of having even a modicum of racial equality in society, they must ensure that the fines are dropped. The Minister of Justice, the deputy First Minister and the Executive as a whole must do everything that they can to ensure that the fines are rescinded and work to rectify the hurtful damage that has been done by that approach. I commend the petition to the House. Thank you.

Mr Speaker: Normally, I would invite the Member to bring his petition to the Table and present it to me. However, in light of social distancing being in operation, I ask the Member to remain in his place, and I will make arrangements for him to submit the petition to my office. I thank the Member for bringing the petition to the attention of the Assembly. Once the petition is received, I will forward it to the Minister of Justice and send a copy to the Committee.

Assembly Business

Committee Membership

Resolved:

That Ms Carál Ní Chuilín replace Mr John O'Dowd as a member of the Committee on Procedures. — [Ms Ennis.]

Ministerial Statement

North/South Ministerial Council: Plenary and Institutional

Mr Speaker: I have received notice from the First Minister and deputy First Minister that they wish to make a statement. Before I call the Ministers, I remind Members that, in light of social distancing being observed by parties, the Speaker's ruling that Members must be in the Chamber to hear a statement if they wish to ask a question has been relaxed. Members still have to make sure that their name is on the speaking list if they wish to be called, but they can do that by rising in their place as well as by notifying the Business Office or Speaker's Table directly. I remind Members to be concise in asking their questions. I also remind Members that, in accordance with long-established procedure, points of order are not normally taken during the statement or the question period that follows. I call the deputy First Minister.

Mrs O'Neill (The deputy First Minister): Before I start my statement, may I add my words of condemnation to those spoken in a previous item of business on what happened to the Multicultural Association building at the weekend? Obviously, we all condemn it in the strongest possible terms and send a strong signal from the Executive and the Assembly that it is vital that all in society take a stand against such hatred and intolerance.

In compliance with section 52 of the 1998 Act, I wish to make the following statement on the twelfth institutional meeting of the North/South Ministerial Council (NSMC), which was held on 16 December, and on the twenty-fifth NSMC plenary meeting, which was held on 18 December. The First Minister and I have agreed that I will provide the report.

The twelfth North/South Ministerial Council institutional meeting was held at the NSMC joint secretariat offices in Armagh on 16 December 2020. The Executive were represented by the First Minister and me, and the Irish Government were represented by the Minister for Foreign Affairs, Simon Coveney TD. The First Minister and I chaired the meeting.

12.30 pm

We discussed a number of priorities, and, given its importance at this time, we focused on the impact of and response to COVID-19. The Council noted that COVID-19 issues were

discussed at all NSMC sectors, including the impact on those sectors and how to promote economic and social recovery from the impacts of the COVID-19 pandemic. Ministers welcomed the engagement and commitments to date across both jurisdictions in responding to COVID-19, particularly in health cooperation, and noted that both Administrations will continue to cooperate, whenever it is practicable to do so, to ensure the best response to the challenges posed by COVID-19.

We discussed Brexit. Ministers noted that the Council has included the implications of Brexit and areas for cooperation in each of the NSMC sectors and that Ministers agreed that they and their officials will continue to engage to ensure that cooperation is maintained following the end of the transition period. The Council noted that senior officials from the Executive Office, the Department of the Taoiseach and the Department of Foreign Affairs will meet regularly to discuss issues arising from Brexit and will provide regular updates to both Administrations and the NSMC.

Our next priority was the New Decade, New Approach (NDNA) commitments. The Council noted that discussions have taken place on a number of New Decade, New Approach commitments with a cross-border dimension at the NSMC sectoral meetings and bilaterally among Ministers. A group of senior officials from both jurisdictions has been established to maintain strategic oversight and progress delivery of the projects, focusing on connectivity and infrastructure, research and innovation, and investment in the north-west and border communities. The group will meet regularly and provide updates on its work to both Administrations and the NSMC.

Ministers noted the Shared Island initiative and the associated Shared Island Fund of €500 million to be made available up to 2025. It has been established by the Irish Government to support investment in new shared initiatives, including the delivery of commitments outlined in 'New Decade, New Approach'. Updates on the various NDNA commitments with a cross-border dimension will be provided to future NSMC plenary meetings.

We discussed matters relating to North/South bodies. The Council noted that the North/South bodies continue to deliver on their remit, as outlined in the agreement of 10 March 1999, and that the NSMC maintains oversight of the work of the bodies. Ministers noted that the bodies have now been in existence for over 20 years and recognised that there have been

changes to their operating environments during that time. It was agreed that officials should review the operating framework of the bodies to explore whether they remain appropriate and bring forward recommendations if required.

Ministers noted the discussions that have taken place at NSMC sectoral meetings with the aim of ensuring that the work programmes in the various NSMC areas for cooperation remain up to date and reflect the priorities of the Executive and the Irish Government. The Council will continue its consideration of work programmes at sectoral meetings in early 2021. The Council agreed that Ministers should regularly review work programmes to ensure that they reflect the priorities of both Administrations. It was noted that the NSMC had previously agreed that consideration of longer-term sectoral priorities was required and that a paper on this will be brought to a future institutional meeting. The Council then approved the appointment of a number of board members to the North/South implementation bodies.

The next section of the meeting dealt with corporate governance matters for a number of North/South bodies. The Council approved the following plans: the North/South Language Body corporate plan for 2017-19; the North/South Language Body business plans for 2018, 2019 and 2020; Waterways Ireland business plans for 2020 and 2021; InterTradelreland's corporate plan for 2020-22; and InterTradelreland's business plan for 2021. All plans had been completed in accordance with agreed guidance issued by the Department of Finance and the Department of Public Expenditure and Reform and had been agreed by the sponsor Departments and Finance Ministers. Ministers noted that the annual report and accounts for the North/South Language Body for 2016 and 2017 had been laid before the Assembly and both Houses of the Oireachtas. The Council was advised that the North/South Language Body accounts for 2018 had been certified and would be submitted to a future meeting and that the field audits for the 2019 accounts had commenced in both agencies.

The NSMC agreed to meet again in institutional format in May or June 2021 as required.

That concludes the report on the institutional meeting. I will now continue with the report on the plenary meeting.

The twenty-fifth plenary meeting of the North/South Ministerial Council was held by videoconference on 18 December 2020. The Executive were led by the First Minister and

me, and we jointly chaired the meeting. The Irish Government were led by the Taoiseach, Micheál Martin TD.

Ministers welcomed the resumption of NSMC sectoral meetings and noted that meetings have taken place in all NSMC sectors since the last plenary meeting in July 2020.

We noted that, having regard to COVID-19 restrictions in both jurisdictions, meetings took place via videoconference and that in-person meetings would resume as soon as public health conditions permitted. The Council noted that each sector had considered a wide range of issues, including COVID-19 recovery, priorities and work programmes and the implications of Brexit, as well as various sector-specific matters.

The Council was briefed by the Chief Medical Officers (CMOs), Dr Michael McBride and Dr Tony Holohan, on the public health situation and the ongoing close cooperation in the response to the COVID-19 pandemic. Ministers discussed the measures being implemented in the two jurisdictions to protect public health and to limit the transmission of the virus. The Council expressed its sympathy to all those who have lost loved ones as a result of the pandemic and commended citizens in both jurisdictions who have complied with the restrictions imposed as a result of the pandemic and their efforts and perseverance in helping to manage the outbreak. The NSMC expressed its gratitude to all those who have contributed to the response to the COVID-19 pandemic, particularly front-line health and social care workers. It expressed its appreciation to the wider workforce of essential workers who have kept various services and facilities operational even in the most challenging of circumstances. Ministers recognised the impact of the pandemic on society and the economy in both jurisdictions and welcomed the measures put in place by both Administrations to support communities and businesses affected by the crisis and to assist economic recovery. The recent progress made in the development and roll-out of the vaccine was welcomed. The Council noted the NSMC health sector meeting on 2 October to review ongoing cooperation in responding to the pandemic. It noted that the impact of and response to COVID-19 has been considered at all NSMC meetings. Ministers agreed that future Council meetings would continue to consider how agreed collaborative approaches can contribute to the promotion of economic and social recovery in a COVID-19 context.

The Council then discussed the implications of Brexit. Ministers recalled that, at its previous plenary meeting, on 31 July 2020, the Council recognised that the jurisdictions have a common interest in minimising disruption to trade and economic activity on the island and noted that discussions have taken place across the various NSMC sectors on the implications of the UK withdrawal from the EU. We noted at that time that, in the light of the ongoing negotiations, full clarity of the impact on cooperation in a number of areas was not yet available. The Council agreed that, irrespective of the outcome of negotiations, engagement between the Administrations on the matter should continue within the structures of the Council and elsewhere, taking account of the evolving position. Ministers noted the role conferred on the NSMC to submit proposals to the Specialised Committee concerning the implementation and application of the protocol. It was agreed that officials should work to develop an appropriate mechanism for Ministers to agree for referring proposals to the Specialised Committee.

The New Decade, New Approach commitments were discussed at the plenary meeting. The Council noted that the NSMC plenary meeting held on 31 July 2020 outlined a way forward on aspects related to the commitments. It was requested that the relevant Ministers and their officials take forward discussions on the commitments, including, where appropriate, through the work of the NSMC sectors. Ministers noted that discussions on commitments had taken place at NSMC sectoral meetings and bilaterally between Ministers where the commitments are being advanced outside NSMC structures. They noted the commitment of both Administrations to the delivery of the A5 western transport corridor and that the next steps for the project would be informed by the interim report from the public inquiry. The Council noted that both Administrations continue to work together to progress the Ulster canal restoration project and the Ulster canal greenway. Phase 1 of the restoration is now complete, and phase 2 will commence in 2021. The design, engineering feasibility and pre-construction stages of phase 3 will also commence in 2021. Ministers welcomed the strategic approach that is being taken to the review of the rail network across both jurisdictions and the engagement that has taken place on the development of the terms of reference for the review, with a view to launching the tender process in the first quarter of 2021. Ministers noted that both Administrations were considering the next steps to progress the Narrow Water bridge project. They will explore further how that project might

be advanced, including at the next NSMC transport meeting. Ministers noted that the Department of Transport has commenced a review of air connectivity and is engaging with stakeholders, including the Department for the Economy and the Department for Transport. The review will consider the potential impacts on regional connectivity, sustainability and climate change. The Council welcomed the work being undertaken by Leitrim County Council and Fermanagh and Omagh District Council to take forward the development of the Sligo-Enniskillen greenway as a joint project.

Ministers noted that senior officials from the Department of Further and Higher Education, Research, Innovation and Science and the Department for the Economy will meet early in the new year to discuss higher education provision in the north-west region.

Ministers invited Derry City and Strabane District Council and Donegal County Council to develop a statement of updated strategic priorities for the north-west region to inform the ongoing engagement of both Administrations with the north-west strategic growth partnership.

Ministers welcomed the recent cooperation between both Administrations in relation to supporting research through Science Foundation Ireland's COVID-19 rapid response call and noted that further discussions will take place between Ministers and officials on cooperation in the area of research and innovation.

The Council agreed that New Decade, New Approach commitments should remain on the agenda of the relevant NSMC sectors and that further updates will be provided to the Council at future NSMC plenary meetings.

Finally, the Council approved a schedule of NSMC sector meetings that was proposed by the joint secretariat. It was agreed that, at upcoming sectoral meetings, Ministers will consider priorities and work programmes in the relevant sectoral areas. The Council agreed that the next NSMC plenary meeting will be held in June or July 2021. That concludes the NSMC plenary meeting statement.

Mr McGrath (The Chairperson of the Committee for The Executive Office): I thank the Minister for her very detailed report on the institutional and plenary meetings. I echo the remarks that she made about the attack on the multicultural association building. We must redouble our efforts to tackle racism in our society. I know that the Committee will stand by

to help in any way that it can to develop those strategies and initiatives and to do all that we can in society to try to stamp out racism.

Most people will accept that those who are best placed to tackle coronavirus are those who are on islands, given the specific measures that can be put in place. There may have been some hesitancy at the beginning by the Executive to embrace this approach. However, now that we have a requirement in the North and South for those who land on the island of Ireland to have a test completed, can I get an update from the Minister about the sharing of that information North and South? That is so that we can do all that we can to tackle the virus and its spread, and it is for those who would try to use the differences that we have on this island as a way to work around that requirement.

Mrs O'Neill: First, I concur with the Member and am happy to work with the Chair of the Committee in tackling sectarianism and racism and making sure that we send out a very clear signal that it is not something that we will tolerate in society.

On the issue of travel, it is a very pertinent question to raise, particularly given the fact that we are in a very similar place across both jurisdictions in the pressures on our health services. We know that that will be immense over the coming weeks, and we are, to say the least, very grateful to all our healthcare staff who are working on the front line for us at this moment.

My view has always been that there needed to be an all-island approach to the issue of travel. In fact, I think that there should be a two-islands approach to it. The First Minister and I have raised the issue that there has not been the sufficient sharing of data, and it is unfortunate that that has not been resolved at this stage. We have raised it with the Taoiseach, directly at NSMC meetings and at the Executive. It is unfortunate that it has still not been agreed. Last week, as you will know, the First Minister and I urged both Governments to get involved. The way to go is for there to be a two-islands approach to the issue of travel, because, unfortunately, when the two Governments — the two guarantors of our Good Friday Agreement — diverge, issues like this become orange and green ones. This is clearly not an orange and green issue: this is a public health issue. We urge the Taoiseach and the British Prime Minister to have that conversation, and we are happy to play our part.

I am glad to say that we have a meeting on Wednesday of this week with Brandon Lewis

and Simon Coveney, and, again, travel is a key issue that will be discussed. Hopefully, we can make some progress on the issue of travel, which is still outstanding.

Mr Clarke: Minister, you outlined that your preference would have been a two-islands approach to travel. However, given that the R number is doubling at a much higher rate in Southern Ireland, what is your message to us now about movement between the South of Ireland and here? We are 12 months in to COVID-19; unfortunately, it has been horrific for most people in terms of deaths and illness. Will you give us an indication of what COVID-19 recovery looks like?

12.45 pm

Mrs O'Neill: My message is very clear to everyone: stay at home. That is the message across both islands. That should be the message that everybody hears. There should be no unnecessary journeys. Go out only if you must. Go out only for essential reasons. No matter where you are from, people should stay at home and not travel unless it is absolutely necessary.

I do not have an awful lot more to say about COVID-19 recovery at this stage. The crisis facing our health service is immense, and the best thing that we all can do for people who work in the health service, and for people who develop COVID-19 and who may need the health service, is to stay at home.

On recovery, the Executive are focused very much on what comes next. We have put together a task force that is about the here and now but also about looking towards societal recovery, health recovery and wider economic recovery. We have a huge amount of work to do. The pandemic has disproportionately impacted those on lower incomes and women. Those are challenges that the Executive, as a whole, will have to face as we start to build to brighter days in the future, but it will be extremely challenging for everybody.

Mr Sheehan: Gabhaim buíochas leis an chomh-Chéad Aire as an ráiteas. I thank the deputy First Minister for the statement. It is clear that COVID-19 does not recognise or respect borders. That speaks to the need for enhanced collaboration and greater working together. Will the Minister explain the practical benefits of the North/South Ministerial Council in managing our response to this public health emergency?

Mrs O'Neill: I thank the Member for the question. I welcome the good collaboration across the island. Personally, I do not think that we have made enough of the fact that we live on an island; there were advantages to be had for us all in terms of the spread of the virus. However, there has been significant cooperation across the island; the Chief Medical Officers, for example, and health officials meet regularly. We have had numerous North/South Ministerial Council meetings, at which we progressed cooperation. We had the memorandum of understanding, which set out very clearly areas in which we can have collaborative working. We need to see that continuing as we come out of the other side of this wave and in to economic, societal and health recovery. We have a big job of work to do, and we will be faced with the same challenges. Therefore I look forward to working at North/South Ministerial Council level with Ministers from across the island to see what else we can do to build on the collaborative work that has happened to date.

Dr Aiken: I thank the deputy First Minister for her comments. North/South bodies, as laid out in the Belfast Agreement, are probably the most primary method of improving relationships across this island and these islands. Bearing in mind the comments about the shared island unit, what is the relationship between the bodies laid out in the Belfast Agreement, which are the things that we all should be supporting, and what seems to be an additional layer of bureaucracy increasingly mentioned by the Irish Government?

Mrs O'Neill: I am not quite sure what the Member's question is. Travel, for example, has not been satisfactorily resolved; I have made that very clear. I have said to the Taoiseach, the Tánaiste and to Minister Coveney directly that we need to see a sharing of information, particularly when it comes to travel locator forms. I hope to see that being improved.

The bodies of the North/South Ministerial Council infrastructure have done tremendous work throughout the year on different issues and will continue to do so. We looked at their *modus operandi* at the meeting and considered whether things could be done to improve their operational nature. We will certainly come back to that. More needs to be done by the Irish Government on the issue of travel locator forms.

Mr Dickson: Thank you, Minister, for your statement. In paragraph 26 you said in respect of Brexit that the Council wants to see minimal

disruption to trade and economic activity, but, as we have seen over the past few weeks, Brexit has brought us anything but that.

It has brought us friction and red tape and few of the so-called benefits, a situation that was warned about and flagged up. What discussions, if any, were there on ferry routes to Ireland, North and South, and the consequences of any delays, particularly at the port of Larne in my constituency?

Mrs O'Neill: The two meetings took place before there was a Brexit deal, before the end of the transition period, so those issues were not discussed. However, you have summarised correctly the challenges that we now have. The NSMC's commitment was to make sure that disruption would be minimised, but that is clearly not happening. There have been trading adjustment shocks and delays in journeys back and forth. Our ports are under pressure. I hope that we can find solutions to many of these things. I welcome the fact that the Specialised Committee will be able to examine some of the issues that will be identified as needing resolution. I will certainly play my part in all of that.

I am glad to say that some of the commentary around food shortages, for example, is not correct. We have a very good flow of trade in food. It is restored almost to how it was prior to the end of the transition period. However, obviously, there are other issues. For example, the tariffs on steel being imported are having implications for manufacturing businesses. I hope that there will be a positive resolution to that, maybe even today. We still have to work our way through a number of other areas and work with colleagues to get resolution on them.

Mr Stalford: Yesterday was my birthday. As you can tell by the look of me, it was a hard paper round — I am only 38 *[Interruption.]* That is enough chuntering, Mr McGrath.

At this time, people need to be given hope and a sense that we are coming towards the end of this situation. Will the deputy First Minister outline what the Executive's communication strategy will be to give people a bit of encouragement?

Mrs O'Neill: Happy birthday.

Mr Stalford: Thank you.

Mrs O'Neill: Maybe we will start singing to you in the Chamber *[Laughter.]* Hope is really important. As with everything in life, you always

have to give people hope. It has been a hugely challenging year for everybody. It has been so difficult on so many fronts. The separation, the fact that people have not been able to get together and all those things have challenged every one of us. Now that we have the vaccine, the hope is that we can see light at the end of the tunnel. The hope is that we are rolling it out at speed. As of last week, 5% of the population had been vaccinated. Something like 97% of our care home residents have received their first dose; almost 70% have received the second dose. All those things are really positive. The hope is that, if we can continue in that vein and pull out all the stops to get the maximum number of people vaccinated as quickly as possible, all of us can get back to some semblance of normality. Whilst we are still restricted right now — we still have to keep doing this, we cannot take our foot off the pedal and we have to keep working at it — we have to keep reminding people that something brighter is mere months away.

Ms Anderson: With your indulgence, a Cheann Comhairle, I wish Christopher a belated "Happy birthday".

I thank the Minister for her two statements. Given the commitment in 'New Decade, New Approach' to enhance cross-border cooperation and, indeed, the £500 million Shared Island Fund that has been announced, will the Executive, in conjunction with the Irish Government, ensure the acceleration of the priority projects for the north-west strategic growth partnership? I think of the A5, the expansion of Magee, rail connectivity, the A2, tourism projects and all that is needed in Derry to address regional inequalities.

Mrs O'Neill: I thank the Member for her question. I know that she is passionate about this — I acknowledge that on the record — and has led the way on regional equality and disparity. She has raised a number of projects that are under way and on which we are seeing some progress. She referenced the Shared Island Fund, which is an Irish Government initiative amounting to about £500 million over the next five years. That brings great potential for addressing some of the inequalities and projects that she identified. It will help to support the delivery of cross-border infrastructure initiatives. The Irish Government have indicated that there will be further engagement with us on the fund, and we will have that over the next number of weeks and months.

On the north-west strategic growth partnership, that fund is still up and running, with funding

approved up until 2022. That includes a six-month extension to the funding period because we had to take into account COVID pressures on some of the projects. That will bring a total committed investment by the Executive on that initiative to £2.15 million. The Member will also know that the north-west development fund has delivered a number of successful projects, some of which are, for example, developing economic growth through trade and investment missions, developing the physical environment by contributing to the INTERREG greenways project and, through north-west sports development, strengthening community cohesion and well-being. their

Both Governments remain committed to the A5 western transport corridor scheme, and the Irish Government continue to reaffirm their £75 million commitment to the project. The next steps for the scheme, as I said in the report, will be informed by the consideration of the interim report from the public inquiry. I am aware that Minister Mallon and her officials are looking at this as we speak. As you know, the scheme has been a priority for us for a considerable time, and I really hope to see progress being made.

The Member referenced high-speed rail connectivity, and, particularly in the context of 'New Decade, New Approach', the Irish Government have noted their support for serious and detailed joint consideration through the feasibility study of the high-speed rail connection from Derry to Belfast and Dublin to Cork. I look forward to seeing that being progressed even more.

Mr Robinson: Does the deputy First Minister share the views of the elected representatives in the north-west that any investment there must impact positively on the broader north-west in small towns such as mine, Limavady, and not simply the city of Londonderry or the urban area?

Mrs O'Neill: I thank the Member for his question. I absolutely concur with that. It is important that we address years of regional imbalance and make sure that there is a fair distribution of investment across the north-west. That will benefit not only the city of Derry but the hinterland and will include the constituency that you represent.

Ms Sheerin: I thank the Minister for her statements. Earlier, you responded to Mr Dickson, across the Chamber, by telling him that the current problems that we are experiencing as a result of Brexit were not discussed in detail at the last NSMC meeting

because it was held on 18 December, before we left the EU. Can you clarify whether the potential effects of Britain's exit from the EU were discussed at that meeting and say what those conversations were?

Mrs O'Neill: The focus of the conversation was, I suppose, to have a shared objective to minimise disruption. The focus was around how we will address the issues that are identified. I welcome the fact that the NSMC will have a role with the Specialised Committee, and I welcome that we will have a chance to bring issues of concern for consideration and, hopefully, resolution through those vehicles. It is really important that the NSMC will keep the implementation and application of the protocol under review. The work of the NSMC, in light of Brexit and its implications, is more important than it has ever been.

Mr O'Toole: Further to that last answer and specifically relating to disrupted supply chains as a result of Brexit, many of the issues facing Northern Ireland businesses will be the same as those in the South. There is an obvious and natural need for North/South joined-upness when it comes to resolving those issues, whether that is at Dublin port or finding new supply routes via Rosslare to Cherbourg. What specific actions will the North South Ministerial Council take to mandate InterTradeIreland to properly communicate to businesses across the island about new supply routes? Specifically, what will they do about forming a working party to make those representations to the Specialised Committee and engage with London where that is appropriate?

Mrs O'Neill: I thank the Member. As I said, the meeting was held before the end of the transition period, so a lot of the issues that we have identified will need to be addressed. There will need to be a planned roll-out of meetings across all sectors, because there are issues relevant to transport and to all the sectors.

As I said at the end of my previous answer, the NSMC's role is evermore important now as a way of raising those things. The Council now has a role. I made it very clear, even when the negotiations concluded, that we need to keep the issues under constant review and that the NSMC's role in identifying issues with the implementation of the protocol will be vital. That was discussed.

1.00 pm

As for where we go from here, it is very clear that there will need to be very strong

collaboration and communication between the Executive, the Executive North/South and then east-west. That is how we will find solutions to the problems that are identified.

Mr Beggs: I thank the Minister for her statement. The statement refers to the Shared Island Fund of some €500 million. Originally, in 2011, a commitment of £400 million was made to get a single project, the A5, approved. Given the increased inflation and design costs, what money, if any, in that original commitment will be left over in this new amount of €500 million? How are all the additional projects listed to be funded if the A5 absorbs it all?

Mrs O'Neill: I welcome the Irish Government's recommitment to the A5 project. That project has been in the making for so long, and we have made progress. There is no doubt that both Governments remain committed to the scheme. The Irish Government have also reaffirmed their commitment to provide €75 million, which is outside the €500 million that is in the shared island fund. The public inquiry information, which, as I said, Minister Mallon will now examine, will help to inform the next steps for the A5 project. We continue to have conversations with the Irish Government about the shared island fund and what projects can be prioritised to meet our NDNA commitments and priorities and the Irish Government's priorities.

Mr G Kelly: The Minister has dealt with this to a fair extent in some of the other answers, but will she detail the NSMC's role in the withdrawal agreement?

Mrs O'Neill: On its formal role, article 165 of the withdrawal agreement established the Specialised Committee to address issues that are related to the implementation of the protocol. As you know, the protocol provides a specific role for the North/South Ministerial Council in identifying issues with the implementation and the application of the protocol. Article 14 states that the Specialised Committee:

"shall ... examine proposals concerning the implementation and application of this Protocol from the North-South Ministerial Council and North-South Implementation bodies set up under the 1998 Agreement".

Therefore, it is really important that the NSMC keeps the implementation and application of the protocol under constant review. As I said in my opening remarks, officials have been asked to develop an appropriate mechanism for Ministers to refer proposals to the Specialised

Committee if it were necessary to do so. We recognise that it is important that there are good communication channels between both jurisdictions, and that is especially true with Brexit.

Ms Dolan: I thank the Minister for her statement. Will she provide an update on Executive nominees to the boards of the North/South implementation bodies?

Mrs O'Neill: The Executive have agreed that responsibility for nominating members to the boards of the North/South bodies should be allocated between the parties on a d'Hondt-type basis, drawing nominations from all the parties in the Executive. Parties proposed nominations to the bodies in line with the agreed allocation, and the members were appointed by the NSMC at the institutional meetings. Those appointments do not fall under the remit of the Commissioner for Public Appointments, with whom the Executive have agreed targets to address gender imbalance on the boards of all public bodies.

Mr Chambers: The deputy First Minister alluded to what seemed to be quite robust representations from her, along with the First Minister, on the importance of sharing travel information, particularly for Dublin Airport arrivals. What was the response to those representations? What is the basis of the Irish Government's apparent reluctance to release information given that, I understand, their Attorney General has said that there are no legal barriers to sharing data from the travel locator forms? Does the Minister agree that the Republic of Ireland is not demonstrating a great appetite for a North/South, east-west approach to fighting COVID?

Mrs O'Neill: As the Member recognised, we have raised this issue on every occasion that we had an opportunity to do so. It is really regrettable that there has not yet been a resolution. I hope that Wednesday's meeting will allow an opportunity for a way forward. Issues have been raised about the legal implications of data sharing. We believe that those issues have been resolved, so I do not see any barrier now to information being shared. That works both ways: it is North/South, South/North and east-west. It is really important that those things are looked at purely from a public health point of view and that no one plays politics, because it is far too serious. A conversation at the highest level of government is the way to resolve these things. There is a political solution to the travel issue, and I hope that that can be found.

Miss Woods: I thank the deputy First Minister for the statement and for her attendance and that of the First Minister. What consideration was given to creating an all-island strategy through the NSMC meetings and outside those discussions since 18 December?

Mrs O'Neill: I assume that the Member refers to an all-island COVID strategy. As I said, there has been strong cooperation across the island on many fronts. At different times, we have been at different stages with the waves of the pandemic. At times, we had similar positions on restrictions, and, at other times, we have differed. The memorandum of understanding helped to bring more cooperation and collaborative working across the island. A focused discussion is now needed on where we go next, because recovery will be vital when we try to pick up the pieces in the aftermath of the pandemic. When it comes to economic recovery, societal recovery and health, it is really important that we work together. A whole range of North/South sectoral meetings will happen over the coming months, and all Ministers will participate in those discussions. There is a lot to be discussed and planned for the future across each of the sectors, whether it be health cooperation, education cooperation, infrastructure, climate and everything else that is discussed at North/South Ministerial Council meetings.

Mr Allister: When it suits the deputy First Minister and her party, they like to embrace the mantra that the Belfast Agreement must be respected in all its parts. Given that the equilibrium of east-west and North/South relationships has been trashed by the iniquitous protocol, why should anyone, such as the First Minister, who values and seeks to maintain the Union of the United Kingdom continue to operate the "North/Southery" when a coach and horses has been driven through the east-west relationship?

Mrs O'Neill: I remind the Member that he is elected to the Assembly, which is one leg of the Good Friday Agreement. When it comes to the totality of relationships — first, in the North and in this body to which he is elected, secondly, across the island, North and South, and, thirdly, east-west — they are all fundamentally important.

Mr Carroll: I thank the Minister for the statement. She will be aware of ambulance services from the South being supplied to assist the COVID effort in the North. As was mentioned, there have been problems around sharing data. My question is similar to Miss

Woods's question. Was there any discussion during the meeting on long-term cooperation on health and specifically on the establishment of an all-Ireland NHS?

Mrs O'Neill: The Member will know that there are individual sectoral meetings and that there is a health format at which the Health Minister and his counterpart discuss a range of cooperation issues. Health is a natural cooperation issue. As a former Health Minister, I witnessed at first hand some amazing developments across this island, particularly with children's cardiac care and cancer services, and people can see how cooperation has worked there. I look forward to collaboration across a whole range of issues. Personally, as an elected representative and as the Sinn Féin vice president, of course I want to see a national health service across the island of Ireland, free at the point of delivery for all the people who live on the island. The NSMC will continue to work on the areas of collaboration. There has been some excellent work done, and I look forward to that work being enhanced even more.

Mr Beattie: I thank the Minister. Apologies that I am going to ask a question that has already been asked, but I will just pop it in. It follows on from what Miss Woods and Mr Carroll said about cooperation. Given the fact that the vaccine roll-out in Northern Ireland has been exceptional and that the Irish Republic is behind, we could end up with a situation in which, because it has to follow the EU rules, the Irish Republic is well behind while we are well ahead. How are we going to balance that? Is there any way in which we in the UK can help the Irish Republic, or is it hampered completely by EU rules?

Mrs O'Neill: I am very glad to say that, with the vaccine roll-out, the North is, I think, number one and the South is number four on the world stage. We are therefore doing very well as an island on the vaccine front.

Mr Speaker: That concludes questions on the statement. I ask Members to take their ease for a moment or two as we prepare for the next item in the Order Paper. Thank you.

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

Executive Committee Business

Protection from Stalking Bill: First Stage

Mrs Long (The Minister of Justice): I beg to introduce the Protection from Stalking Bill, which is a Bill to provide protection from stalking, and from threatening or abusive behaviour, and for related purposes.

Bill passed First Stage and ordered to be printed.

Domestic Abuse and Civil Proceedings Bill: Final Stage

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

That the Domestic Abuse and Civil Proceedings Bill (NIA Bill 03/17-22) do now pass.

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

Mrs Long: I am delighted to present the Final Stage of the Bill to the Assembly today. Introducing this legislation to support victims of domestic abuse who are suffering non-physical abuse has been a key priority, not only for me as Justice Minister but for the Justice Committee, Members right across the House and former Justice Ministers.

Today, as that pledge becomes a reality at Final Stage, I find myself with some mixed emotions.

1.15 pm

I am, of course, immensely grateful to everyone who has worked hard to get us to this point. Passing the first major piece of justice legislation — in fact, the first major piece of legislation generally — in this mandate is an important and positive landmark for the Executive, the Assembly and my Department. However, I am particularly delighted that we will achieve that landmark with this important piece of legislation, given the impact that the Bill, when set alongside our other work in the area, will have on victims and survivors of domestic abuse.

Many of those who have suffered domestic abuse have found their voice in the process and used it to relay their often harrowing experiences to me, as Minister, to my officials, to the Justice Committee and to other Members, directly and through voluntary- and community-sector representatives who provide vital support to them. For that, we are hugely grateful. Hearing from victims and our voluntary-sector partners has been key in shaping the legislation, not just over recent months but over the many years during which they campaigned for change.

It is for those many years that I feel some considerable sorrow and regret today. I feel that I must apologise to victims and survivors for it ought not to have taken so long to reach this point. Although I am glad that we have reached Final Stage, I am genuinely sorry that we did not do so in 2018, when it could have been passed had the Assembly not collapsed in 2017. While the Assembly was suspended, the abuse that victims of domestic abuse face — the violence, torture, fear and psychological wounds inflicted by perpetrators — was not suspended. Sadly, it continued unabated throughout that period, and we were not here, where we needed to be, to make the changes to the law that would have offered them protection and shelter from that abuse. That is what happens when politics does not work. When we talk about the cost of the failure of politics, we should remember that that cost has too often been borne by people when they were at their most vulnerable. Although we are all rightly pleased that the Bill will pass quickly into law, we should be sobered, reflect on the impact of that delay and redouble our efforts, as parties and individuals, to ensure that we work better together, consistently and persistently, for the good of those whom we represent, not least the most vulnerable.

In contrast, with the Assembly up and running for only a year, and despite the fact that this has been a year unlike any other, filled with challenges that none of us could have imagined, the Bill will move from this place today and will, in a few weeks, become a reality. A reality that will make a tangible difference where and when it is most needed.

The Bill creates a new domestic abuse offence in Northern Ireland that closes a gap in the law and ensures that protection is not limited to physically violent behaviour alone as it is at present. It sends a clear message that domestic abuse, in all its forms, physical and non-physical, is wrong and will not be tolerated by our community and, crucially, by the law. At the heart of the new offence is ensuring that as

wide a range of abusive behaviours as possible can be captured. We want to ensure that there can be no escape from the law for individuals who seek to abuse and terrorise those who are closest to them. The new offence will cover behaviour that is controlling or coercive or that amounts to psychological, emotional or financial abuse of another person. Abusive behaviour may also include sexual abuse and technological or digital abuse. It will also capture patterns of two or more occasions of physical and/or psychological abuse by a partner, ex-partner or close family member and will include behaviour that is physically violent, threatening or intimidating. Domestic abuse will also be recognised in other offences, with the potential for increased sentencing.

We are all too aware of the devastating impact that domestic abuse can have on a child and of the impact of adverse childhood experiences on emotional and educational development. We know that such impacts, if not quickly addressed, can have lifelong detrimental effects on a young person. For that reason, a range of measures is contained in the Bill that are particularly focused on children, including extending the scope of the current child cruelty offence. The domestic abuse offence can also be aggravated where the victim is under 18 or by reason of involving a relevant child if, at any time in the commission of the offence, the accused directed, or threatened to direct, behaviour at the child or made use of them in directing abusive behaviour. It also applies where the child saw, heard or was present during an incident of abuse. The aggravator will also apply if a reasonable person would consider the abusive behaviour likely to adversely affect the child.

Having worked closely with the Justice Committee, we have also sought to further protect children through providing powers to introduce an Operation Encompass model. That will allow a designated person at the child's place of education to be informed that there has been a domestic abuse incident that is impacting on the child or young person. That will ensure that schools and colleges are in a better position to understand and be supportive of that young person's needs.

As a result of amendments introduced at Consideration Stage and refined at Further Consideration Stage, the Bill will provide protection for victims of domestic abuse who need legal representation in family law cases in the courts. Legal aid is an important part of our welfare provision, ensuring that access to the law for those with limited access to finance is not unfairly restricted. I am pleased that the

provisions that now stand part of the Bill have added to and complement the existing legal aid provisions and that that support is delivered in a way that ensures that it cannot readily be misused to perpetuate abuse. I am grateful to members of the Justice Committee and the Members of the Assembly who worked constructively with me to achieve that aim. The provisions that we have adopted together will also provide a foundation for developing more and stronger protections for victims, and I look forward to working with the Justice Committee and stakeholders to make the best possible use of the opportunity that that provides.

A range of other provisions reflecting the work of the Committee has been included to improve the Bill, including more detailed provision on training, reporting and independent oversight of the new offence as well as associated guidance.

From experience elsewhere, we know that while legislation is hugely important, the effectiveness with which it is operationalised depends on training in, and awareness of, the new legislation and how it can be applied. I am grateful to our justice partners, who are already looking at how this legislation, and the training for their respective organisations, can ensure that the Bill delivers meaningful change for victims.

The Bill also provides for protective measures for victims, allowing domestic abuse notices and orders to be brought forward through secondary legislation if required. Those notices will provide a further and important safeguard for those who are subjected to abuse. Again, I look forward to updating the Committee and working with it on progress to deliver the notices as swiftly as possible.

The legislation also prevents perpetrators of domestic abuse directly cross-examining their victims in criminal and family proceedings and ensures that special measures are available to them. It will enhance the protection available to victims who are giving evidence in other civil proceedings. Collectively, those provisions will give greater protection to victims in court proceedings across the criminal and civil jurisdictions.

I hope that we can secure Royal Assent by March, and, along with our criminal justice partners, bring the offence into operation before the end of the year — sooner if possible — subject to the completion of the training and awareness raising to which I referred. That is being considered by our core statutory partners, and a multi-agency task-and-finish group is

looking at how best awareness raising can be progressed between now and the time of the offence coming into operation later this year.

A multimedia public advertising campaign will be crucial to raising awareness of what constitutes domestic abuse behaviours and ensuring that they are captured by the new offence. I hope that it will also encourage the public to recognise that, while domestic abuse may be committed behind closed doors, it is not a private matter. We need not only victims of abuse but those who are aware of abuse or suspect that it is taking place to recognise the signs and feel confident in reporting their concerns.

A lot of hard work has gone into bringing us to this point, and I, along with my officials, pay tribute to everyone who has helped us to reach this stage. This was done on behalf of and for all those affected by domestic abuse. I thank my predecessors David Ford, who consulted on the new offence, and Claire Sugden, who made drafting the Bill a priority during her time in office. I also put on record my sincere thanks to the Justice Committee and, in particular, to the Chairperson and Deputy Chairperson for their stewardship of the Committee's detailed scrutiny of and comprehensive report on the Bill. I thank the Committee's officials for the work that they do, including behind the scenes, to make the Committee Stage run smoothly. I am also very grateful to the Bill Clerk and her team for their support to the Committee as well as their invaluable guidance and direction to my officials as the legislation progressed.

Huge thanks are also due to our statutory and voluntary sector partners and, in particular, to the victims of domestic abuse whose input and continued work shaped the legislation both at its inception and as it passed through the House. I look forward to working with them over the coming months to operationalise it. I thank the Office of Legislative Counsel (OLC) for its work in crafting such detailed and comprehensive legislation. I thank the Departmental Solicitor's Office and the OLC for their efforts in responding to a number of challenging drafting demands, particularly as we moved rapidly through Consideration Stage and Further Consideration Stage. That has served to ensure that the Bill is as robust as possible. It is no exaggeration to say that we are at this stage only as a direct result of their expertise and contribution in assisting me, as sponsor of the Bill, and my officials.

Whilst it is not the convention to name officials in the Chamber, I pay a very special tribute to Dr Veronica Holland and her team in the

Department of Justice for their work on this legislation. Veronica led on the Bill since its inception, and she has shown that she is willing to go way above and beyond the call of duty. That team has displayed a commitment not only to the delivery of this legislation but to the protection of and support for victims, which, for me, exemplifies public service at its best. I am hugely indebted to her and the wider DOJ team for their passion for this issue, their empathy with the plight of victims and their unwavering commitment to deliver a robust, effective Bill that will have a positive impact on the lives of those who live with abuse.

I will move towards concluding my remarks by saying that this significant legislation will help thousands of people, regardless of gender, sexual orientation, age, race, religion or disability, right across Northern Ireland who are experiencing domestic abuse and fear in their own home. Abusers are wielding power over their victims because it is not currently an offence to do so. The Bill is our chance to change that by criminalising abusive behaviour and sending out a clear message that it will not be tolerated and that perpetrators will be punished. It also marks an important step in not only encouraging more people to talk to someone about domestic abuse but in changing the conversation.

There can and must be no shame in being a victim of domestic abuse. It can happen to anyone and is not a result of the actions or inactions of those who are abused. The only shame lies with the abuser — the bully, the controller — who never wants their victim to have the courage to talk about what is happening to them or to reach out for help. The completion of this legislation will play a crucial part in giving victims the courage that they need to report and to seek help, the courage to know that they are not in the wrong, have nothing to be ashamed of and, importantly, that they will be believed, the courage to know that they will be supported and the courage to know that the justice system works and that it has their back. On that basis, I commend the Domestic Abuse and Civil Proceedings Bill to the House.

Mr Givan (The Chairperson of the Committee for Justice): Here we have it, Members, the Final Stage of the Domestic Abuse and Civil Proceedings Bill. When we started on this legislative journey, the Bill was not as weighty or as substantive as the finished product that we have at Final Stage. That is testimony to the work of Assembly Members in producing comprehensive legislation that will, I believe, provide greater support to victims of abuse.

That is at the heart of what Members considered throughout the process: how best do we provide that support? Do I believe that the Bill will eradicate domestic abuse and solve all the problems in our family courts? I do not, but it will provide much greater support and a better justice system and will give confidence to victims of abuse to take that vital step and reach out in the first instance. Then, they will find that there is a much more responsive system in place. I hope that it also sends a message to the perpetrator that, when it comes to coercive control, the new offence of psychological abuse, financial abuse and the myriad forms that abuse takes, the law can now prosecute you for it. I hope that that will deter them from carrying out this kind of heinous crime in the first instance.

1.30 pm

Members, we are at the Final Stage, and, on behalf of the Committee for Justice, I welcome this stage of proceedings. During the first debate on the Bill, at Second Stage, I said that home was the place where most people felt safe and secure, a haven where you can relax with your loved ones. Yet, for many people — women and men, young and old — home becomes the worst place to be. It is a prison and a living nightmare, and the crime is committed by someone who, supposedly, loves them and whom they should be able to trust. The most recent PSNI statistics on domestic abuse and the fact that cases involving domestic abuse generally account for nearly 20% of the Public Prosecution Service (PPS) caseload each year, is an indication of the prevalence of this crime. We have also seen an increase in the number of calls to the Police Service during the COVID-19 pandemic and the resultant lockdowns. Those figures are staggering and unacceptable, and they clearly illustrate the need for the legislation, which is long overdue. Domestic abuse can affect anyone, regardless of gender, age, class or sexual orientation, and can never be excused or tolerated. It is absolutely right that the legislation will provide the necessary tools for the justice statutory agencies to tackle domestic violence and abuse, take into account patterns of such behaviour over time and bring the perpetrators to justice.

The Bill has undergone extensive and detailed scrutiny and debate in Committee and in the lengthy debates at Consideration and Further Consideration Stages, and that is a good thing. The Assembly is here to make legislation on behalf of the people of Northern Ireland, and it

is vital that we spend time and effort to ensure that any legislation is as good as it can be. As a result of that scrutiny, a large number of amendments were made and a range of new provisions added that have improved and strengthened the legislation.

Psychological abuse, in the form of coercive and controlling behaviour, can be just as pernicious as physical violence. The Committee heard at first hand from victims about the devastating impact that coercive and controlling behaviour has and how it can continue to affect their life even after they have found the strength to leave such a relationship. Victims say that the impact of psychological abuse can be much greater and longer-lasting, and there is usually a slow transition, with victims only realising afterwards that the abnormal has become normalised to the extent that they do not recognise it as abusive behaviour. The controlling behaviour leads to a lack of self-worth, a loss of identity and a dependency on the perpetrator that they exploit with impunity. The new domestic abuse offence now criminalises that behaviour and captures domestic abuse in its myriad forms, enhances the protection and access to justice provided to victims by the criminal justice system in Northern Ireland and will enable the Police Service and the Public Prosecution Service to take more effective action in prosecuting perpetrators. The legislation will also provide an opportunity to raise awareness of the existence and unacceptability of psychological abuse and coercive control and, in the longer term, assist in changing societal attitudes towards domestic violence and abuse. While concerns were raised about the inclusion of a defence on the grounds of reasonableness, it provides the necessary balance and safeguards, given the scope of the new offence and the wide personal connection provided for in the legislation.

Domestic abuse can also have a devastating impact on the children involved, and experience shows that such behaviour can be replicated across generations, if the cycle is not broken. The provision of aggravators in the legislation in relation to a child is, therefore, particularly welcome. The amendments made in relation to these provisions also provide better clarity that the non-physical ill-treatment of a child by someone with parental responsibility for them is an offence and ensures that such matters as isolation and humiliation are captured. The solution that was necessary for 16- and 17-year-olds is, however, suboptimal, and, as the Committee highlighted, work is required with the Department of Health to ensure that there is better alignment across the board in these areas.

One of the key issues raised with the Committee in written and oral evidence and directly by victims of domestic abuse was how abusers used the legal system and the court process to continue the abuse of victims even after they had left the relationship and were trying to build a new life for themselves. It is, therefore, essential to ensure that victims of domestic abuse are not re-abused during either the criminal or civil justice process. The original provisions in the Bill that provided for automatic eligibility for consideration of special measures for the protection of witnesses in domestic abuse criminal proceedings and prevented the cross-examination of witnesses by persons accused of domestic abuse in criminal proceedings and in family proceedings have been enhanced by including provision for special measures in family and civil proceedings and the prohibition of cross-examination in person in civil proceedings. The Department proposed those amendments as a result of the evidence received by the Committee from key stakeholders and victims of domestic abuse, and the Committee supported them. The amendments should assist and support victims to give their best evidence, whether it is in a criminal case or in a family or civil matter.

The civil legal aid provisions now in the Bill also seek to militate against financial abuse by perpetrators in article 8 proceedings. While the amendments were tabled by Ms Rachel Woods and not the Justice Committee, once supported by the Assembly, the Committee devoted as much time as it could, in the limited window of opportunity between Consideration and Further Consideration Stage, to facilitate discussions between Members and the Department and Minister to ensure that there was a clear understanding of the intention behind them. The Committee formed the view that a commencement clause for the provisions should be included in the Bill. Despite two separate amendments being tabled, the Minister was unable to support the Committee's position, and, ultimately, they were not made to the Bill. The Minister has, however, given an undertaking in Committee and on the Floor of the Assembly that she intends to commence the legal aid provisions at the same time as the offences, provided that they prove not to be repercussive. The Department was seeking legal advice and was beginning the process of undertaking due diligence before Christmas, and the Committee looks forward to receiving an update on progress on the issue in the near future.

I turn to the six Committee amendments that were made to the Bill following the support of

the Assembly, which, in my view, greatly enhance the legislation. Two of the provisions allow for additional support and protection for adult and child victims of domestic violence and abuse. Clause 27 places a duty on the Minister to provide for domestic abuse protection notices and orders or a similar scheme within 24 months of the commencement of the legislation in order to give short-term protection to victims for a period of time after an incident, giving them time and space to consider their next steps. While that was opposed by the Minister on the ground that she intends to bring forward such a provision at the amending stage of the Justice (Miscellaneous Provisions) Bill, the Committee very much appreciated the support of the Assembly in making such provision in the legislation. There is now certainty that such a scheme will be introduced in Northern Ireland within a specific period.

Clause 26 provides for schools to be notified where a domestic abuse incident has occurred the night before in which police have been called out. That approach has been adopted successfully in England and Wales, putting schools in a better position to understand and support a child's needs and possible behaviours and helping to safeguard children against the short-, medium- and long-term effects of domestic abuse. The tenacity of the Committee has ensured that the legislative basis for that scheme is available now.

One of the consistent themes running through the evidence that the Committee received related to the importance of ensuring that the legislation, once passed, was implemented properly and effectively. Many organisations and individuals expressed the view that the legislation would be only as good as its practical implementation and that how the legislation was implemented was as important as what it covered. The Committee supported that position, believing that, for the legislation and, in particular, the new domestic abuse offence to be effective and to achieve the desired result of better protection and criminal justice outcomes for victims of domestic violence and abuse, getting the implementation of training right for those involved in gathering evidence, prosecuting, enforcing, monitoring and reporting on the new law is crucial. The provisions proposed by the Committee that now form part of the Bill on robust data collection, regular mandatory training for all Police Service, Public Prosecution Service and Courts and Tribunals Service (NICTS) staff who are involved in taking such cases forward and on regularly reporting on the implementation of the new offence, including independent oversight, should enhance transparency and provide

reassurance regarding the full and effective implementation of the legislation.

The Committee welcomes the fact that the Minister took on board its views on what was clause 25 and is now clause 30 and tabled the amendment sought by the Committee and subsequently supported by the Assembly to ensure that the Department "must" provide guidance on the new domestic abuse offence rather than "may" provide guidance. The provision of guidance is a vital component in training the criminal justice agencies to ensure a common understanding of how the new offence should be applied and to assist in the consistent and robust implementation of the legislation. Given its importance, the Committee requested the amendment so that there would be no room for doubt about the provision of guidance.

A wide range of other issues on the provision of support and assistance to victims of domestic abuse and the need for progress in those areas in conjunction with the legislation has repeatedly been brought to the attention of the Committee. While the legislation is significant and there is no doubt that we will now be in a much better position to tackle this heinous crime, it will not solve all the issues relating to domestic abuse. Any effective response will also require adequately resourced support to facilitate a victim's exit from a relationship and maintain their safety, together with preventative measures such as education programmes. The Committee will continue to make that a priority.

There is no doubt that the Committee considered all aspects of the Bill, the range of proposed amendments and the other issues that were brought to its attention fully and thoroughly. At times, it proved challenging. I thank Committee members for their diligence and for the time and effort that they gave to scrutinise the process. I will not repeat previous commentary about Consideration Stage, in which the Committee invested a huge amount of effort, but I again pay tribute to members for the way in which they scrutinised the legislation. For some members, it was their first time dealing with a legislative process, and they acquitted themselves in an excellent manner and discharged their duties in a way of which we can all be proud.

I thank our Committee staff, in particular Christine Darrah, for her work to support Committee members and the work that she carries out with all Justice Committee staff. I thank Assembly staff, the Speaker's Office and the Bill Clerk for the advice that was given to members. At times, it may not have been

advice that we wanted to hear, as we wanted to do more things, but we had to be kept on the straight and narrow about what we could and could not do. I thank them for the professionalism of how they conducted themselves. I again place on record the Committee's appreciation to all the organisations. There are too many to start singling out individuals for fear of missing some, so I do not intend to do that. However, I thank all the organisations for the way in which they engaged with the Committee, for their contributions to our scrutiny and for taking the time to provide written and oral evidence. I particularly thank the victims of domestic abuse who shared their personal experiences, despite the difficulties in reliving such experiences. I know that it was difficult for members, and the Minister outlined that difficulty when she heard directly from people as well. It was difficult to listen to, but how much more difficult was it for those people to relive such horrendous experiences? Their contributions were invaluable to the Committee.

I thank the Minister and the Department for bringing the legislation through the Assembly and for the work and commitment that has brought us to Final Stage today. The legislation started its journey in David Ford's and Claire Sugden's time, and I agree with the Minister that it should have happened in 2018. Never again should these institutions be brought down. Never again is there a justification for the institutions being brought down when such important work was being taken through the Assembly.

The Minister namechecked her official, Dr Veronica Holland: I also thank Dr Holland for engaging with the Committee through many hours of scrutiny, when she was put through the wringer on the evidence and the testing of it. Engaging with Committees is not an easy job during a scrutiny process, but Dr Holland carried it out professionally and with all the due courtesy and respect that officials give to this place.

Dr Holland certainly embodied all of that, and I join the Minister in paying tribute to her for that.

1.45 pm

Taking the approach of bringing the Bill through the Assembly rather than using the Westminster Domestic Abuse Bill, as was originally considered, has allowed organisations and victims to help shape the legislation. I hope that they have seen the value of that. Our legislative process will also be completed

ahead of the Westminster Bill's, which is currently at Committee Stage in the House of Lords. On behalf of the Committee for Justice, I am delighted to support the Final Stage of the Domestic Abuse and Civil Proceedings Bill, and I commend it to the House.

Ms Dillon (The Deputy Chairperson of the Committee for Justice): I associate myself with much of the Chairperson's commentary, particularly the thanks given to the Minister, her officials in the Department, our Committee and our Committee staff, in particular Christine. They worked really hard, even over the summer months, to prepare the report. It is very much appreciated.

Today is a good day for victims and a bad day for perpetrators, we hope. Many victims out there do not have good days, however. That is what the Bill is about, and we need to deliver for those people. The Chair pointed to the work of the Assembly and, as I said, that of the various Departments and the Committee. I point to the hard work of victims and survivors of domestic abuse in giving their personal testimony to Committee members, all the stuff that they have done in the background and the campaigning that they have done for many years, as the Minister outlined. Many of those who work in organisations that support victims of domestic abuse were victims themselves, and they now see their role being to support others. When we look at organisations, very often but not always, we see that many of the people involved have come from a background of having been an abused person themselves.

When the Assembly returned in January 2020, it was made clear by all that new domestic abuse legislation was an absolute priority. I am grateful to the Minister for bringing it forward so early and for all the work that was carried out by everyone involved. To be frank, however, we do not need congratulating for doing our job. It is our job to pass legislation through the House. That is what we are here to do. I am glad that I took part in the passage of this legislation, and I hope that I was able to bring something to it. As, I am sure, the other Committee members, the Minister and her staff did, I felt the weight and importance of what we were doing and that we had to get it right. I believe that we did our very best to get it right. Undoubtedly, however, there will be things that have to be improved. We will all work to ensure that that is done.

I commend the victims who, as I said, have worked tirelessly and campaigned on the issue for a long time. Their courage should be applauded. Today, we send a message that the abuse that they have suffered at the hands of

their abusers will not be tolerated. To the abusers, I send a message, and it is a simple one: stop. The law no longer protects you. You must end your abuse. You will be caught, you will be arrested and you will be prosecuted. Your abuse must stop now.

I thank the many organisations and agencies that played a key role in the development of the Bill by providing written submissions; engaging directly with the Committee and with MLAs individually; giving presentations to the Committee; sharing research and evidence; amplifying the voices of victims; and being a constant source of help and assistance to us all. I know that the Chair and the Minister did not name any organisations for fear of leaving some out, and we will, but some organisations that have engaged closely with us all should be named. As such, I thank the Women's Aid Federation, the Women's Policy Group, the Men's Advisory Project, La Dolce Vita Project, the NSPCC, the Bar, the Safeguarding Board, HERe NI, Cara-Friend and the Rainbow Project.

Most importantly, I thank the victims, whom I mentioned earlier. They courageously told us about the horrors of their abuse and what they experienced. The Committee Chair is right: it was very, very difficult to listen to. We cannot, therefore, imagine what it was like for those who had to give that testimony and what it was like to have to live through those experiences. Hopefully, we will never be able to understand that, but, as I said during a previous debate, you can be sure that there are people in the Building who do know. There are victims and perpetrators in the Building. The figures that the Chair outlined are testimony to that. If 20% — one in five — have been affected, this Building, and everybody here, is not exempt. We need to look around us; we need to look after those around us; and we need to give leadership on the issue.

The new domestic abuse offence marks a step change in how society views domestic abuse. It makes it clear that domestic abuse is not restricted to physical violence and that coercive control is equally devastating and intolerable in its impact. The new offence covers behaviour that is abusive because it is controlling or coercive or amounts to psychological, emotional or financial abuse. Such behaviour is used to harm, punish or frighten a victim, and it is designed to make a person dependent by isolating them from support, depriving them of independence and regulating their everyday behaviour.

Members will, no doubt, be aware of my particular interest in Operation Encompass. My party and I have been raising and hammering home its importance since we heard of its existence. The Safeguarding Board raised it with me when I was on the Policing Board. Operation Encompass is an information-sharing mechanism that allows PSNI personnel to communicate with a designated person in a school or educational setting to inform them of any domestic abuse incidents involving a pupil. It will help to safeguard children against the lasting effects of domestic abuse by facilitating the provision of rapid support within the school or educational environment by providing a secure and sympathetic environment for the child. Practical examples of that might include the provision of a hot meal, when the child may not have eaten, supporting rather than scolding a child who may not have completed homework, or emotional or psychological support for a child who is clearly vulnerable. I look forward to seeing the roll-out of that with the PSNI and the Education Department, and I greatly welcome the fact that the Education Minister has already piloted a scheme in that regard. I do not think that we can overemphasise its importance. It may seem to be a very small matter, but it will be massive in a child's life. It will also be informative to staff in schools. When a child comes through the school gates, or the gates of any educational setting, the staff will be thinking about what that child has been through or what they might be going through at home. The staff will be thinking about their responsibility to support them emotionally and look after them when they are there.

As a former member of the Policing Board, I am well aware of the vital role that the PSNI will play in the implementation of the legislation. As has been outlined by the Minister and the Chair, and as we outlined in previous debates, the implementation of the legislation is important. The Bill will not be worth the paper that it is written on unless the implementation is right and unless we, the PSNI and all justice agencies fully understand our roles, what the Bill is about and who it serves.

It is easy to spot physical violence. It leaves marks, bruises, cuts and scars. However, much of the abuse that will form part of the new domestic abuse offence will be more subtle and difficult to spot. That is why the training will be vital. Police officers who are responsible for gathering and collecting evidence, along with prosecutors and the judiciary, must have a clear and thorough understanding of the behaviours associated with non-physical abuse. Effective and regular training will, therefore, be one of the

most crucial aspects of the Bill, as we ensure that the PSNI, prosecutors and judiciary are supported in their efforts and are equipped with the proper tools to tackle domestic abuse. The Bill also includes provision for enhanced protective measures for victims of domestic abuse by enabling the Department of Justice to make regulations for steps to be taken or measures imposed to protect a person from domestic abuse. We now know that the Justice Minister intends to legislate for those, and I welcome that.

The DOJ is consulting on the proposals for the introduction of domestic abuse protection notices and orders. We are examining the proposals and will prepare a party response. It is important that everyone who has an interest in this responds, particularly those who have been most impacted. The present protective measures available to victims are not good enough and can often be difficult or costly for victims to access. Nonetheless, between 2016 and 2019, more than 16,000 applications for non-molestation or occupancy orders were made to the courts. That gives us some idea of the scale of this.

I am glad that the Bill includes provision for expanding the eligibility criteria for civil legal aid for victims of domestic abuse. I do not intend to rehearse the many arguments presented in the previous stages of the Bill, but I will highlight that this could turn out to be a very important step for victims. I thank my colleague on the Justice Committee Rachel Woods for bringing forward the amendments on this issue. Whilst there remains huge confusion around whether clause 28 will be recursive in effect and, therefore, whether the Minister will be in a position to commence this clause, clause 29 now puts a duty on the DOJ to bring forward new proposals within two years to reduce the financial burden on victims of having to go through court proceedings with their abusers. There is still a huge amount of work to be done in this area, and the Committee will certainly play its part. I think that I speak for most Members when I say that we are all keen to carry out this role and ensure that we have the best possible protections in place, as quickly as possible. It is important that we get this right.

I have already outlined the important next steps for training staff in the policing and justice system and in getting the legislation commenced and implemented. However, a lot of work remains to be done in tackling domestic abuse. As outlined by the Minister, domestic abuse is a societal problem; it cannot be tackled by the justice system alone. As in all these things, prevention is always better than

cure. We do not want to have to use this law. It is there for those who get to that point. However, we want to protect people from becoming victims in the first place.

There is a huge role for the education system in building an effective curriculum to teach children about healthy relationships. I urge the Education Minister to look at a model of uniformity across our schools. We are currently relying on —

Mr Principal Deputy Speaker: I ask the Member to resume her seat. I am loath to interrupt the Member on an extremely important issue and one that she clearly cares very strongly about. However, Question Time is scheduled to commence at 2.00 pm. We will return to this item of business after Question Time and the question for urgent oral answer, which has been tabled by Mr John Stewart. The Member will then be invited to conclude her remarks. I ask the House to take its ease for a moment while we change the top Table. Thank you.

The debate stood suspended.

2.00 pm

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

Oral Answers to Questions

Justice

Prisons: Positive COVID-19 Tests

1. **Mr Nesbitt** asked the Minister of Justice for an update on the number of positive COVID-19 tests for both prisoners and staff in Northern Ireland's prisons. (AQO 1389/17-22)

Mrs Long (The Minister of Justice): The care of the people who work and live in our prisons is paramount, and it is taken very seriously by my Department.

The Northern Ireland Prison Service (NIPS) was quick to respond to the threat posed by the COVID-19 pandemic, and it introduced a range of measures to minimise the risk of transmission of the virus within prisons. Testing of staff and people in our care was introduced in April 2020 through the Belfast Trust and the Northern Trust, with the South Eastern Trust introducing testing of people in custody, and it was bolstered by the implementation of contact tracing procedures across the organisation in May 2020.

Since the introduction of testing arrangements, 1,822 prisoners and 485 staff have been tested at Maghaberry, 51 prisoners and 231 staff at Magilligan, and 242 prisoners and 167 staff at Hydebank Wood. Some 132 prisoner escort and court custody staff have been tested, as have 20 staff from the Prison Service College and 30 from Prison Service headquarters. In addition, we facilitated testing for 274 family members of Prison Service staff.

As a result of those tests, seven prisoners who were in quarantine on committal and three in the general population have tested positive. One prisoner tested positive prior to committal into NIPS custody, and two tested positive during long-term hospital stays. All 94 members of staff who tested positive have received the necessary support and advice from NIPS.

As a collective, the measures implemented have succeeded, in extreme conditions, in minimising the transmission of COVID-19 within our prisons. This is another example of how, by working together, we can provide good outcomes for those in our care and those who work in their service.

Mr Nesbitt: I thank the Minister for the detail. How, within the confined space that is a prison, do you effectively conduct track and trace and isolate people who have been in close contact with those who tested positive?

Mrs Long: We have within each prison establishment an isolation unit where all members committed to our care, or who leave our care and return, have to reside for a period of not less than 10 days. If they develop symptoms during that time, they go through the normal testing process.

With test, track and trace, all providers of care and support who enter and leave the prison system have their movements in the prison tightly controlled. Therefore, track and trace is much simpler within the prison system than it may be within the general population. In addition, we ensure that anyone who develops symptoms moves to the isolation unit. There, staff are in full PPE, thereby minimising the risk to those who work in the unit.

All who arrive at the prison, whether to provide services or visit, have to take the additional precautions that have been introduced. During the last number of months, we have had to limit in-person visits on a number of occasions. Whilst that is regrettable, we have been able to implement virtual visiting to protect prisoners and their families at what is a difficult time for both.

Ms Dolan: We are all aware of the concerning rise in positive COVID cases over the past couple of months. Minister, are you satisfied that the highest possible health and safety protocols are in place to protect prisoners and staff?

Mrs Long: Yes, I am. We have managed to maintain a very low level of positive COVID tests among those in our prisons. Of course, we are affected, as is every institution in every part of society, by the increased rates of COVID in the community. Prison Service staff who live in the community, and their families, are particularly affected by that, so we keep a very careful watch on the need for people to self-isolate and the need for people who may have symptoms to be tested, in order to achieve the best possible protection for them, their families and the people in our care. It is not a simple process. However, we, of course, have responded to the recent outbreak and the more stringent measures by, for example, stopping in-person visiting in order to take account of the higher prevalence in the community.

Prisoners: COVID-19 Early Release

2. **Ms Flynn** asked the Minister of Justice, given the continuing COVID-19 crisis, whether her Department has any plans for a further release of prisoners with three months or less remaining on their custodial sentence. (AQO 1390/17-22)

Mrs Long: The COVID-19 temporary release scheme that I introduced at the end of last March has allowed the temporary release, on an ongoing, month-by-month basis, of certain categories of prisoners who have three months or less of their custodial sentence remaining. The improving health situation allowed me to pause the scheme at the end of August for two months, but an increase in public infection rates led me to reintroduce the scheme from the start of November. I also agreed to further releases at the start of December, in the Christmas week and at the beginning of this month. Given the ongoing public health crisis, I intend to agree to further releases at the start of February. Thereafter, I plan to keep the scheme under review on a month-by-month basis.

Ms Flynn: I thank the Minister for her answer. She mentioned the public health crisis that we are in, and she will be aware of the complex health needs among the prisoner population as we have spoken about that before. On that basis, can the Minister give an update on whether she has had any conversations with the Minister of Health on the vaccine roll-out among the prisoner population and prison staff?

Mrs Long: It is a matter that I have raised with the Minister of Health. As the Member will know, the roll-out of the vaccine is governed by the Joint Committee on Vaccination and Immunisation (JCVI) on a UK-wide basis, and, at this stage, it is not planned that that will be rolled out in the prisons. However, I have raised my concerns in that regard with the Minister of Health because I believe that, as it is a residential setting, there are particular risks to those who work and reside in the prisons. As the Ulster Unionist Member who asked question 1 indicated, we have very close quarters, although, as a result of the work that we have done, we have, for example, managed to reduce the number of people who are sharing cells. I think that there is a strong case for protecting prisoners, prison officers and their families by rolling out the vaccine there more rapidly than, perhaps, in the rest of the community. Given the lack of stability of some of the vaccines, there may also be an opportunity in that large-scale immunisation in a

facility like a prison may actually be of benefit with regard to driving the process forward.

Mr Beattie: I thank the Minister. I think that I will get a positive response to this, but can the Minister outline how many of those who were released early on that scheme have reoffended and been returned to prison?

Mrs Long: I thank the Member for his question. As he will be aware, it is a decision that was fairly difficult for me to make because I did not think that it was something that I would be comfortable with releasing. However, the numbers of people who have reoffended whilst they are on temporary release are relatively small. As he will be aware, some of those people will have been accused of a crime, been committed back to our custody on remand, and they may, therefore, face further charges; whereas others will have been returned to prison by dint of them having broken the regulations around their release. However, at the last check, I think that the proportion was somewhere around 10%, but I will give the Member the full and detailed figures in writing.

Mr Lyttle: What community intervention has been provided for those who were released under the scheme?

Mrs Long: In respect of those who are released under the scheme, the first thing that we have to check and ensure is that, when we release a prisoner, they have somewhere to go. Therefore, we take the opportunity to work closely with housing providers and others to make sure that they have secure accommodation in place. We also make sure that we are in a position to give them the support that is required. Of course, a prisoner who is in the last three months of their sentence will, in most cases, have gone through some pretest release. Indeed, they may have been preparing for their eventual release. Therefore, they are at an advanced stage in the prison system before being considered for release.

We also consider the vulnerability of prisoners before release, because, obviously, we are conscious of not wanting to release into the community people who may have specific needs that could not be met by, for example, the health service during this particularly difficult time. We try to ensure that those who are released from our custody are those who are most likely to rehabilitate successfully.

I have just found the figure for the Member. Around 7.5% of prisoners who were released temporarily — that is less than I indicated,

which was around 10% — under the scheme have been returned to prison as a result of alleged further offending due to their early release period. That compares favourably with the figures for prisoners serving a determinate sentence who are released on licence more generally. That is a positive experience in how we selected the prisoners and shows that the right support was in place for them in the community.

Domestic Abuse and Family Proceedings Bill: Repercussive Effects

3. **Ms S Bradley** asked the Minister of Justice for an update on any legal advice she has sought from senior counsel regarding the possible repercussive effects of the Domestic Abuse and Family Proceedings Bill. (AQO 1391/17-22)

Mrs Long: My Department instructed senior counsel seeking advice on the possible repercussive effects of the legal aid provisions in the Domestic Abuse and Family Proceedings Bill on 11 December 2020. Advice was provided to the Department in response to that instruction on 13 January 2021, which was last Wednesday, and supplementary advice was received on 15 January 2021, which was last Friday. The advice received is under consideration in the Department. It will inform the development of an economic appraisal of the provisions of the Bill.

Ms S Bradley: Thank you, Minister, for the update so far. Given that we do not have the detail of that advice, will the Minister at least give an assurance that, in the event of there not being a repercussive effect, costings have been carried out in the Department on the effect of the Bill as it stands on the legal aid bill as a whole?

Mrs Long: The legal advice to the Department is, of course, protected by legal privilege. That is an important principle that enables the provision of frank and clear advice by legal representatives to their clients. However, I want to be open and transparent with Members about the decisions that will be taken about those important protections and about the basis on which they are taken. Therefore, I will ensure that the Justice Committee is fully briefed on those issues as they progress. I have already given my word in the Chamber and, indeed, in other places that, where possible, we will commence the legal aid provisions at the same time as we commence the rest of the Bill.

Ms Dillon: Will the Minister indicate whether she has a time frame for when the due diligence may be completed?

Mrs Long: I hope to meet officials in the next few days to discuss further with them the legal advice that I have received. As you will appreciate, additional due diligence will need to be undertaken, but I will write to the Justice Committee to apprise it of the detail of that in due course.

Miss Woods: Will the Minister detail what the economic appraisal that she referenced entails? Has she discussed with Executive colleagues the resource requirements of the Bill?

Mrs Long: The resource requirements were discussed with Executive colleagues in December when the provision was originally made and subsequent to the Bill's Further Consideration Stage. We will, of course, look at the wider implications of repercussiveness in the rest of the UK and in other parts of the legal aid system. Once we have completed that due diligence, we will write to the Committee with further updates.

Prison Officer Welfare and Support

4. **Mr Lyttle** asked the Minister of Justice for an update on the reviews her Department commissioned concerning serving and retired prison officer welfare and support. (AQO 1392/17-22)

Mrs Long: I very much recognise the value of the work that prison staff do on behalf of our community. While their work is largely unseen, we should never underestimate how demanding it is as they challenge and support some of the most complex, difficult and vulnerable members of our community, who have been placed in their care. I am grateful to the Member for the interest that he has taken in the issue over a number of years and for the support that he and other Members have given to serving and retired prison staff.

I very much recognise that the role of prison officer and of governor can be stressful, and I have been very clear since taking office that we need to do more to support them. That is why I appointed Siobhan Keating and Gillian Robinson to undertake a review of support services for operational staff and Graham Walker to do likewise for retired staff. I was pleased to receive their reports on 16 December, and it is my intention to publish both documents along with a detailed action plan outlining how we will implement the

recommendations next week. Both reports are well researched, and it would be difficult to disagree with the conclusions reached by the authors. There is recognition of the considerable work that the Prison Service has been doing under its Prisons 2020 programme to support staff, but it is clear that we must support the Prison Service to do more. I am grateful to Siobhan, Gillian and Graham for undertaking this important work. They deserve considerable credit, not least because they have busy full-time jobs and therefore had to do much of the work in their own time. I have no doubt that the value of their work will be recognised by Members when the reports are published. I assure the House that I am committed to supporting the Prison Service as it implements the recommendations and ensuring that prison staff, past and present, receive all the support that they deserve.

2.15 pm

Mr Lyttle: I echo the Justice Minister's recognition of the work of prison officers in our community. I thank her for the priority that she has given to prison officer welfare, for commissioning the reviews of serving and former prison officer welfare and support so promptly in her tenure and for the speedy reporting of the review recommendations. Will the Justice Minister outline the timescale for the implementation of the recommendations of both reports?

Mrs Long: Many of the recommendations will be relatively straightforward and can be implemented within a few months. Others will take more time and will require additional funding. That funding will have to be secured. It will be necessary to procure some of the additional services that have been recommended. A small number of recommendations will also require careful discussion with the Department of Finance. As I said, I will publish the reports to the Assembly next week. I will also publish an action plan that will set out indicative dates for implementation. I hope that, as a result of that, we will be able to work with the Justice Committee to ensure that it is swiftly implemented and that the benefits of the work that has been done will be felt by prison officers very soon.

Mr Givan: I welcome the Minister's announcement that she will reveal all of this next week. I met both the review teams as part of their investigations. I registered an interest, as I do now, that my father served for 36 years and is now retired, and an uncle of mine also served. In speaking to both teams, I relayed, for

operational staff, issues around shift patterns, social club access exclusive to prison officers and access to counselling services akin to what we have for the police through the Police Rehabilitation and Retraining Trust (PRRT). The Minister may not want to reveal so much ahead of next week, but will those areas be taken forward by the review team? Will greater assistance be given to retired officers who continue to suffer the mental trauma of what they experienced, particularly at the Maze?

Mrs Long: The Member will be very much aware, more than most in the Chamber, of the challenging and unique role carried out by prison officers. The people strand of Prisons 2020 is dedicated to ensuring that staff receive the well-being, support, recognition and development opportunities that are deserving of such a role. We will continue to do so. I hope that, when the report is published, it will provide the Member with encouragement that there will be opportunity for those who are currently in service to receive the bespoke support that they need, recognising the challenges and threats that prison officers face, and that those who have been traumatised over many years as a result of working in the prisons but who no longer work in the Prison Service will also have access to the appropriate support, particularly around trauma and recovery from it.

Mr Butler: I thank the Minister for her words of support for Prison Service staff and her recognition of how difficult a job it is. For the record, I again declare an interest in that I am a former prison officer. I thank Mr Lyttle for his work in bringing the review forward and Mr Beattie from my party. The collective work has been excellent and is well received by the Prison Service. Can the Minister give an idea of how many serving prison officers are receiving treatment for or are off work due to diagnosed mental health issues, given that that is one of the purposes of the review?

Mrs Long: I do not have those figures to hand to give them to the Member, but he is correct in saying that there are a significant number of issues around mental health and well-being. We recognise that that is a particular challenge for those who work in a front-line service like prisons, where they can be dealing with a really challenging cohort of individuals with complex needs. I have to say that they do so in an impressive manner. The report recommendations will build on the work that we already do to support officers. I will be happy to write to the Member with more detail on the numbers who are out at the moment. Of course, people are out because of COVID, in addition to

those who are out as a result of trauma or stress. I will write to the Member with those figures.

Digital Justice Strategy 2020-2025

5. **Mr McGuigan** asked the Minister of Justice for an update on the delivery of the digital justice strategy 2020-2025. (AQO 1393/17-22)

Mrs Long: I am pleased to advise that all six collaborative projects identified as delivery priorities for the first two years of the digital justice strategy 2020-2025 are under way and progressing well. The projects optimise the efforts of criminal justice organisations to work more efficiently through the use of digital platforms and technology and, ultimately, make things better for citizens. The delivery of the strategy has led to tangible improvements, such as the electronic sharing of digital evidence between the Police Service of Northern Ireland (PSNI) and the Public Prosecution Service (PPS), as well as the provision of pending case information to assist the management of Crown Court cases. I anticipate the further roll-out of digital evidence-sharing within the next year across courts and with the legal profession.

My Department is working in partnership with Victim Support NI and the NSPCC to scope out the needs, expectations and requirements of victims and witnesses in order to introduce a new solution to provide personalised information about the progress of their case. We will continue to review our progress against the digital justice strategy and work collaboratively to identify future priorities for the benefit of citizens who engage with the justice system.

Mr McGuigan: Gabhaim buíochas leis an Aire. I thank the Minister. I welcome the answer and the progress made so far on the roll-out of the digital justice strategy. As the Minister said, it is a five-year strategy, but there were commitments in the first two years to bringing about changes that would undoubtedly make a huge difference in speeding up the criminal justice system. Will the Minister confirm whether the progression of the constituent parts that she has outlined and the strategy as a whole will meet its target?

Mrs Long: It is certainly our intention that it will. Of course, we have been battling COVID, and that has provided significant challenges across the court system and for our partners in the justice system. While the COVID-19 challenges are well known, the opportunities that the crisis has presented for accelerating certain areas of

digital justice are often overlooked. We have been working hard to ensure that the digital operation during the COVID crisis can be embedded in the system. Hopefully, we will be able to maintain much of the digital and remote working that we have been able to embed during the crisis. It will then provide further opportunities for flexibility.

Mr Chambers: Given the recent accidental but serious release of information on the identity of former police officers in the Neil McConville case, can the Minister confirm the security of information on the upgraded Causeway IT system?

Mrs Long: As the Member will know, the Causeway system is used by the PSNI and other justice partners to share information. The issue at fault in that case did not reside in the sharing system but was, I think, the result of human error on that occasion, and that has been addressed. I have previously explained to Members that the measures that were taken ensured that the accidental but very distressing passing on of that information by the legacy inquest unit (LIU) was contained very quickly, that the information was recalled and destroyed and that further measures have been put in place to ensure due diligence so that such incidents are not repeated.

Organised Crime: Post-Brexit

6. **Mr O'Toole** asked the Minister of Justice to outline the post-Brexit challenges identified by the cross-border Joint Agency Task Force (JATF) with regard to organised crime. (AQO 1394/17-22)

Mrs Long: The Joint Agency Task Force is an operational task force led by senior officers from the Police Service of Northern Ireland and an Garda Síochána, the Revenue Commissioners and HM Revenue and Customs. A number of other organisations, including the National Crime Agency (NCA) and the Criminal Assets Bureau (CAB), are also involved in operational activity. The PSNI has confirmed that the negotiated agreement means that there are no identified issues brought about by EU exit for the cross-border Joint Agency Task Force. The ability to conduct coordinated joint operations and share information among the agencies in the JATF remains. The negotiated agreement reduces any obvious new emerging criminal threats within organised crime, although those issues will continue to be monitored by the partner agencies, which will, for example, be alert to any attempt to circumvent the arrangements

required for the supply of highly regulated goods from GB to Northern Ireland. The justice and home affairs powers affected by EU exit do not inhibit the ability of the JATF to function effectively.

Mr O'Toole: I am grateful for that answer, and I am intrigued by what the Minister has said. Law enforcement has said that there are no identified issues: are there no issues around the slowing down of, for example, arrest warrants? Obviously, we are outwith the European arrest warrant (EAW) now, and we have no access to Schengen Information System (SIS) II. Is it the case that there are no broad, identified issues with crime enforcement, or is it just that things will be slower?

Secondly, is there a specific budget resource implication for the Department as a result of EU exit? Has she made a bid to the Finance Minister for extra money to deal with the consequences of Brexit?

Mrs Long: Those are two slightly separate issues. With respect to the issue of European arrest warrants, of course there will be some delay, because those will now operate under a different convention — the Lugano convention — and we have already identified that that will be a slower process than the European arrest warrant. That is recognised. However, I was answering with respect to the JATF's operational capacity, and that is a slightly different question. From our perspective, there are issues and challenges around EU exit. First, there is the opportunity for enhanced crime on a cross-border basis due to smuggling and other things. That has been mitigated somewhat by the fact that, at this stage, there are no differentials in the tariffs. The main area that, we believe, may be exploited is that of very highly regulated goods.

The other issue that the Member will, of course, be aware of is the ability to share data. We currently have a derogation for data adequacy. However, were the data adequacy agreement to come to an end, that would, of course, be a major challenge not only for the JATF but, indeed, the PSNI and an Garda Síochána more generally.

Dr Archibald: Given the destructive impact of Brexit that we have already seen in the first two weeks of the new year, have there been any immediate challenges to the wider policing and justice system in 2021 as a result of Brexit?

Mrs Long: With respect to the withdrawal agreement that has finally been agreed, the

future security partnership has been a much better part of the negotiation than perhaps the future trade arrangements have been. While there are clearly issues around the trading arrangements, there have been fewer issues around the future security partnership; indeed, if you look at the European tools with which we have been able to maintain our integrity and our operational capacity, you will see that we have much more access than we originally anticipated as a result of those negotiations. That highlights how important it is. Despite the frustrations that people may feel about the trade elements of the deal, without that deal we would be in a much more serious situation when it comes to security.

It is important to note, reflecting on the previous Member's question, that there will, of course, be challenges. At this point, we have not put forward bids around Brexit. We are, however, aware that the PSNI has made bids for additional resource, because it still believes that it needs additional officers to police Brexit. We now await Treasury coming back. The indications so far have been that it does not intend to extend Brexit funding into next year. That would be a serious matter.

Civil, Family and Criminal Justice Cooperation: Post-Brexit

7. **Mr Muir** asked the Minister of Justice for her assessment of how the United Kingdom's exit from the European Union will affect civil, family and criminal justice cooperation in Northern Ireland. (AQO 1395/17-22)

Mrs Long: Civil and family justice cooperation does not feature in the trade and cooperation agreement, and those areas are now largely governed by existing international agreements. In the family justice field, that leaves relatively few gaps, because Hague conventions, such as the 1996 Hague convention relating to cross-border contact, residence and child protection cases and the 2007 Hague convention that applies to cross-border maintenance cases, cover much of the same ground as the EU instruments. In relation to civil and commercial law, there are limited international cooperation mechanisms. The only substantial one is the Lugano convention of 2007, which the UK has applied to rejoin, and a decision on that is awaited.

In the meantime, other than in cases where there is an exclusive choice of court contract covered by the 2005 Hague choice of court convention — that is a commercial contract where both sides agree at the outset the

jurisdiction in which a dispute will be heard — cross-border disputes will be left to the domestic rules of the relevant countries to resolve. That will, unfortunately, lead to a lack of clarity over which court has jurisdiction in a case and to potentially more expensive and lengthier parallel proceedings.

The trade and cooperation agreement includes provisions on law enforcement and judicial cooperation in criminal matters.

2.30 pm

Mr Deputy Speaker (Mr Beggs): I am afraid that our time is up and that you will not be able to get a supplementary on this occasion. That is the end of listed questions to the Minister; we now move on to topical questions.

ICC Belfast Nightingale Facility: Accessibility

T1. **Mr Irwin** asked the Minister of Justice for her opinion of the accessibility of the Nightingale facility at the international convention centre in Belfast for benefit appeal tribunals, especially for those who have a disability or who are unwell. (AQT 861/17-22)

Mrs Long: The creation of the Nightingale facility at the international convention centre at the Waterfront Hall is a major step forward in providing additional space and capacity for tribunals and for the routine business of courts. I understand, although I have yet to confirm it, that an inquest was scheduled to be held there today. It shows that with that extra space we can make real progress in the courts.

It is an accessible, modern facility designed for that purpose. It is, of course, located in Belfast, and Members may say that although it may be accessible to me in Belfast, it may not be so accessible for rural dwellers. Of course, we are looking for other opportunities to find breakout space to supplement the work that we do at the court hubs that we have reopened during the crisis. We have put in additional space by means of mobile buildings inside the court curtilage to ensure that, in all our premises, we can properly manage social distancing and all the other requirements to combat COVID and make our courts a safe place for people to attend.

Mr Irwin: I thank the Minister for her response. I am sure that the Minister will accept that for those living in the west of the Province it will necessitate a hundred mile journey each way. It

will be imperative that another venue be found for people in the west of the Province.

Mrs Long: Yes, of course, and we are looking at other opportunities to roll out additional facilities. The Member will be aware that, as I said in my original answer, we will try to do that at each of the court hubs to create more space to help with business. However, some cases will only be able to be heard at the Laganside courts, simply due to the scale and capacity issues at our other courthouses. Indeed, the same may be true of some tribunals.

It is a disruption; we accept that. We are also increasing remote working and remote attendances, so many people who are engaged in proceedings may not have to be present in court in order to do business. We encourage people, before they present at court, to work with their representatives and with court officials to ensure that their presence is absolutely required. Otherwise it would be best for them not to attend.

Mr Deputy Speaker (Mr Beggs): I encourage Members when asking a question to face the Chair. The microphones are generally located so that they will pick you up if you face the Chair. We want to ensure that Hansard has an accurate record of proceedings.

Police Officers: NDNA Commitment

T2. **Mr Newton** asked the Minister of Justice for an update on the progress of the outline business case for additional police officers, as agreed in New Decade, New Approach (NDNA). (AQT 862/17-22)

Mrs Long: The outline business case has been proceeding with the Department of Finance, and we have had permission to move now to a strategic business case, to be provided by the PSNI, and we are working with them in that regard. However, the Member's desire, as well as mine, is to find the additional funding to allow that to be not just a successful business case but actually operationalised.

The current financial environment and the fact that Treasury has not yet confirmed the COVID money that allowed the police to employ over 300 new officers in the run-up to Brexit create a significant challenge for the police in wishing to extend their numbers.

Mr Newton: It was back in August 2019 when the Chief Constable first raised the question of his need for an additional 800 officers. Given what the Minister has just said, some 14

months into her tenure, what confidence can she give to the Chief Constable that the 800 officers will be delivered, bearing in mind the critical health situation at the moment and, indeed, the number of officers who are not available to the Chief Constable at this stage?

Mrs Long: I know that last year felt like a long time, but I can assure the Member that it is not 14 months since I took up my position last January. There are only 12 months in a year, and it is 12 months, almost to the day, since I took up my position.

There is additional support for the PSNI. Indeed, the PSNI made and then withdrew a bid for additional funding to cover COVID overtime because it believes that it can meet that cost from within its current budget. We liaise with the PSNI regularly to ensure that it has capacity. Of course, the recruitment of new officers is not an overnight issue and would not do anything to mitigate the challenges that we face with COVID. However, I remain committed to trying to secure the funding. We know that the full-year costs are around £40 million once all officers are recruited and embedded in service delivery. The Member will be aware that we face a Budget that is likely to provide flat-cash budgets to all Departments, which gives us very little scope to be able to provide additional funding. It will, of course, ultimately reside with the Chief Constable to prioritise the resources available to him and decide whether they are for additional officers or for some of the other projects that he has said are a priority for the PSNI at this time.

Legacy Mechanisms

T3. **Ms Ní Chuilín** asked the Minister of Justice, now that it has been established that it has been a year since the formation of the Executive, and given that she will be aware of the commitment in New Decade, New Approach for the British Government to introduce legislation within 100 days to implement the legacy mechanisms contained within the Stormont House Agreement, what conversations she and her departmental officials have had with the NIO and the British Government about the delay in introducing that legislation. (AQT 863/17-22)

Mrs Long: The Member will be aware that, whilst I, as a party leader and as a political leader, have had many conversations with the Secretary of State, I would probably best describe those as frustrating when it comes to the issue of legacy. The Department has continued to try to engage on this issue to make

the Government aware of the urgency of dealing with this and the importance of dealing with it in a comprehensive way. It brings pressures on the Department of Justice's budget because, in the absence of a comprehensive strategy to deal with legacy, we find that more and more victims will take recourse in the courts through legacy litigation. They will seek inquests or other means of trying to meet their need for truth and justice, which they cannot currently receive through the Stormont House arrangements that it was anticipated would be brought forward.

At our review of the NDNA commitments last week, it was heartening to see how many of those have been progressed. I characterised many of those, though, as low-hanging fruit, where we were dealing with the easy things and not dealing with the difficult questions that have often blighted the Assembly. I have to say that legacy stands amongst the only issues, however, on which we have gone backwards since the NDNA agreement was signed. It is a shame, given the sensitivity of legacy issues, that that is the place in which we find ourselves.

Ms Ní Chuilín: I thank the Minister for her very honest and robust response, given that, like many parties, she probably bears the scars of the Stormont House Agreement six years ago. She outlined some of the negative impacts on all families, regardless of who they are or how they identify themselves. She also indicated some of the potential impacts on her budget. Will she outline the other impacts that the lack of significant progress, or any progress at all, and the refusal of the British Government to legislate on what was in the Stormont House Agreement will have not only on her Department but on the entire Executive?

Mrs Long: I think that it is well known that, if these issues have to be dealt with by the Department of Justice, and if the structures that were promised under the Stormont House Agreement are not put in place, a major question will arise about what happens to the funding that was set aside for legacy matters and anticipated to be used to set up the historical investigations unit (HIU) and the other structures that were in that agreement. We have been informed by the NIO that that money cannot be drawn down for any other purposes. Therefore, that money sits and waits for an alternative structure to be brought forward.

However, fundamentally, it is not about money. It is about people's confidence, first, in the Government's upholding of agreements that they made. We have all come back to this place and are working together through difficult times,

often when we are not all of one mind on issues — that is putting it mildly. We have come back and have done what was required of us. It is time that the UK Government do what is required of them and what was promised by them when they said that they would take that forward within the first 100 days. More than our trust and confidence as parties in those negotiations, there is an issue about trust and confidence in the system for victims who still await truth and those who have been accused of wrongdoings, want to be able to prove their innocence and have a sword of Damocles hanging over their heads constantly.

The only moral thing to do is to take it forward as a matter of urgency. Along with Executive colleagues, I will engage with the Secretary of State and the Tánaiste to ensure that we can do that.

‘Did the Right Man Hang?’

T4. Mr Easton asked the Minister of Justice, in light of Gordon Adair’s Radio Ulster investigation, ‘Did the Right Man Hang?’, and new evidence that has been presented in the 90-year-old case of the supposed murder of Minnie Reid and the supposed hanging of Harold Courtney, to give permission for all records held by PRONI on the court, prison and police services to be released for public research. (AQT 864/17-22)

Mrs Long: The release of records from PRONI is not a matter for the Minister of Justice. PRONI lies within the Department of Culture — I almost went backwards in time. It lies within the Department for Communities, and it would be for that Minister to have that engagement. Where we can be of assistance to the families, we will be happy to do so.

Mr Easton: I thank the Minister for her answer. Would she agree with me that, with such an old case, any records that could be released to help find out the truth would be welcomed?

Mrs Long: Irrespective of the length of time, justice is always welcome. That point has been made in this and the previous question. I do not think that the passage of time should deny people access to justice. It is important that that option is still available where practicable. I would hope that we would be able to be of assistance where that is possible and allow people to find out the truth behind those situations.

‘Ask for Ani’: Domestic Abuse Code Word

T5. Ms Flynn asked the Minister of Justice whether work is ongoing to introduce a similar local scheme to the initiative that was introduced in Britain last week, whereby domestic abuse victims can go to a pharmacy and use the ‘Ask for Ani’ code word to indicate that they need help. (AQT 865/17-22)

Mrs Long: I am delighted to be able to confirm to the Member that we are part of the ‘Ask for Ani’ scheme. If someone goes to their local Boots pharmacy in Northern Ireland and sees the literature on display as part of the Home Office scheme, they will be able to ask for assistance necessary immediately (ANI). They will be escorted to a safe place in the building and given the opportunity, through a trained counsellor who will be present, to phone and ask for help and assistance, as required. It is a hugely powerful scheme, and there will be opportunities for other pharmacies to sign up to that scheme and provide it in communities where a Boots pharmacy may not be available. It is hugely important given that, often, particularly during the current COVID crisis, going to a pharmacy may be one of the few private opportunities that someone may get to raise concerns about domestic abuse. It is a very powerful way forward.

Mr Deputy Speaker (Mr Beggs): Members, it is clear that a mobile phone is causing interference. I ask Members to check their phones.

Ms Flynn: I thank the Minister for her answer. It touched on some of what I wanted to raise in my supplementary question about how the scheme will be rolled out in the North, and it makes sense that it will be rolled out similarly across these islands. Maybe the work has already taken place, but I want to ensure that you have a consistency of approach. Is it something that you are discussing with other Justice Ministers?

Mrs Long: Yes, it is. Each of the pharmacies that have signed up to the scheme will display the literature and posters so that people will be able to see them. Many pharmacies have developed consulting rooms so that there is a private place where people can speak to a pharmacist if they have minor medical complaints and are seeking assistance.

They will make use of those consulting rooms in order to give an individual privacy so that they

are able to contact either the 24-hour domestic abuse and sexual abuse helpline or, if required, the PSNI.

2.45 pm

Even if the scheme is not visible and the signs are not there, I encourage anyone who gets the opportunity when they are with their pharmacist to ask for help or for a private word. I know that many pharmacists would be more than happy to give people whatever assistance they need. I encourage the Member and all Members to encourage their constituents to be confident about asking for help.

Agriculture, Environment and Rural Affairs

Ports: DAERA Support

Protocol on Ireland/Northern Ireland: Implications

1. **Ms Dillon** asked the Minister of Agriculture, Environment and Rural Affairs what support his Department is providing to assist traders and haulage businesses to navigate the new checking systems at our ports. (AQO 1404/17-22)

13. **Mr Givan** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the implications of the application of the protocol on Ireland/Northern Ireland from 1 January 2021 on the movement of goods and livestock between Great Britain and Northern Ireland. (AQO 1416/17-22)

Mr Poots (The Minister of Agriculture, Environment and Rural Affairs): With your permission, Mr Deputy Speaker, I will take questions 1 and 13 together.

My Department has made every effort to prepare traders and haulage businesses for implementing the new processes that are required to move goods from Great Britain to Northern Ireland. In November and December, the Department held a series of trader information seminars, during which presentations were made to a large range of stakeholders. The processes were explained, and participants were able to put specific questions to an expert panel.

We are in the early weeks of working with the new arrangements that have been brought about by EU exit. There is a period of

adjustment as everyone adapts. The regulatory checks under the protocol are particularly pronounced for agri-food. Those are long-term problems and are not easily solved, and many are proving to be intractable. However, we will continue to try to mitigate those and call on the EU to show pragmatism for Northern Ireland.

My officials are working with industry, logistics companies and hauliers to achieve compliance. I have also raised the matters with the United Kingdom Government (UKG) and the Commission's vice president to highlight the current difficulties and to press for better solutions.

I am clear that, while we are working towards solutions, the protocol is the main cause of the disruption in the internal market. As a result of the protocol, UKG and the European Union have ensured additional costs to businesses and Northern Ireland consumers and have impacted market chains, reducing choice and limiting supply from GB businesses. We also need to work to mitigate cliff edges at the end of the grace period in the next three to six months.

Ms Dillon: I thank the Minister for his answer. For clarity, Brexit is the main cause of the problems that we are having, if we are going to be honest about it.

The conclusion of the Trade and Cooperation Agreement came at a very late stage in the day, and the Minister will be aware of the concerns that were raised by the Chief Veterinary Officer, Robert Huey, about the lack of preparedness. Have you had any engagements, Minister, with HMRC in order to provide better support for businesses, including, for example, a dedicated telephone helpline?

Mr Poots: Our departmental officials have worked very hard with everyone to deal with issues that have arisen in the internal market as a consequence of the protocol, which was supported by Sinn Féin, the SDLP, Alliance and the Green Party, who all called for its rigorous implementation. What we are seeing at the moment is light-touch implementation, and the problems that we are facing are a consequence of light-touch implementation. Once we get the rigorous implementation that the parties requested, we will be in a considerably worse position.

DAERA hosted an end-of-transition webinar on 7 January, which targeted businesses in GB and Northern Ireland and was aimed at helping to implement the new arrangements. DEFRA colleagues and HMRC representatives participated in the event and extended the

communication reach to GB businesses via their engagement channels. Members of the Trade and Agriculture Commission will also alert their counterpart representative organisations in GB to the opportunity to dial in to those events. Work is ongoing with DEFRA colleagues to develop complementary messaging around key issues and a structured approach to assisting businesses to adapt to ongoing changes following the end of the grace period.

Mr Givan: The unmitigated disaster that is the Northern Ireland protocol, propagated and delivered by the Alliance Party, Sinn Féin and the SDLP, which placed political ideology above the citizens of Northern Ireland, is causing an appalling state of affairs for many people across our country. What mitigating efforts are being taken to engage with Her Majesty's Government, and do they include the invocation of article 16 to free us from the shackles under which the European Union and those in the House have placed us?

Mr Poots: I thank the Member for his question. Considerable discussions are taking place regularly at the highest level of government with Michael Gove, George Eustice, Brandon Lewis and the appropriate Cabinet Secretaries. In our regular meetings, Ministers and Members of Parliament are hearing about the issues. We need to recognise that those issues are significant, but the three-month and six-month cliff edges are where they become really problematic. That will have an impact on our hospitality sector, and, unless changes are made, it will lead to disruption of supplies to schools, hospitals and prisons.

I reiterate that, because some people were particularly disingenuous in the last week when I raised that matter. That is what the minute of the meeting describes; it is not my minute but the official minute of the meeting. The BBC, other media outlets and, indeed, other politicians may seek to undermine what I said and try to create a discrepancy around the veracity of the minute, but it is there.

Mr McGlone: I will just give the Minister a short reminder that, had there been no Brexit, there would have been no protocol; it is as simple as that. Anyway, to get back to the here and now and to where we are, I want to ask him about the Trader Support Service. His departmental officials have been very helpful to businesses, but that cannot be said of the Trader Support Service, where there seems to be varying degrees of experience. What liaison has there been between DAERA and the Trader Support

Service to establish a more experienced wealth of information?

Mr Poots: DAERA has been working extremely hard with everyone that it can to indicate what is coming down the line with the implementation of the protocol and its legal ramifications. Consequently, there was not the same level of preparation on the Great Britain side than there was on the Northern Ireland side. Leaving that aside, even with all the preparations that had taken place on the Northern Ireland side, there would still have been considerable problems as a consequence of the quick implementation of the protocol. We need time to work that through, and EU officials need to recognise that forcing it on at a faster pace will cause massive problems for Northern Ireland. We need to be able to respond to the situation in a sensible way. My preference is that substantial elements of the protocol be reviewed, up to and including invoking article 16, because, at the moment, it is causing hardship to the community and could cause far greater hardship if it goes ahead as planned.

Mr Chambers: What additional information or administration is required for goods moving onwards to the Republic of Ireland, or other parts of the EU, compared with that required for those remaining in Northern Ireland?

Mr Poots: All the goods coming to Northern Ireland that require sanitary and phytosanitary (SPS) checks have those checks, so goods that have had the appropriate SPS checks should, in theory, be able to be moved to the Republic of Ireland without issue, because they have entered the single market at that point, and that should not be an issue.

That having been said, the Irish Government seem to have created a problem of their own, in that fishermen who are landing fish can land them in only a small number of ports in Ireland. The remarkable thing is that they could bring the fish that they catch on the north and west coast of Ireland back to Lisahally port, put it on to a lorry and drive it to exactly the same port in the Republic of Ireland. We therefore need a bit of common sense to be applied on the Republic of Ireland side as well.

Mr Allister: While the Minister is absolutely right to call out the pan-nationalist front for its demands for rigorous implementation of the protocol, does he too, though, not have a credibility problem? He is the Minister who told the House on a number of occasions that he had no intention of facilitating infrastructure at the border, yet he is the Minister whose

Department has built the infrastructure for the Irish Sea border. Having built the border, what does he now intend to do to get rid of it?

Mr Poots: The Member always likes to get one up on his unionist colleagues. He has been attempting to pin this one on me for a long time, unsuccessfully thus far, with the exception of among a small number of people. He knows full well that that is an element of the protocol; that the UK Government have demanded the infrastructure and are paying for it in its entirety; and that I have given no instruction whatsoever to any official to build anything at the ports, which, in any event, is land that does not belong to my Department.

I have the legal advice here. The Member is a Queen's Counsel, so he knows a bit about the law. He knows more about the law than any of us. He therefore knows how inappropriate it is for him to ask a Minister to break the law in the course of doing his job.

UK-EU Trade and Cooperation Agreement

2. **Mr Nesbitt** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the analysis of the UK-EU trade and cooperation agreement contained in the briefing paper from the Northern Ireland Fishermen's Federation of 28 December 2020. (AQO 1405/17-22)

Mr Poots: The analysis of the outcome of the UK-EU trade and cooperation agreement by the Northern Ireland Fishermen's Federation, in particular the part that deals with the fisheries agreement, reflects understandable disappointment from the industry that more was not achieved.

As the analysis points out, however, Northern Ireland fishermen will still have a greater share of Irish Sea fish stocks than they had previously. Those gains are not of the magnitude that they had hoped for, but they are gains nonetheless. They will save the industry financially, as it will not have to engage in expensive quota swaps to obtain the additional quota.

By 2025, we will have almost all the Irish Sea herring quota, and, from 2021, the much-hated Hague preference, which led to annual reductions in our shares of cod, whiting, plaice and sole, has gone. Overall, my assessment is that the increased shares for area VII nephrops and Irish Sea stocks will give security to the Northern Ireland fishing fleet. They will allow it

to fish to its current levels but without the added cost of securing additional quota to meet its needs.

The outcomes for the main Irish Sea stocks are as follows: the area VII nephrops share will go up from 33% to 42% by 2025; the Irish Sea herring share will increase from 74% to 99% by 2025; the Irish Sea cod share, previously at 29%, will rise to 45% by 2025; the whiting share will rise from 39% to 61% by 2025; and the Irish Sea haddock share will increase from 48% to 56%.

Mr Nesbitt: I thank the Minister. The Fishermen's Federation briefing paper, which is three pages long, could be summarised by this one line:

"The fishing industry had been led to believe that it would be much better off. We are not."

Looking forward, it is asking that the £100 million that the Prime Minister has pledged for modernisation be allocated on the basis of need and certainly not by the Barnett formula. What practical steps is the Minister taking to ensure Northern Ireland's fleet gets its fair share of that £100 million reserve?

3.00 pm

Mr Poots: From 2.00 pm to 2.30 pm, I had a meeting with Minister Prentis and her team from the United Kingdom Government, and we discussed those very issues. We expressed our disappointment, which she agreed with, with the actual outcome, and we raised the issue of the £100 million. We also raised the issue of the number of fish that we catch outside of the Irish Sea. A considerable amount of the traditional catch is outside of the Irish Sea box, and that needs to be taken into account when the UK quota is being distributed.

Northern Ireland has been taking around 8-4% of the UK fish catch traditionally. I am pressing for that to continue to be the case in the allocation of quota. As the Member rightly points out, the allocation of the £100 million should not be associated with Barnett, and, as I rightly pointed out to Minister Prentis, the need in Northern Ireland is slightly different from the need in Shropshire.

Mr McGuigan: The internecine combat between the TUV and the DUP is very interesting and it was exceedingly ironic to hear Paul Givan, who has just left the Chamber, accusing others of pursuing decisions on the dogma of political ideology. Brexit is a serious

issue, and it was a serious issue when it was being pointed out to the DUP by businesses, traders and political parties in this Chamber over the last number of years.

Mr Deputy Speaker (Mr Beggs): Will the Member come to his question, please?

Mr McGuigan: Yes. Does the Minister agree with me that weak labour protections within the trade and cooperation agreement could negatively impact on those involved in the fishing industry moving forward?

Mr Poots: A key aspect of fishing is that we provide the skippers and others man the boats. A lot of those folks come from other parts of Europe and, indeed, other parts of the world. Having it recognised as a skilled trade was critical. We welcomed the views of the migration advisory committee (MAC), but it is important that the Home Office fully accepts those views, which will allow us to bring in high-quality fishermen. Many of them will probably be from the Philippines and some will be from Ghana. There is a really good pool of people out there who have particular expertise. You cannot just put any labourer on to a boat. It is very specialised work, and if we are to harvest the seas in a sustainable way, we will need people from other countries to assist us in doing that.

Mr O'Toole: I will not spend too much breath deflecting DUP claims about Brexit because no one really believes it, but, in the interests of being constructive, I will ask a question about fish. Langoustines are rotting in Scottish fish warehouses because they cannot get them to market on the continent quickly enough. That is not a result of the protocol; that is a result of Brexit. Northern Ireland is in a different position because we have a different kind of unfettered access to the EU market, which should mean that fishermen and fish producers here are at an advantageous position vis-à-vis the rest of the European market, unlike those in Scotland.

Mr Deputy Speaker (Mr Beggs): Will the Member come to his question?

Mr O'Toole: Will the Minister confirm that he has had conversations about maximising those opportunities? Will he offer some thoughts on how to boost those supply chains directly from Northern Ireland to the continent?

Mr Poots: The problem that the Scots have is getting goods over the Dover-Calais strait and down from Peterhead to there in a reasonable time. They should not be letting langoustines

rot; most people freeze them. That is what normally happens. In any event, we have full access to the single market and will seek to utilise that.

One of the problems that we had previously is that around £5 million of fish from Scotland was brought here for processing to be sold, and that will have a significant impact if we can no longer import those fish for further sale. On the internal market issue, over 50% of our trade is from Northern Ireland to GB, and over 50% of our imports come from GB, so those who advocated putting barriers in that market were advocating foolishness of the highest order.

Ms Armstrong: I will not waste my time talking about the fact that I voted against Brexit and that my party voted against the protocol. As the Minister outlined, Northern Irish boats are excluded from all but two ports in the South. As someone who lives extremely close to Portavogie, I am keen to find out what you are doing and what conversations you are having with the UK and Irish Governments to sort out that outstanding issue.

Mr Poots: That issue was also discussed with Minister Prentis today. Further to that, my Department has written to the Irish Government and requested meetings. I am waiting for Minister McConalogue to facilitate that meeting. I hope that it will be sooner rather than later. I had hoped that it would be last week, but I am in their hands. I have requested the meeting. I cannot force it.

Levelling Up Fund

3. **Mr Lynch** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the British Government's levelling up fund. (AQO 1406/17-22)

Mr Poots: The question is more appropriate for the Minister of Finance. However, I am aware that, as part of the spending review announced on 25 November 2020, the UK Government launched a new levelling up fund worth £4 billion for England. It will also attract up to £0.8 billion for Scotland, Wales and Northern Ireland. Funding to the Northern Ireland Executive will be in line with the Barnett formula and based upon allocations to Whitehall Departments, and that will follow a competitive process. The timing and quantum of the allocations remain uncertain. As with all allocations under the Barnett formula, funding will be unhypothecated, meaning that it will be for the Executive to determine how it is spent in Northern Ireland. The Minister of Finance

should be able to provide an update on the fund when there is more clarity from the Treasury.

Mr Lynch: I thank the Minister for answering the question. Can the Minister clarify whether the levelling up fund will specifically focus on rural areas as defined in the Rural Needs Act?

Mr Poots: I am not in a position to do that. The Finance Minister did give some thoughts on the matter this morning. He thought that the main aim of the funding was to level up the south and north of England. However, if we do get our share through the Barnett formula, it will be ultimately for the Executive to decide how it is spent. I welcome any support from Sinn Féin Members to suggest that the Finance Minister should direct that funding to rural communities through DAERA. That would be an excellent suggestion.

Air Quality: East Belfast

4. **Mr Newton** asked the Minister of Agriculture, Environment and Rural Affairs to outline the monitoring of air quality in the inner city area of East Belfast. (AQO 1407/17-22)

Mr Poots: Air quality in the East Belfast constituency is monitored at an automatic monitoring station based at Ballyhackamore on the Upper Newtownards Road. At this stage, nitrogen dioxide pollution is monitored at that station. Additional nitrogen dioxide monitoring, known as passive sampling, is carried out at roadside locations using diffusion tubes located at a number of locations across East Belfast. There is also a diffusion tube co-location study, with three diffusion tubes located in close proximity to the Ballyhackamore automatic site. These two methods of monitoring complement each other and strengthen the data gathered.

Passive sampling using diffusion tubes takes place at a further seven locations across the East Belfast constituency at North Road; Short Strand; Knock Road; Station Road; Upper Newtownards Road and Hollywood Road; Titanic Quarter; and Upper Knockbreda Road. Historic data for the Ballyhackamore site, and all other monitoring stations in the network, is available on my Department's Northern Ireland air website.

I encourage everyone to visit the site, where you can download the new Northern Ireland air app, see the locations of the monitoring stations and receive the most up-to-date information on the quality of air across Northern Ireland.

Mr Newton: I thank the Minister for his detailed answer. The Minister will be aware that when a coroner in London recently ruled on the death of a nine-year-old girl, he said that air pollution had made a material contribution. Why is only one pollutant monitored in Northern Ireland rather than a variety of pollutants?

Mr Poots: That was a very interesting case. Whilst Belfast does not have to absorb the pollutants from anywhere near the number of vehicles that London does, the air does not change quickly because it lies in a series of hills. Therefore, pollutants tend to stay in the atmosphere.

Nitrogen dioxide, in particular, is a pollutant that was identified in a review and assessment process that took place in conjunction with the city council and was completed in early 2004. The assessment concluded that modelled and monitored exceedances of short- and long-term objectives for both nitrogen dioxide and particulate matter were occurring in the city and were likely to continue to do so in locations beyond 2010. As a consequence of the initial review and assessment process, Belfast City Council commenced an extensive monitoring programme of nitrogen dioxide because it was the main pollutant of concern in Belfast and, in particular, the east of the city.

Mr Blair: Further to the Minister's answers, can he make a commitment that the clean air strategy will be published and implemented this year?

Mr Poots: Certainly. Once I have considered the options and decided on a policy direction, officials will begin to draft the first clean air strategy for Northern Ireland. It will be a shorter and more focused document than the current discussion document, and it will contain specific proposals on policy and on other measures that can improve air quality. The draft clean air strategy will be subject to an additional public consultation due to its cross-cutting nature and policy area. Therefore, I will also seek Executive approval, and I trust that it will be forthcoming.

Mr O'Toole: In 2020, a report from Centre for Cities said that, per head, Belfast was the second-highest emitter of particulate matter of cities in the UK. We have a wonderful city and a great future. However, one thing that people want desperately is to live in a clean city where their kids breathe clean air. Does the Minister agree that, when he publishes the clean air strategy, making Belfast a cleaner, greener city

to live in and improving its air quality should be right at the heart of that strategy?

Mr Poots: Certainly, the issues that relate to air quality are greater in Belfast, followed by Londonderry, which stands to sense, than in any other part of Northern Ireland. Therefore, much of our work to tackle the issue of air quality will relate to the city of Belfast.

Bovine TB Strategy: Update

5. **Mr Sheehan** asked the Minister of Agriculture, Environment and Rural Affairs for an update on plans to publish a new bovine tuberculosis strategy. (AQO 1408/17-22)

Mr Poots: Eradication of bovine TB remains one of my top priorities. I am well aware of the devastating emotional and financial impact a TB breakdown can have on farming families across Northern Ireland when disease is found in their herds. Therefore, I intend to move forward with the strategy as soon as possible, although some of the strategy recommendations that are subject to my final approval are likely to require changes to existing legislation and further consultation. Officials are working at pace to finalise the strategy and its accompanying business case. Once that work has been completed, I will be in a position to make a final and informed decision on the elements of a bovine TB eradication strategy that will ensure a holistic approach and address all the key factors in the maintenance and spread of the disease in Northern Ireland.

Mr Sheehan: Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for that answer. What new measures does he hope will be in the bovine TB strategy?

Mr Poots: There will be a series of measures relating to farming and farming practice. Considerable steps have already been taken on that front, right through to how we deal with the issue of other spreaders to the animal population. A responsibility will be placed on us all to ensure that we continue to drive down that disease in the bovine population and ensure that we have a healthier bovine and, indeed, wildlife population when that is concluded.

Mrs Barton: The Minister will be aware that the incidence of TB in calves that are under six weeks old is very low. Is it not possible that, in the event that a farm is closed due to TB, the farmer could get calves that are under six weeks old TB tested and sell them online or

directly to another farmer, thereby not going through the mart system?

Mr Poots: The Veterinary Service will have to give advice on that matter. At the moment, our effort is to drive down the spread of TB.

I know that TB can be latent in animals, so animals that move might not show any signs of TB initially but do so later. It is, therefore, one of those difficult issues. We are looking seriously at moving animals in beef finishing units from one closed herd to another closed herd, as is already happening in England, and the possibility of people who specialise in rearing calves through to beef taking that on.

3.15 pm

Mr Deputy Speaker (Mr Beggs): I call Kellie Armstrong for a brief question.

Ms Armstrong: I will be quick, because I appreciate the time. What consultation has taken place with the wildlife and conservation sector? Will the Minister clarify whether the sampling of badgers that have been killed on the roads is carrying on through COVID?

Mr Poots: We have had engagement with Ulster Wildlife, and others, on the issue. The sampling of badgers that are killed on the roads continues, and a very high proportion of those are found to be carriers of TB.

Mr Deputy Speaker (Mr Beggs): That is end of the period for listed questions. We move now to topical questions. Question 4 has been withdrawn. I call Mike Nesbitt.

Food Supply Chain: Contradictory Statements

T1. **Mr Nesbitt** asked the Minister of Agriculture, Environment and Rural Affairs, after noting his two contradictory statements, in that although he has repeated his warning about the security of the food supply chain, he previously posted on social media — “Cringeworthy comments from CBI in NI that there would be no food on the shelves. The bulk of the food on the shelves is produced within the UK. Embarrassing themselves and scaring people who don't know the facts.” — would the real Edwin Poots please stand up. (AQT 871/17-22)

Mr Poots: That has obviously been identified by someone who did not pay much attention to what the first tweet was about. The first tweet was about food coming from the European

Union. Were the Member to understand the subject well, he would realise that the rest of the European Union, as it is described, accounts for around 10% of the food imports to Northern Ireland, and that the food from GB accounts for over 50% of the food that comes to Northern Ireland. The first tweet was about the 10%, and the issue that we are facing today relates to the 50%. Some idiot decided to conflate two issues — two separate issues — and then claim them to be of great importance. I am sorry that the Member has built his question on the work of an idiot.

Mr Nesbitt: Thank you very much indeed. The issue seems to be the protocol. As the First Minister told the House, last month, the protocol was imposed upon us and negotiated by the UK Government. The Minister for Agriculture previously told the House:

"I am proud to be part of the United Kingdom and to put my faith in our national Government". — [Official Report (Hansard), Bound Volume 117, p103, col 1].

That is in Hansard. Is the Minister still proud to put his faith in the national Government?

Mr Poots: I am not sure about whether the Member is, but I am still proud to be part of the United Kingdom. I will work very closely with everyone I can to ensure that Northern Ireland gets the best deal possible at all times. The deal that was negotiated is not the deal that I would have negotiated, and it is not the deal that many people in Northern Ireland wanted. The consequence of the deal is not so much a cultural barrier, and neither does it impact on our standing in the United Kingdom on many fronts, but it is one that creates a trade barrier, and that trade barrier causes problems to food processors, food retailers and consumers.

Ammonia Action Plan: Update

T2. **Mr Dickson** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the ammonia action plan. (AQT 872/17-22)

Mr Poots: We have done considerable work in looking at the ammonia action plan. We are hopeful that we can make a real difference in dealing with the issue of ammonia. It is high in Northern Ireland, given the fact that we have high livestock numbers for the square miles that exist in Northern Ireland. That is not a bad thing, because it creates employment for around 100,000 people and brings £5 billion into the local economy.

However, we need to address the issue. As a result of the work that we are doing, we believe that we can considerably reduce the amount of ammonia going into the atmosphere. We believe that, over a relatively short time, we can make a real dent quite quickly; certainly in the first 20%. Some of the challenges beyond that will be greater and will involve more significant investment. I have raised investment with the Finance Minister and the Executive so that we can meet our New Decade, New Approach commitments on the environment and on the issues arising out of ammonia.

Mr Dickson: I thank the Minister for his answer. Will the action plan address the bioaerosols that are released, particularly from pig rearing and its associated activities? It is a great source of nuisance to many residents in residential areas, not least in Monkstown, which is in my constituency.

Mr Poots: One of the best means of addressing those issues is animal housing. Tremendous progress has been made on housing and the reduction of ammonia coming from it. The more modern pig units are considerably better than the existing ones. It is with some alarm that I see planning permission refused for replacement pig farms, in spite of the fact that it was recognised that there would be a significant reduction in ammonia as a result of the construction of the new development over the one that currently exists.

Pet Passports

T3. **Mr Easton** asked the Minister of Agriculture, Environment and Rural Affairs whether he agrees that the need for a pet passport for travel between Northern Ireland and Great Britain is unnecessary and is a result of the protocol that was supported by the Green Party, Sinn Féin and the SDLP and was voted for at Westminster by the Alliance Party. (AQT 873/17-22)

Mr Poots: I thank the Member for his question. Pet travel is a vexed issue. This just should not be happening. I consider it cruel to put pets through the administering of unnecessary medication. Forcing pet owners to get a rabies or tapeworm vaccination when neither disease exists in the British Isles should not be happening. We have a common travel area for the people of the British Isles, and, in my opinion, the European Union should recognise that common travel area for human beings and have the same for pets. It has a particularly negative impact on guide dogs. As a consequence, fewer people who are blind or

partially sighted will have access to guide dogs as a result of the protocol. That is cruel.

Mr Easton: I thank the Minister for his answer. Will he give a reassurance that his Department will continue to look at all avenues to try to resolve this issue, which has been imposed on our pet owners?

Mr Poots: I indicated the meetings that have taken place. We are in regular contact with Michael Gove, Brandon Lewis and George Eustice on a range of issues. I assure the Member that pet travel has been brought up regularly, and everybody recognises the madness of it. We need people who have the authority to deal with the madness and not just to recognise it.

Pesticides: Eradication

T5. **Ms Ní Chuilín** asked the Minister of Agriculture, Environment and Rural Affairs to detail what his Department is doing to eradicate harmful pesticides, particularly in regard to food and flowers here. (AQT 875/17-22)

Mr Poots: Pesticides are governed by the European Union, and we will still be under those regulations. There is a committee that deals with those issues, and it is made up of a range of experts who will advise on it. In Northern Ireland, we will seek to comply with the regulations that come from that.

Ms Ní Chuilín: I thank the Minister for his response. Will he also provide an assurance that he will do everything that he can to protect the indigenous bee population, which is crucial and critical to our ecology and environment?

Mr Poots: The Member is quite right to raise the issue of bees, which provide pollination. Pesticides is one element, but creating areas for pollination is important. We will work closely with people, particularly landowners and farmers, to develop areas of land that will allow for greater levels of pollination. Fruit trees and wild flowers, for example, are key pollinators. As we are looking at new ways to disperse single farm payments, we will seek to encourage those areas.

Importing Goods: Problems

T6. **Mr Robinson** asked the Minister of Agriculture, Environment and Rural Affairs whether his Department has a timeline for the resolution of any problems that supermarkets

are experiencing in importing goods. (AQT 876/17-22)

Mr Poots: The problems for supermarkets have not yet taken full effect because they kick in on 1 April. The supermarkets have indicated to us that it is critical that they do not face a cliff edge on 31 March. We had a cliff edge on 31 December, but it will be much more significant on 31 March if there is no change to the current proposals. Last week, I outlined to some extent the consequences of our not having that change.

There is a further problem come six months' time, when chilled and processed foods kick in and the issues that will pertain to that. Both those things will lead to a loss of trade, service and supply in Northern Ireland and a far greater proportion of empty shelves should nothing more be done than is currently the case.

Mr Robinson: I thank the Minister for his answer. Does the Minister agree that the Prime Minister, the Westminster Government and the EU are entirely to blame for any delays by agreeing to a deal that did not have an impact on the mainland but has implications for the whole of Northern Ireland?

Mr Poots: Yes. The deal that was negotiated was not a good deal for Northern Ireland. Therefore, those who look for its rigorous implementation are looking for a bad circumstance for the people of Northern Ireland because the consequence of the rigorous implementation of this is that we do nothing for supermarket trade and the chilled and processed foods that are coming in. The consequence of that will be that numerous items will no longer be available on the shelves of Northern Ireland.

I noted that someone said that we have enough food to feed 10 million people. We do, and that is the beef, chicken, lamb, potatoes — a whole range of foods that we are very good at producing — but Hartley's, Heinz, Rowntree's and a vast range of large processing organisations do not operate in Northern Ireland. So, you can have your roast beef dinner but you might not have Bisto on it. You might not have a nice bit of trifle after it either, George, because you do not have any jelly. There are so many things that we do not have that are manufactured in Great Britain. We really do not need those barriers. We need common sense, particularly from the European Union, which is why I have written to the European Union vice president. We need a message to go out from all our colleagues here

that we do not need barriers that will put costs on food coming to Northern Ireland from our main source in Great Britain.

Mr Deputy Speaker (Mr Beggs): I call Emma Rogan, and she will be unlikely to have a supplementary.

Blue Algae

T7. **Ms Rogan** asked the Minister of Agriculture, Environment and Rural Affairs what measures his Department is putting in place to address issues with so-called blue algae that is present on the lake in Castlewellan in her constituency. (AQT 877/17-22)

Mr Poots: That is a tricky one, and I am not sure what measures we can take to overcome it. I do not have it in these notes, but I had a previous note about the blue algae in Castlewellan lake, and it is a challenging issue. Officials are looking at it and have been working with people who have considerable knowledge about such matters to tackle the issue.

3.30 pm

Mr Deputy Speaker (Mr Beggs): That ends the period for questions to the Minister of Agriculture, Environment and Rural Affairs. I ask Members to take their ease for a few moments before the question for urgent oral answer.

(Mr Speaker in the Chair)

Question for Urgent Oral Answer

Economy

Supply Chain between Great Britain and Northern Ireland

Mr Speaker: Mr John Stewart has given notice of a question for urgent oral answer to the Minister for the Economy. I remind Members that, if they wish to ask 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 Stewart asked the Minister for the Economy what discussions she has had with the United Kingdom Government regarding the ongoing issues with the Great Britain to Northern Ireland supply chain.

Mrs Dodds (The Minister for the Economy): This is a matter of ongoing discussion with our national Government. Last week, I had discussions with Ministers from the national Government, in particular the Northern Ireland Office, and with the haulage industry and representatives of local companies. My officials are in daily contact with Whitehall and HMRC on the myriad issues that have arisen.

Generally, goods are flowing relatively well from Northern Ireland to Great Britain, but there are clearly a lot of issues for trade from GB to Northern Ireland arising from the application of the protocol. One of the key issues is that lack of preparedness by GB suppliers for customs requirements for goods destined for Northern Ireland, and that has caused significant disruption. There are particular issues with steel at the moment, and they need to be resolved to ensure that supply chains can continue to operate.

A 25% tariff on steel coming into Northern Ireland from GB would devastate local manufacturing. In our discussions with the Government last week, they promised a resolution to the issue this week. Following representations at Westminster and from local traders, I am pleased that the VAT margin scheme for second-hand car sales here has been reinstated. That means that Northern Ireland dealers operate on the same terms as

those in Great Britain. We continue to press the Government for long-term solutions on export health certificates and chilled foods.

It is vital that Northern Ireland continue to be able to access goods from Great Britain without hindrance, and I will continue to hold our Government to account on their promises that Northern Ireland remains an integral part of the UK's internal market with equal access to the other nations.

Mr Stewart: I thank the Minister for coming here today to answer the question for urgent oral answer. In the past week, Minister, as you have, we have met many businesses across the wholesale and haulage sectors that are desperately concerned about the impact that the Northern Ireland protocol is having on trade and supply here. We have been told repeatedly that things will only get worse, but no one seems to be listening. Contrary to the dismissive and naive opinions of some, this is not just about high-end products such as avocados being absent from our shelves; this affects almost every aspect of goods being brought into Northern Ireland from GB. Delays are mounting, freight costs are growing by the day and businesses are crying out for support and clarity. At the very least, we need an urgent extension to the grace period of at least nine months, even up to a year.

Minister, you said in December 2017 that, post Brexit, Northern Ireland businesses would have unfettered access to the UK single market and that there would be no internal trade borders in the UK. How did you get that so wrong? What will your Department do to work with businesses to get them through this, and will it continue to work with the British Government to see the end of the protocol?

Mrs Dodds: I thank the Member for his statement/question. There is no doubt that there is significant disruption. That disruption is based on the application of the protocol. I remind the House and the Member that my party and I have consistently opposed the protocol. The Member referred to the issue of chilled foods and export health certificates. I remember speaking about those issues in the European Parliament. At that time, no one listened. They are listening now; they realise that the warnings that I gave as far back as 2017 and 2018 were absolutely accurate. I do not hear so much these days from pro-protocol parties in the Assembly about its full implementation.

We need to be absolutely clear: this is one United Kingdom with one internal market.

Northern Ireland companies need to have unfettered access to that market, and GB companies need to be able to access the Northern Ireland market. I have said consistently that that is a matter of priority.

Dr Archibald (The Chairperson of the Committee for the Economy): I thank the Minister for coming to the House to answer the question.

The transition period was supposed to provide the time to agree future arrangements and give businesses and everyone else the opportunity to prepare; instead, we had 11 months of prevarication, distraction and brinkmanship from the British Government before the trade and cooperation agreement was eventually reached on Christmas Eve, giving businesses just one week to prepare for the new arrangements. What assurances have the British Government given the Minister that they will take the necessary steps to support businesses that move goods to the North and are adapting to the new post-Brexit trading reality?

Mrs Dodds: I thank the Member for her question. Of course, I recognise completely the issue around the very short and inadequate time frame that businesses had to prepare for the rules that they now face. That is one of the reasons why I, unlike the Member's party, opposed the protocol and the application of differences between us and our biggest market in Great Britain.

We have had reasonable access to our market in GB with Northern Ireland hauliers, but there is significant concern among hauliers about the lack of preparedness of GB companies that need to bring goods into the Northern Ireland market. Over the past number of days, I have been speaking to Her Majesty's Government on a wide range of issues, including parcels, food and second-hand cars. Second-hand mobile phones is another issue that has been thrown up. I will continue to focus on doing what I can to ensure that Northern Ireland consumers and businesses have access to choice and the freedom to bring goods into Northern Ireland from our largest market.

Mr O'Toole: I will work with anyone in the Chamber, including the Minister, to ameliorate the effects of Brexit, despite the fact that it was her party that did more than any other in the Chamber to deliver the damaging effects of Brexit to the people of Northern Ireland. Notwithstanding that, the protocol, which is a consequence of Brexit, throws up issues that

need to be addressed. The Minister mentioned VAT on cars: we worked with dealers and others and are glad that that looks as if it has been resolved. However, it leaves Northern Ireland in a particular position with advantageous access to both the EU single market for goods and the British market, which, I agree with her, is extremely important to Northern Ireland. What is the Minister doing to maximise the benefits of that to the Northern Ireland economy? Is she mandating Invest Northern Ireland to develop a pitch document or an investment strategy to businesses based on the continent that want access to the British market or, indeed, companies based in GB that want access to the European market? If Invest NI has any money left after the devastating hit to its budget, what is she doing to positively and proactively sell the benefits of Northern Ireland's current position?

Mrs Dodds: I thank the Member for his reassurance that he will work with me to ensure that Northern Ireland is best placed to succeed. As Northern Ireland starts its second century, it is really important that we work for all parts of our community and ensure that success and stability are uppermost for all members of it. That is extremely important to me, and I will gladly work with the Member to ensure that it is the same across the board.

The Member will recognise that it is a very short time since the Government signed the trade and cooperation agreement. We in the Department are looking at the terms of that agreement, at how it can benefit Northern Ireland and at what mitigations we need to have in place because of the protocol. That is a work in progress. I assure the Member that, in this important year for Northern Ireland, I will not be found wanting in promoting Northern Ireland as a good place to do business, live and educate children.

Mr Beggs: The British Government have attempted to say that there is unfettered access, but we are all aware that there is considerable bureaucracy involved and that that is stopping some UK firms trading in Northern Ireland. Can the Minister advise how she has made our United Kingdom Government aware of that adverse effect on businesses in Northern Ireland and the ability of consumers in Northern Ireland to purchase goods from the rest of the United Kingdom so that we do not face, "We do not supply to Northern Ireland"?

Mrs Dodds: The Member makes an important point. I have consistently raised all those issues with our Government in recent days and in the

months leading up to the end of the transition period. We have communicated with our Government on the issues of parcels, VAT and state aid and the potential for Northern Ireland consumers to have more costs and less choice. I and, indeed, my Department's arm's-length bodies and the Consumer Council have been consistent in doing that and will continue to do so. We will seek practical mitigations to the issues that face Northern Ireland, because we need Northern Ireland to succeed and be stable and economically prosperous.

Mr Dunne: The Minister has already mentioned the problem experienced by steel importers and the severe impact that that is having on the manufacturing and construction industry. What progress has been made on the issue to date? Ironically, the steel will probably have originated in China.

Mrs Dodds: I thank the Member for asking about an important and significant issue for Northern Ireland manufacturing. There is a threat of 25% tariffs on steel coming into Northern Ireland, which would simply devastate our manufacturing. It would leave us less competitive and force firms to move their manufacturing base to GB.

3.45 pm

Although the trade and cooperation agreement allowed for tariff- and quota-free access to each other's markets, this is not the case for all goods. Trade in steel is subject to a complex tariff and quota system based on the EU steel safeguarding measure, which is largely an anti-dumping measure. In the Northern Ireland protocol, steel coming into Northern Ireland from GB is deemed to be at risk of entering the single market and is therefore subject to tariffs. Rightly, Northern Ireland companies are very worried that steel in GB, which is already in scarce supply, will be sold on a preferential basis and that, because of the cost and bureaucracy of bringing it into Northern Ireland, the quota will be filled by GB companies. I have spoken to manufacturing companies that are also worried about how this would make us uncompetitive in the market.

I have been working on this issue throughout the past number of days. On Friday, party colleagues in Westminster and I had a meeting with Michael Gove. We have been promised a resolution in the early part of this week. We have yet to see the details of that. However, I am encouraged that, following our representations, the Government know that this is a huge issue for Northern Ireland and that we

need a resolution. Whether that is expansion of the quota of steel from GB coming into Northern Ireland or other measures, we need our Government to act. In the coming days, we will see a statement from them with some kind of resolution.

Mr Dickson: Minister, we are where we are today because of the eleventh-hour nature of the final Brexit negotiations and the rejection of pleas from this House, only a few weeks ago, to extend the time for those negotiations, which involved your party and others. We are in the middle of project reality, and it is upon us. We are experiencing red tape and bureaucracy. We are experiencing the hard-line Brexit that you and your party pursued. Indeed, some in your party would argue that it was not sufficiently hard line, which was why they voted against it.

Minister, we now see a Government who, through their Revenue and Customs service, are attempting to impose a £50 fine on hauliers whose paperwork is incomplete. What action are you taking to ensure that the unfair and premature cost being added to deliveries to Northern Ireland will be dealt with?

Mrs Dodds: I thank the Member for his statement. I remind the Member that I voted against the withdrawal agreement in the European Parliament because the Northern Ireland protocol levied differences in how each part of the United Kingdom was to leave the European Union. I believe that we should have left as one nation. I regret that our Prime Minister did not hold out in the face of EU intransigence on that particular matter.

I will continue to work with Northern Ireland firms and HMRC to try to mitigate some of the problems that our hauliers now face. My party colleagues and I are in constant contact with the industry. We are trying to work with them and the Government to ensure that the system is more free-flowing. However, we need the Irish Government to step up and take some responsibility for the chaos at the port in Dublin. This is an important route for market —.

Mr Dickson: *[Laughter.]*

Mrs Dodds: The Member may laugh, but this is important to Northern Ireland businesses. If he listens, he might learn that 20% of Northern Ireland's agri-food produce traverses to Great Britain through the port of Dublin. We need the chaos there to be sorted out.

Mr Speaker: Before I call the next Member, I ask Members to get to their questions quickly. I

am trying to get to all Members who wish to ask a question. I will not be able to do that, but I will be able to get to the maximum number if Members get to their questions quickly.

Mr Allister: Is the Minister working to mitigate the protocol or to liquidate the protocol? If she supports article 16 invocation, has she, as Minister for the Economy, officially, formally asked Her Majesty's Government to take that step? Has she had any further thought on the need for a UK trade body?

Mrs Dodds: Article 16 of the Northern Ireland protocol identifies economic, societal or environmental difficulties that may occur as a result of the application of the protocol. Such difficulties are already manifesting themselves, particularly economic difficulties. We have heard daily reports of those economic difficulties on news broadcasts. The protocol allows for unilateral decisions to be taken, should the difficulties persist. I certainly would support the application of article 16 in those circumstances. I note that the Prime Minister has indicated that that is a potential route to resolving those problems, although I remind the House that the EU is likely to take some retaliation in response to the application of article 16.

It is an important safeguard, and I would support its use. However, in the event that our Government still have not decided to do that, I will focus my mind on the mitigation of problems in the here and now that local companies bring to me about the application of the protocol in Northern Ireland. The Member is absolutely aware that I do not support the protocol. I did not vote for the protocol and neither did my party.

Mr Middleton: The Minister will be aware that several motions on the issue of leaving the European Union have been debated in the Chamber in recent months. My party has been very consistent in its opposition to the protocol and on the dangers and difficulties that it will bring to business, despite the fact that Members across the House have called for its rigorous implementation. Does the Minister agree that it is vital now that the UK Government address the impediments that exist and do so as a matter of urgency?

Mrs Dodds: I do indeed agree that the application of the protocol has brought disruption to Northern Ireland and endangered some of its supplies. Importantly, even though Michael Gove was at pains to announce some temporary relief from the protocol, I encourage

the parties in the House to ensure that our Government hear loud and clear that we need long-term solutions to export health certificates and the issue of chilled foods. Indeed, the importance of our internal UK market cannot be overstated. Perhaps as a slight add-on to the previous Member's question, I look forward to the UK Board of Trade meeting in Northern Ireland and to enhanced cooperation on UK internal trade, and I will work towards that end.

Dr Aiken: I thank the Minister for her remarks so far. We have heard many across the House talking about the implications of the protocol and the processes involved in it. When calling for the use of article 16, it has been pointed out to us that there are other mechanisms to achieve what we want. Can the Minister give us some clarity on this? I believe that neither the Specialised Committee working group nor the Joint Committee working group has been set up. Therefore, there is no formal mechanism for dealing with this, apart from article 16.

Mrs Dodds: I am not aware, at this moment, that they have moved on the particular mechanisms in the settlement to address some of those issues. It is unsustainable for our Government continue to address them on an ad hoc or temporary basis. If they cannot do that, they need to take the unilateral action that article 16 allows for.

Mr Blair: The Minister will recall, as clearly as I do, that those of us who warned and cautioned that there would be no good aspect to Brexit, no good outworking of it and zero benefit from it were accused four years ago and many times since of scaremongering. As we move towards trying to find solutions collaboratively, the Minister's reference today to a lack of preparedness in GB perhaps lets us look at avenues that can be explored in order to find solutions and to work collaboratively.

Given that my understanding is that there is currently no provision for the import of chilled meats into the EU single market, which, of course, is a serious issue for us in Northern Ireland, what engagement has the Minister had with her ministerial counterpart in DAERA on food suppliers and those supply chains? Will they be able to find a resolution on the issue so that there is access to that market?

Mrs Dodds: The Member will be pleased to note that I talk to the Minister in DAERA, who is a ministerial colleague, on a frequent and regular basis, particularly on our joint concern about chilled meats coming into the single market and even into Northern Ireland, where

we are forced to abide by single market rules. Of course, I remind the Member that this is what his party wanted. This is what his party leader went to Dublin and asked for: the full implementation of the protocol.

Mrs Barton: Minister, I want to move back to steel for a moment. Will you clarify the position on the fabrication of steel when it is moved from Northern Ireland into the Republic and perhaps then on to other EU countries?

Mrs Dodds: I asked this question about the steel that comes from GB. I have talked a lot about steel in the last week, perhaps more than I have talked about it in a very long time. One company indicated that we buy steel from GB because it is seen as a transit destination and is a natural market for us to import from. The reason for the tariff is that that steel may then, in the manufacturing process, find its way into the single market.

As a party, last Friday we asked Michael Gove to turn his mind urgently to a solution to the issue. It is vital that we have that. We do not want Northern Ireland manufacturers to be uncompetitive in their marketplace, nor do we want Northern Ireland manufacturers to feel that they have to move to Great Britain in order to continue their manufacturing process. This is a serious issue for manufacturing in Northern Ireland. The Government have promised a solution. We have made representation about that, and, of course, I look forward to seeing the detail.

Mr Speaker: Members, that concludes this item of business. I ask Members to take their ease for a moment or two, please.

4.00 pm

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

Executive Committee Business

Domestic Abuse and Civil Proceedings Bill: Final Stage

Debate resumed on motion:

That the Domestic Abuse and Civil Proceedings Bill (NIA Bill 03/17-22) do now pass. — [Mrs Long (The Minister of Justice).]

Mr Deputy Speaker (Mr McGlone): We continue with Ms Linda Dillon.

Ms Dillon: As I was saying before Question Time, there is a huge role for the education system in building an effective curriculum, and I had asked and urged that the Education Minister create uniformity across our school and educational estate on the issue. We rely on school principals and boards of governors to decide on what information is disseminated to their pupils around healthy relationships and to decide on what kind of support is given. It needs to be more uniform, because, as I stated before we broke for Question Time, it is so important to prevent people becoming victims in the first place and, hopefully, to prevent people becoming perpetrators in the first place. We know that, with some perpetrators, there is a cycle that has come from within their own home and their own family, and we need to break the cycle to give them better opportunities and outcomes in their lives. That is really what we need to focus on. As the mother of a 12-year-old girl, while I will teach her in our home, I think that it is extremely important that she learns in her school and among her peers what a healthy relationship looks like and what it looks like from both sides of that relationship.

There is also a huge role for workplaces and employers in putting in place effective workplace policies that can support victims and increase awareness in the workplace. As I highlighted, that includes this workplace — the place in which we all work. Key to that, as we discussed during the Committee process and in previous debates, is the urgent need for a statutory entitlement to paid special leave for victims of domestic abuse. The Economy Minister must act urgently to do the necessary work to get this on the statute book, and, if it is not a priority for her, I encourage her to make it

a priority. Our Committee colleague Rachel Woods is bringing forward a private Member's Bill on the issue, and I encourage the Minister to adopt that approach, just as the Minister in the Twenty-six Counties decided to move on the back of a Bill that was being brought forward by my party leader, Mary Lou McDonald, and Louise O'Reilly. The Minister moved on that, and I would really appreciate it if the Minister for the Economy here would do likewise.

There is also a need to reform the system on housing points, and I welcome the fact that Carál Ní Chuilín, when she was standing in for Deirdre Hargey, confirmed that the Department for Communities, on the back of the review of housing points, will bring forward a policy to ensure that intimidation points will be awarded for domestic violence. As it stands, you receive intimidation points if it is proven that there has been sectarian or homophobic abuse but not if you are the victim of domestic abuse. It is really important that points will be awarded for that. I welcome Carál Ní Chuilín and Deirdre Hargey bringing that forward through the Department for Communities.

There are, however, important issues in the justice system that are not included in the Bill. We all know that there is a severe lack of rape crisis centres in the North to offer specialised counselling, advocacy and support to women, men, girls and boys who have experienced sexual violence. There is an urgent need for a streamlined domestic and sexual violence advocacy service that caters for the needs of all victims. There is also a need for consistent and sufficient funding and resources to support services and organisations.

I will finish on this point. A few weeks ago, before we had the Further Consideration Stage, I spoke to Sonya McMullan of Women's Aid. She told me that the women who had engaged with the Committee and the Department felt a sense of ownership of the Bill. They felt that they were part of it and that they had helped create the Bill. That is what it is all about. It is so important that they feel that they were part of it and that it will deliver for them. I know that we do not have everything in the Bill that everybody would like to have seen in it, but we are not at the end of the road; we are at the beginning. On behalf of my party, I commit to continuing to work on the issue in every Department and across the Assembly and the Executive. I know that my colleagues on the Committee gave similar commitments in previous debates and in Committee. I hope that we will all work together. It is not just about creating a Bill and having legislation on the

books for the punishment of offences. We need to do the work that prevents people becoming victims in the first place and put in place all the supports and prevention measures that we can. We need to do that seriously, look at the resources that are required and support anything that comes forward on that resourcing.

I thank the Minister for introducing the Bill and everyone across the Chamber for their important contributions to all the work that we have done and during previous debates.

Ms S Bradley: First, as the SDLP spokesperson on justice, I genuinely and warmly welcome the Final Stage of the Domestic Abuse and Civil Proceedings Bill. I thank the Chair and the Deputy Chair of the Justice Committee, whose speeches preceded mine, who have covered much of the detail that needed to be covered. I particularly thank the Deputy Chair, who had the courage to list the many people whom we need to thank, and they were many. I particularly single out the individuals who brought their personal testimonies to us. They very much shaped the Bill and are at its heart.

On the Bill's origins, my SDLP colleagues who were in the House previously along with stakeholders lobbied hard a plethora of Ministers. Minister Ford committed to taking the matter on during his tenure, and I thank Minister Sugden, who carried that work forward. I thank Minister Long, who has seen the work through and brought us to this stage, it has to be noted, amidst the COVID-19 pandemic, during which everything has been challenged, including the pace of work in this place. The Minister rightly referred to the period of absence, and many of the stories that we heard may have related to a period when that help and assistance was not there. That should not be repeated.

It is a significant and important day. Today, we will have the process by which we will criminalise the dark and twisted behaviour that we learned about in detail during our deliberations of not just domestic abuse but the coercive control that it has been very hard to pin down. The perpetrators of those behaviours choose to act in that way. Today, they should hear a clear message from the House that, if they choose to continue with that behaviour, they will commit a criminal offence and, consequently, could be imprisoned. The clock is ticking, and their time is up.

Equally, I hope that the victims of domestic violence listen today and are empowered by the voices in the Chamber and outside it to reach out and find the confidence to speak up and

look for help. There has to be help for those people, and, if there is even a seed of doubt that a relationship that you might be in is not a healthy one, seek help. Have a conversation with somebody who could just act as the leveller to say whether your suspicions are right or help you to identify the seeds of coercive control, because it is a very escalating piece by its very nature.

While the legislation speaks largely about delivering justice for those who have become victims of domestic abuse, it also very importantly gives reference to the education piece that the Deputy Chair spoke of. Through education we can explain to people what a healthy relationship looks like and put the markers down for what is wrong in a relationship and what not to expect despite the cycle of abuse that people may have had to live with.

The Bill is needed, and while, as presented today, it has much strong content, it is unfortunate that there are things that are not in it. Members will not be surprised to hear me say that one such thing is the need, even on a temporary basis, for the removal of the plans on commencement of legal aid. That is the piece that we heard about repeatedly from victims. During its deliberations, the Justice Committee heard about and really understood the barriers to justice that exist for many victims, and in particular spoke to victims who had been repeatedly dragged through the courts. Those victims have found the courage and are trying to rebuild their lives, yet the legal system, as it stands, fails them, because they will be financially broken if a perpetrator who simply will not go away insists on dragging them through the courts.

So, there is a shadow that hovers over the Bill, although I accept that the Minister has given a personal commitment to come good on that as soon as it is identified that there will not be a repercussive cost. I hope that that is the final chapter on that issue.

To follow up on all the detail that we have included in the Bill, which is vast — Members will be pleased to hear that I will not go over it — it is ultimately true to say that the strength of the Bill will come from it being properly resourced in all its parts. Only through proper resourcing can we address the key operational issues that have been raised through the interactions with victims and survivors and hope to reach and help those people properly.

Support for victims must continue to be injected in the Bill and through all the agencies that

support them. Many of the voluntary stakeholders who we engaged with on many occasions raised with us the issue that the level of resource that they are trying to work with is increasingly difficult. It is sad to say that, during the COVID-19 pandemic, the numbers reported have increased and their resource has been stretched even further. So, we must not just thank them but take seriously the work that they do to help victims of domestic abuse, and we must support them.

I thank again the Justice Committee officials, who worked tirelessly with the Committee throughout the Bill's passage, and the Bill Office, which showed an abundance of commitment to the Bill. Others have broken with protocol, and quite correctly so, to mention Dr Holland, and I too will single out a person for particular mention, not just for the commitment that she showed but for the help and support that she offered me, often at antisocial hours. I am referring to Stephanie Mallon, who was as committed to the Bill as everybody in this Chamber. Departmental officials who appeared at the Committee, including Dr Holland, showed a very open ear, when requested, in their approach to the development of ideas with the Committee. The joint Committee effort in that regard must also be commended on this occasion.

4.15 pm

I also want to thank the Speaker's Office and the entire Assembly staff, including the doorkeepers and others who facilitated the Bill's progress by clocking up marathon sessions in the Chamber, sometimes ending in the very small hours. My final thanks, however, must go to those stakeholders and individuals who presented to us the often very ugly facts and truths behind the offence that we are trying to frame here. It has to be noted that their commitment, in the depths of their despair, to helping others is truly humbling to watch. I want to place on record my thanks to them.

While today's headlines will, no doubt, quite rightly focus on the delivery of the Bill, a voice must be given to those who formed it and brought it to us. Every time we speak about domestic abuse and coercive behaviour, it is important to make known to those living in such circumstances that help is there. That is as true today as it was yesterday and, hopefully, it will be even stronger tomorrow. If you are living in those circumstances, if you feel uncomfortable or oppressed, if you are living your life on eggshells or you cannot quite put your finger on it, stop and think; seek help and have the conversation with those around you. Help is

there, and people are willing to listen to your fears.

It must be noted that domestic violence is not always physical. Coercive control, in particular, is so difficult to pin down, but it has an escalating effect. A minor attitude to something one day can grow into something completely unhealthy and beyond any bounds. If you are living in an unhealthy relationship, with assaults, threats, humiliation and intimidation or any other abuse that is used to harm or punish or frighten you, there is help.

I will close my remarks with a statement by Women's Aid, which was that making domestic abuse or coercive control a criminal offence:

"marked a huge step forward in tackling domestic abuse."

We must all play our part in making people understand what it is

Mr Beattie: Today is "blue Monday", which is, apparently, the most depressing day of the year. However, if we have to lift ourselves up with anything, it is the progress of this Bill and drawing it to an end. Perhaps it is not an end but the beginning of drawing the process of creating the Bill to an end. It has been a long process; it started long before the current Justice Minister was in place. Since we came back in January of last year, it has been a very speedy process, and we really have put our shoulders to the wheel.

This is a complex Bill, even for those who have followed it, including Justice Committee members, Department of Justice officials and others. It has been really hard to follow at times, and I have learnt so much from the process. It is right to thank the Justice Minister and all her staff for their work in bringing the Bill forward. It is right to thank the Chairperson and Deputy Chairperson of the Justice Committee for their diligent scrutiny and all the members of the Justice Committee for the effort that they put into the Bill.

There was blood, sweat and tears from the Committee in creating where we are today. People took ownership of it and were moved to make sure that it was the right piece of legislation. Domestic abuse is insidious and intergenerational. It affects individuals, families and our society. We need this strong legislation so that people can use it to stop the harm caused by domestic abuse and coercive control.

There are, of course, some issues with the Bill. Even after we have completed this process, issued the legislation and got it operating and resourced correctly, some people will say, "You missed this". There will always be concerns. People are concerned that there will be no domestic abuse commissioner. I accept that people wanted one. My party and I would rather have a victims of crime commissioner, and I hope that the Minister takes forward that point, as she said she would. However, I understand that there are people out there who will feel that they have got less than they wanted.

Legal aid is another complex issue. I will not go into it in any length. People have raised it, and, no doubt, they will do so again. However, I am clear about the commitment that the Justice Minister has given on that. She gave that commitment in the Chamber on a number of occasions, and it is up to the Assembly to hold her to account on that. She would not have it any other way.

My last concern was parental alienation. I wanted that to be included in the Bill, but it was not to be. Early on, in discussion with departmental solicitors and experts in the subject, it was explained to us exactly how the Bill would ensure that parental alienation could be domestic abuse. Although I was happy with that, I would have liked to have seen it in the Bill.

The Bill is robust, particularly on coercive control, and it ensures that people are trained. It is really important that the people who deal with those suffering from domestic abuse, be it the person abused or family members who feel the effect of that abuse through its victim, are properly trained, not just to identify the sights and sounds but how to deal with the individual. That is a good add-on to this legislation.

Another useful add-on is information sharing. I have, on a previous occasion, recounted Mr Frew's story about a child going to school, so I will not do so again. However, for our children, schools having somebody to whom we can pass information when there is domestic abuse is a core element of the legislation. It is incredibly important. I thank all Members for ensuring that it was included in the Bill.

Rather than going into detail on the next matter, I will make my remarks very generic. At the end of my contribution, I want to make one plea, which is this: men must feel that this legislation is also for them. All too often, men do not see that. We know that far more women than men are likely to be abused at home, but there are men being abused, and they need to know that

this is their legislation as well. They need to lean in to it and use it for support. They need to understand that people know exactly what they are going through and that they will help them. That is my plea to men: make sure that you realise that this is also your legislation.

We will, of course, support this legislation, and I look forward to when it is up and running fully. The legislation will speak for itself. No words that I say in the Chamber will match what those who are abused go through daily, but the legislation will speak to them and give them support. It is the reason why we have it. We do not need to add too many words to the Bill now; it needs to get on and do what it is designed to do.

Mr Blair: On behalf of the Alliance Party, I express my genuine regret to the victims of domestic violence for whom this Bill has come too late due to a legacy of three lost years with no functioning Assembly. Hopefully, we can all resolve to do our best for those people and ensure that such lapses do not occur again in the future.

I will start addressing the content of the Bill by thanking the Justice Minister for bringing the Domestic Abuse and Civil Proceedings Bill before the Assembly. During the Minister's first year in office, she has paid particular attention to the issue of domestic abuse. She should be commended for her determination and congratulated for following through on her pledge to endeavour to deliver on the Bill.

The Bill creates new domestic abuse legislation in Northern Ireland and addresses the incredibly destructive practice of coercive control. It ensures that the protection of vulnerable people is not limited to those who have endured physical or violent attacks or both. The Minister has taken most serious note of issues raised in this Chamber and elsewhere around coercive control and its effect on those whom we represent.

Turning to policing matters, I declare my membership of the Northern Ireland Policing Board, which oversees the activities of the Police Service of Northern Ireland. I wish to reflect on the current potential and the real risk for domestic abuse in today's unique public health circumstances.

Staying at home is at the core of our COVID-19 response, but it has left some people in a position where they are forced to spend much more time at home with their abuser. Domestic violence and abuse is at a 15-year high in Northern Ireland, with more than 32,000

incidents reported to the PSNI from June 2019 to July 2020.

In Northern Ireland, a domestic abuse call is made to the PSNI on average every 17 minutes according to reported figures. The Bill also makes provisions for training, which is undoubtedly fundamental for the operationalisation of this offence. Hopefully, it will be bespoke to circumstances affecting women, men and those in same-sex partnerships and other personal and family circumstances where abuse could occur.

It is a positive thing that a variety of specialist partners with vast experience of dealing with the aftermath of domestic abuse can work with justice partners now, better enabled through this legislation to work with and for survivors. The completion of the legislation will provide better protection for survivors of domestic abuse and provide confidence in knowing that they are supported.

I join in the thanks that have been expressed to the Justice Committee, Justice Committee officials, departmental officials and other Assembly officials for work that they have done in bringing forward this Bill. I am happy to support the Bill.

Mr Frew: I support the Bill. It is good news for the victims of domestic abuse and coercive control. I do not know whether I can say that I have agreed with the Minister as the Bill went through its various Stages, but I agree with her about the delay. As she rightly said, whilst politics was not working in this place, violence was being meted out to victims on a constant, daily basis. It is not acceptable that we were not allowed to at least try to remedy that violence and that crime, but we are here now.

It is a shame because surely the past year has shown us all the work that this Assembly can do and, more importantly, the work that our Committees do. Whilst it is true, as the Minister stated, that politics did not work for three years, every single politician in this room was working away. We were working away, making a positive difference to the lives of hundreds of families a week. What we were being prevented from doing was the work that achieves legislation and that builds relationships between MLAs in our Committees, and we are a far poorer place because of that.

4.30 pm

One thing that I have learned as I have come back into this arena is that I do not necessarily

value the debates in this place but that I very much value passing legislation through all its various stages. I will defend that to the hilt, but, more than that, it is about the work we do in our Committees, building relationships between members of rival parties and building the capacity and knowledge that you can get only by reading a Committee pack on a weekly basis. We were deprived of those in those three years. We were deprived of that knowledge, expertise and capacity to build. When it comes to passing Bills, it is that capacity and knowledge that are so important to making sure that we get the right legislation in order to effect positive change for our people. I mean all our people, no matter where they go to worship or to be schooled. It is all our people who benefit from legislative change, and I will defend that.

There is no good reason whatsoever why this place cannot function. Sometimes it does not function well. We all know and see that. Sometimes it functions very well, and that has to continue. The only way that it can continue is if all the parties give it life so that politicians like me and others can do the work in Committees and the Chamber to bring real, effective change to our people's life. I can go out in my constituency to help a family or a hundred families a week. However, if I want to make a positive, widespread change, I have to do it here. I have to do it through these blue Bills, and that is how I do it. We were deprived of that for far too long. We were working, and not only were we working but the support groups for domestic and sexual violence were working. They were working even harder because we were not able to support them.

Of course, all-party working groups continued to do their work even when this place was not functioning. I commend and thank all those groups for working through the lean years, for never giving up and for keeping on pushing and prodding in order to help produce and shape the Bill, which will change people's life in a positive way.

For the first time, we have tried to capture coercive control in legislation. That is no mean feat, and it is really a hard task that we have now, hopefully, achieved. There was a lot of brainstorming and gnashing of teeth along the way, but I think that we have got to the best possible position with the Bill. There were a number of naysayers not at the very start of this legislative journey but when we started to talk about how to capture coercive control in a Bill. A lot of people thought that it could not be completed or done. The proof of the pudding will be in the eating; the proof will be in the actual practical outworking of the Bill. We have

produced the Bill; nothing more. We have produced legislation, albeit that that is a very positive and great achievement. However, it is the practical outworking of the legislation that will make the difference to people's life.

It is incredibly important that we keep an eye on this law, and that is why it is very important that training and reporting are in the Bill. Those are vital going forward. Some legislators in some jurisdictions have had more than one go at legislation like this, and it may be the case that we need more than one go. That remains to be seen, and we hope that we do not need it, but we may well. It was very important to get all that into the Bill.

I am glad that the Committee was able to collectively work through those issues. It is not often the case that you get to a point where you can move Committee amendments. Sometimes you see a raft of amendments from individual Committee members. However, it not all that common to get a raft of Committee amendments. It is a credit to the members and staff of the Committee for working through, compromising, seeing what could work and then tabling the amendments. That is very good.

There were a couple of battle zones in the Bill. One that came to the fore was, of course, legal aid. I believe that what the member Miss Rachel Woods was trying to achieve with regard to the waiver was a suitable and honourable compromise, taking on a mighty subject piece by piece. Credit is due and must be given to her for taking that on and trying to make positive change to a monster issue. What that did was to open a bigger battle front than the Bill could ever contain or envelop. It is one that, I think, we will pick up and run with from here on because there must be change. It has been made only too clear by the people to whom we have spoken — support groups and victims — that that whole aspect of legal aid cannot continue. The way in which it manifests itself in victims' lives has to be resolved. We must somehow grapple with that issue. I am glad that we have the report on the legal aid aspect because the Minister will be able to push on with that vital work. I will be there to support that every step of the way.

As I said, we have, for the first time, encapsulated coercive control in a Bill. I would like to have seen some aspects in the Bill. I understand why I could not introduce such aspects as non-fatal strangulation, tackling the rough sex defence and parental alienation, as my colleague Doug Beattie mentioned. I realise that those aspects are threaded through the

Bill. However, again, the proof will be in the practical outworking of the legislation, seeing how that manifests itself and how we can protect people against those specific aspects of domestic violence, sexual violence and coercive control. I will wait to see how that rolls out.

That is why it is so important that there is oversight of the implementation and frequent reporting of the roll-out of this law. That will inform us better than anything else on what we need to do and the next steps that we must take to ensure that we not only protect victims but try to eradicate that massively evil pursuit and activity. When one delves into that subject and sees what people have gone through, my goodness, it is chilling. It really is chilling. When one speaks to victims about what they and their families, parents and children have gone through for years, it is scary. I have only dipped into that world in scrutinising the legislation. I do not live it. Dear help anyone and everyone who does live it. If we can make a small positive difference to their lives, make things easier and give them the strength and confidence to move forward, surely it has all been worth it. They can seek and get hope from the Bill and the agreements and compromises that we have reached in order to achieve the Domestic Abuse and Civil Proceedings Bill.

I emphasise that that will depend on its implementation.

The last thing that we want is for anybody — any of the law enforcement agencies or the organisations involved in the court procedures — to forego any of the Bill's clauses to the point that the law is ignored or not implemented correctly. That would be a travesty, as it would be letting down the victims of domestic abuse. It would not be comprehended and cannot happen. We therefore need to consider carefully the implementation of the Bill, its reporting and the ascertaining of its effectiveness. All of that has to be done. We all have to be informed.

We also have to look at our next steps. What do we do around non-fatal strangulation, the rough-sex defence, parental alienation and legal aid? How do we grapple with those issues? How do we get out the other side in a positive way? That is all for the future, and I hope that we get the opportunity to address those issues. It might not be in this term, and it might be with a new suite of people on the Justice Committee and a new suite of Members, but the marker has now been laid down. This is from where the Assembly, the Committee, the Minister and the Department

step off in order to make sure that there is real change and that the next steps are taken.

There are so many people to thank for their work on the Bill, not least the Minister, the previous Ministers, as the Minister said in her speech, and the Department. One name has been bandied about in today's debate — I mentioned her at Second Stage — as someone who has been very proactive. I will not embarrass her by naming her, but we all know who she is. She has done very well by the Department, constantly engaging proactively with the Committee and the all-party working group. Departments work only as effectively and efficiently as the people who populate them. I say this to the Minister, through you, Mr Deputy Speaker: you definitely have a good one there.

The Committee staff must also be commended for the work that they have done over the past number of months. There were multiple meetings every week, for many weeks. That is no mean feat when you are trying to prepare packs and when everything is sometimes moving very quickly. A lot of care and attention was given from September, as it was throughout the summer recess after we had started Committee Stage. Committees will work only as effectively as the staff who populate them and the goodwill of their members. I do not say that just because I sit on the Justice Committee. I really enjoy the Justice Committee. I have built up relationships with all members of that Committee to a very high standard of productivity and respect. I respect all members of the Committee. We work well together as a team. That is the real politics that we should be endeavouring to produce.

I also thank the Assembly staff, plenary staff and, of course, the Speaker and the Deputy Speakers, all of whom have been through this. I was told off a number of times at various stages of the Bill. That is run of the mill for me. To be fair, I would not want it to be any other way, because it is all about robustness, debate and making sure that the Bill is forged in fire, both in this place and at the Committee. The debate has been robust, and that is the way that it should be, because, at the end of the day, we have to think about the victims, and not ourselves, our standing or our pride. It is about the victims.

I also commend all the support groups and their personnel. There are too many to mention, although some Members have tried. They have worked night and day. I can remember getting text messages at 2.30 am from people commending aspects of speeches and

amendments tabled. Even last week, people in those groups were telling me that this has been an emotional roller coaster for them, because they see the damage that is done daily. On the other side, they see the good that could be done with legislation. They have waited for and craved the legislation for so long, and it is almost within their grasp.

Most of all, we have to thank the victims who have had the courage to step up and speak to us — the Committee — which, for them, means officialdom. They then perhaps had to speak to the Department and the Minister herself.

That takes courage from someone who does not know this environment or how a Committee works. For a victim of domestic violence to come forward with information that is grievous even to their soul and to have to recite that to members whom they have never met, that is enormous, but they did that; they completed that. I hope that the people who put in that courageous effort will see fruit at the end of this and get some peace, happiness and even safety from the Bill.

Again, I thank everyone involved in the process. I am greatly joyed that this may well be the first Bill to come out the other side of this journey. So be it, because we have been waiting so long for all that I spoke about earlier. Let us look forward to the practical implementation of this law and make sure that victims are at the centre of it.

4.45 pm

Miss Woods: The Bill, which is soon to be an Act, is probably — I would argue that it is — the most important legislation that the House has enacted for the people of Northern Ireland. It impacts on everybody in our society. On 28 April last year, we welcomed the introduction of the Domestic Abuse and Family Proceedings Bill, now called the Domestic Abuse and Civil Proceedings Bill, and, today, I thoroughly welcome its Final Stage. It was a privilege to work on the legislation, as a member of the Justice Committee, and a privilege that this is the first proper legislative process that I have engaged in. There has been a tireless campaign for years to criminalise coercive control and domestic abuse and for it to be taken seriously and not as something that is simply referred to, in an off-the-cuff comment, as "a domestic", confined behind closed doors, laughed off or dismissed as being less serious than it is or not the business of society, the police or the criminal justice system. It absolutely is.

Like others, I pay tribute to a number of groups and individuals who were involved in getting the legislation to where it is today. This is in no way exhaustive, and I apologise, at the outset, for leaving anybody out. I will name a few: Sonya and all the CEOs at Women's Aid Federation Northern Ireland; Rhonda at MAP NI; Victim Support; the Women's Resource and Development Agency; HERe NI; Rainbow and Cara-Friend; the Bar Library, the PPS and the PSNI; those in the Scottish system who assisted me and my team; all the children's organisations; the all-party group; and, of course, Claire Sugden MLA for her work on this as previous Justice Minister. I also thank the Committee members, the Clerk and Committee staff, Assembly staff who were also here until 2.30 am on occasion, all those in the Department and, of course, Minister Long for bringing it forward in this mandate. I also specifically thank the Bill Clerk, Stephanie Mallon, who, as Sinéad said, worked with the Committee members and with me and my team. I cannot promise her that I will email her any less this year. In particular, I applaud the courage of the individuals who shared their experience of suffering domestic abuse in order to assist in our consideration, as well as those who reached out to me personally to share their story. Some of their experiences have been heard on the Floor; their stories are harrowing. They have reduced and will reduce the toughest of readers to tears. Theirs is the reality that we are dealing with. That is the whole point of the legislation.

The Bill is needed for so many reasons, as we know, but, crucially, for the protection of victims of domestic abuse. PSNI figures from November 2020, which Mr Givan referred to earlier, show that, between October 2019 and September 2020, 18,885 domestic abuse crimes were recorded. In the same period, just over 32,000 incidents were reported. Both figures show increases from the same period in the previous year. Whilst it is easy to quote numbers, percentage increases and statistics, this is not acceptable, even more so as it is only the tip of the iceberg. It is only the incidents that have been reported. Many do not get to that stage. Behind each number is a person. We must address that fact and keep it at the forefront of our minds as we enact the legislation and in all future policies.

The need for the legislation to be in place in Northern Ireland is clearer now for many in light of the COVID-19 pandemic. The restrictions that were brought in and continue to be brought in by Governments here and worldwide to deal with COVID-19 have, without a doubt, increased domestic tensions in households

throughout Northern Ireland and the rest of the UK as we were told to stay at home. Home is not always a haven. Staying at home does not mean that you are safe. We have experienced a higher incidence of domestic abuse and violence, including homicide, in the past year. As we know, isolation is a technique used by perpetrators, who often seek to assert control by cutting their victims off from the rest of the world to increase their dependency on the perpetrator and reduce their options to raise the alarm or escape. I welcome the Minister's announcement of the scheme being rolled out across pharmacies, including Boots. I thank the organisations that have stepped up and supported victims throughout the pandemic and given a safe place to those who needed one. I note the community response to support victims, such as She Sells Sanctuary, a non-profit organisation established to raise money for domestic violence charities in Northern Ireland. The pandemic has given rise to increased public awareness of domestic abuse and the importance of a safe home. It is imperative that there continues to be a collective effort to ensure that there are safeguards in place for the many people who need them.

So, to the specifics of the Bill. Much of what I wished to cover has been covered by other Members. The Bill, as it stands, has been worked on for better outcomes for victims and survivors. We have a reporting requirement, a duty on criminal justice agencies to train their staff in the new offence and detailed data collection requirements on various Departments in order to get a full picture of the roll-out of the offence and new legislation.

Although I attempted to get more data points into the Bill, such as information on section 75, I still feel that we need to know more about what we are dealing with. That, in turn, will assist those working with vulnerable and marginalised communities, such as BAME communities. Much more needs to be done to shine a light on abuse in sections of our communities not reported on and to put appropriate responses in place. The more information we have, the better.

We need post-legislative scrutiny not only to gather more data but to ensure that the legislation is working. This is a new offence that, unlike most that have come into law here, criminalises behaviour that was previously dismissed as something that just happens. It will require a new way of doing things. We need to have more domestic abuse courts, for example.

We have, in clause 27, the means to establish new protection notices and orders for victims of domestic abuse, and I look forward to their being established in whatever form. We have to learn from other jurisdictions what has and has not worked. Perhaps they are called DAPOs, perhaps emergency barring orders or something else, but they must provide adequate protection for the victim.

That perpetrators can be barred from cross-examining victims in court proceedings is entirely welcome. That was a non-contentious aspect of the Bill for the Committee; we agreed that it was incredibly important. I am glad that it now extends to family and civil courts.

It will come as no surprise that I welcome the changes in the financial protections offered to victims of domestic abuse in accessing legal aid, albeit different from what was imagined at Consideration Stage. That was and, I am sure, will remain a contentious area in justice, but I see it as a first and much-needed step in wider reform. Rest assured that I will not let that go for the rest of my time here.

We would all have liked to see much more in the Bill, but it gives us a guide to where the problems lie and what we need to tackle next. We need to look at domestic abuse through an education lens and a health and social care lens and not just through the lens of criminal justice. The issue goes right back to how we help young people to understand what constitutes a healthy relationship, and we must ensure that future generations can avail themselves of a compulsory relationship and sexual education programme in schools, for example. Schools must teach children and young people about how to have a safe and healthy relationship, covering all forms of violence, coercion and sexual abuse, including being safe online and offline. I hope that the Minister of Education will bring forward substantial resources and training to ensure that that happens for every child and young person in our school system.

If we want to give children the best start, which we all do, we must look at the effects of domestic abuse on them and ensure that home is a place of safety for children and young people now and in the future.

As we know, children are often the hidden victims of domestic abuse, and the long-term impacts include detrimental impacts on their mental health, their development, their risk of harmful sexual behaviour, future cycles of abuse and the potential for youth offending. Therefore, it was important that the legislation

reflected that a child can be aware of domestic abuse in the home, even if they do not see or hear it or are not present at the moment at which it occurs. I am glad that the amendment that I first put forward, which was then tabled by my Committee colleague Mr Paul Frew, is included in the Bill. I also welcome the inclusion of Operation Encompass and information sharing with the schools, which will be very important for the well-being of children. However, as I have said, there is much more to do. We must deal with the arbitrary distinction in the Bill between those who are under and over 16 years old, and with the exclusion of parental responsibility. We must not criminalise young people. I fully support looking at and introducing much more effective and holistic approaches in dealing with abusive behaviour to reduce harm while building on the work that is already in place. We need to examine — really examine — why it is seemingly OK for a parent to be abusive towards a child in their home, for example, in the form of smacking, and why that does not legally constitute abuse. I would argue that it does, and I look forward to it coming to the Floor of the House sooner rather than later.

In 2017, according to the United Nations Office of the High Commissioner for Human Rights (OHCHR), Northern Ireland had the joint highest level of femicide per 100,000 in Europe. According to PSNI statistics, five homicides with a domestic abuse motivation were recorded in 2019-2020. Of the 29 people killed by their partner or ex-partner, two thirds were women. Up to 2019, most of the 19 women killed by their partner or ex-partner in Northern Ireland remained nameless in the press. Although they might not be reported on, each statistic is a person whose life has been taken, whose home was not safe and who suffered at the hands of someone whom she knew. Each one is a family that was torn apart by their loved one's death. We must do better. Northern Ireland is the only part of the UK that does not have a specific strategy to tackle violence against women and girls. Why not? Again, I made an attempt to rectify this gap, but it could not be put into this Bill. I urge the Minister and the Department to work immediately on this matter, and I question whether, without a strategy, we are meeting the requirements of the Istanbul convention. I do not believe that this would be at odds with the strategy that we have in place at the moment. Rather, it would be an addition to tackling the very real issues of violence against women.

Having this Act in place will not eradicate domestic abuse. For it to work, the proper resources, funding and training must be provided to all the relevant organisations in the voluntary sector and to statutory agencies,

health services, the police and the judiciary. I am glad that some of this is included in the Bill, but, again, I urge that the adequate resources must follow the passing of this legislation. In the criminal justice system, we need to focus on expanding the domestic abuse courts pilot. We need to ensure that justice is sped up through the implementation of the Gillen recommendations and that victims have access to all the support that they require while navigating the system. We need a serious commitment to reinvest in refuges and support services for anyone who finds themselves in a position to need them. Long-term support is required as well as short-term support, and I hope that the Executive can commit to looking at this. It will require an all-Executive approach, working with other Departments and pooling budgets. It is much needed. We cannot have the continued cuts to what are, literally, life-saving services that deal with an epidemic of silent violence on our streets and in our homes. How will resources be allocated to the police, social services, the courts, families, legal professionals, services and support agencies for the roll-out of this legislation? Legislation with teeth, alongside properly funded and resourced services, is required to protect people.

Unfortunately, as Mr Beattie mentioned earlier, we do not have a domestic abuse commissioner. I believe that that is a gap in our law, and it is one that we attempted to close. I will continue to lobby on the need for such a commissioner. I note that Judge Marrinan, in his review of hate crime in Northern Ireland, suggested a joining of the commissioner office between domestic abuse and hate crime. Perhaps we can investigate that further when we address the comprehensive review. Although I recognise and welcome the fact that the Bill includes independent oversight, it does not go the whole way. A commissioner could be not only an advocate for the sector but someone who could ensure that adequate levels of funding and training were in place to ensure the Bill's implementation. The message about introducing a new criminal offence does not completely solve the problem. We must not take our eye off the ball. We need to make sure that the law works in practice. I believe that a commissioner would play a key role in supporting the sector, the !PSNI and the judiciary in doing that.

5.00 pm

A great number of other issues that did not make it in to the Bill were discussed at length by the Committee. The granting of secure tenancies is not specifically addressed in the

legislation, and nor is access to statutory provision for emergency housing. Proper cross-departmental working is required to give the support that victims need. I encourage the Minister for Communities to state what her intentions are with regard to housing points and the availability of secure housing and accommodation for victims and their families. Can we expect an increase in supporting people funding? We could also not deal with victims who have no recourse to public funds. That issue was raised loudly in the House of Lords last week about the Government's Domestic Abuse Bill. I encourage all those in Westminster to legislate for and implement proper protection for those very vulnerable victims.

In July 2019, as many of you know, New Zealand passed legislation that granted victims of domestic violence 10 days' paid leave to allow them to leave their partners, find new homes and protect themselves and their children. That was down to a private Member's Bill from the Green Party MP Jan Logie, which became the Domestic Violence - Victims' Protection Act. The only other country in the world to have such legislation at a national level is the Philippines, with some parts of Canada and Europe having paid leave in various forms. Paid leave would support victims and survivors of domestic abuse by giving them the opportunity to seek help and access services and by providing the reassurance that they will not lose out financially or face any disciplinary action for taking much-needed time off work.

Domestic abuse is a workplace issue. It must be considered as such given the impact on the individual, society and the economy. According to the Home Office, for the year ending 31 March 2017, it was estimated that domestic abuse cost £66 billion in England and Wales alone. That is likely to be an underestimate. Of that, £47 billion was the cost of physical and emotional harm incurred by victims, and £14 billion was the cost to the economy from lost output due to time off work or reduced productivity. The Irish Congress of Trade Unions (ICTU) noted in its 2014 research that 80% of respondents in Northern Ireland who had experienced domestic violence reported that it affected their work performance, and 99% said that they thought that domestic violence can have an impact on the lives of employees.

Paid leave is not a magic bullet, but it is a significant step in the right direction that goes some way to recognising the economic situation that a victim might find themselves in. We discussed that at Committee, but, due to the

limits of the Bill and the responsibility for our workers and employment sitting with another Department, it could not go in. However, as many of you know — Linda addressed it earlier — I have launched a consultation on the introduction of paid leave for victims of domestic abuse. I encourage you all to respond accordingly.

In conclusion, we must do all that we can to protect people from harm now and in the future. The passage of the Bill is not the end of the road; it is just the beginning. We have much to do. One in four women in the UK will experience domestic abuse at some point in their life. One in four. We are in the midst of an epidemic as well as a pandemic. As I said previously, women are being killed in Northern Ireland by their partners or ex-partners. We need to do much more to protect them.

I must use this time, as others have done, to make this appeal to everybody: if you are going through this or are worried about someone who is at risk, please seek help. Please report to the PSNI through the 24-hour helpline for victims of domestic and sexual abuse. Reach out to Women's Aid, the Men's Advisory Project Northern Ireland (MAPNI), Rainbow, your GP or social worker or anyone to start the process of getting away from or out of an abusive relationship. I support the Bill's passing Final Stage, and I look forward to it becoming an Act and being fully implemented for people in Northern Ireland.

Mr Dunne: I, too, welcome the opportunity to speak today at the Final Stage of the Domestic Abuse and Civil Proceedings Bill. I guarantee that I will not speak for as long as the Member who spoke previously did.

A vast amount of work has been done in getting to this Final Stage. The Bill certainly received significant scrutiny — I think that we are all very well aware of that — and detailed consideration by the Justice Committee. I very much welcome the significant steps forward that have been made on such an important piece of work, particularly during 2020, given all the challenges that we had with the pandemic, which continues to be with us all. I put on record my thanks to everyone who contributed to the Bill, particularly the many victims and victim support groups who gave up their time to present to the Justice Committee on various occasions. Those groups worked closely with officials whilst continuing to provide the lifeline of support for victims, often on a 24/7 basis.

I also acknowledge the work of the Justice Minister; our Committee Clerk, Christine

Darrah; Stephanie Mallon from the Bill Office, who gave us a lot of good information on a very regular basis; and the departmental officials. I cannot forget the Committee Chairman, Mr Paul Givan, of course, who also did a significant amount of work on the issue.

Despite all the challenges and the range of opinions that were reflected during the passage of the Bill through the Committee and the House, there has been a common desire from the Minister and right across the House to strengthen our domestic abuse legislation. The Bill will better reflect how widespread and appalling that abuse can be right across Northern Ireland. It will provide support to victims of domestic abuse and, ultimately, will bring more offenders to justice. The Bill also recognises the evolving nature of domestic abuse. It rightly recognises that not all domestic abuse is physical. Crucially, it captures the impact of controlling and coercive behaviour as a form of domestic abuse.

I welcome the 'Ask for ANI' scheme — that means action needed immediately — which has been announced by the UK Government since Consideration Stage. Indeed, it was announced just last week. That will enable victims of domestic abuse to discreetly seek help through pharmacies. It is a very positive example of a practical support measure. I have tabled questions for written answer to the Justice Minister and the Health Minister to see whether that scheme could be rolled out further to include all our community pharmacies and other local community services and facilities, such as shopping centres, community resource centres and even other sectors such as close-contact service providers.

As highlighted in the various stages of the passage of the Bill, with the ongoing COVID-19 pandemic, the lockdowns and the various restrictions that have been in place, we have, unfortunately, seen an increase in domestic abuse. That increase has, sadly, reinforced the fact that, as already mentioned on a number of occasions, home is not always a safe place for everyone and that timely action is needed. For example, on Christmas Day and Boxing Day just past, a total of 250 domestic abuse calls were made to the PSNI. Indeed, it is alarming that 31,857 domestic abuse incidents were recorded in 2019-2020, which is the highest level since that form of recording began 15 years ago. There has been a shocking 52% increase in incidence during that time.

We are all agreed that the progression of the Bill has significantly increased public awareness of the importance of reporting

domestic abuse. It will help to give victims a voice if they know that that support is there and that the law can protect them. I very much welcome the progress to date on such an important issue, and I look forward to the Bill receiving Royal Assent as we seek to support victims of domestic abuse, so many of whom, sadly, continue to suffer in silence.

Ms Armstrong: I remind everyone that this is the first sitting of 2021, and we are passing legislation to create a new domestic abuse offence. That is largely due to the determination of the Minister, who has made this her priority. Thank you for that, Minister.

This long-awaited Bill means that domestic abuse offences in Northern Ireland will no longer be limited to physically violent behaviour. It will make a form of bullying known as coercive control an offence in Northern Ireland for the first time. Convictions for the most serious domestic abuse offences will carry a penalty of up to 14 years in jail. The Bill includes provisions on the effect that domestic abuse can have on children, with enhanced sentences possible in cases where a victim in a relationship is aged under 18; where a child sees, hears or is present during an instance of abuse; or where a child is used to abuse a victim. There is nothing as cruel as having a child used against you or their being coerced into behaving badly against a parent. So-called parental alienation needed to be addressed, and I am glad that it has been brought into the Bill.

As the Minister confirmed in her opening speech, a previous attempt at the legislation fell when this place collapsed in 2017. While I recognise the role of the Minister of Justice in developing and bringing the Bill to its Final Stage, I want to note the work of the previous Justice Ministers, Claire Sugden MLA and David Ford, a former MLA, and the work of the Committee, departmental staff, Assembly staff, all the stakeholder and partner organisations, and especially the brave individuals who fed into the process.

Sadly, in recent times, as we heard from Members today, we have seen that this legislation is more important than ever. The rise in reports to the police of domestic abuse incidents during COVID-19 has been horrendous.

There is a lot of information in the Bill. As Members highlighted, it includes training, reporting and oversight of the new offence, protective measures for victims and preventing perpetrators cross-examining victims in criminal

and family proceedings. The Bill will make an impact. It will support victims. I wish that no one were a victim of domestic abuse, but, until abusers stop, we will have victims and we will need to support them. The Bill should serve as a clear warning to perpetrators. The House has put in measures to protect victims. Perpetrators will face penalties for physical or emotional cruelty. I say to anyone who is being abused: you are not alone. The Minister and the House are here to support you. As the Minister said, there is no shame in being a victim of domestic abuse; the shame lies with the abuser — the bully.

I hope that the Bill will give heart to victims and help them to have the confidence and courage to know that the system has been improved and will work. Miss Woods mentioned that other Departments have responsibilities when considering support for domestic abuse victims. The Department for Communities, for instance, in its review of housing allocations, is already considering how housing can be made available to those victims.

However, I am somewhat saddened that the Final Stage of the Bill will fall to a cross-community vote. As someone who is designated as "other", my vote, and the votes of the Minister, Miss Woods and Mr Carroll, will not be counted in the same way as other votes. For those of us who are not unionist or nationalist, I look forward to the day in the House when my vote and my political opinion are no longer treated as secondary.

The process is being taken forward today to finalise the Bill, and, even though the process is disappointing, the Bill is not. This is comprehensive legislation that sends out a clear message that domestic abuse in all its forms, physical and non-physical, is wrong. This is the Final Stage, and I hope that we get Royal Assent as soon as possible. Thank you to everyone who worked on the Bill.

Mr Carroll: I welcome the progress of the Bill. A lot of its measures, particularly on access to legal aid for victims, training for staff and keeping records of abuse, will undoubtedly have a positive and important impact. I want to speak about the roots of abuse in society and situate the Bill in the fight for a better society that has no abuse.

As was mentioned, the weekly average for the number of domestic abuse calls to the police since the first lockdown was almost 600 calls every week, predominately from women who feel unsafe in their home. That is totally unacceptable. It is endemic, both societally and

institutionally, and I hope that the Bill goes some way towards tackling those problems.

In a previous debate, I said that we need a commissioner for domestic abuse and violence and a strategy for women and girls. It is disappointing that that is not in the Bill. I mention women specifically because domestic violence is largely gender-based, and it affects women. The disproportionate effect on women is referenced in statistics. It has roots that are deeply entrenched in inequalities and stereotypes about the role of women in society. It is for that reason that we are clear that, unfortunately, one single piece of legislation or a single strategy cannot tackle the problem of the root causes of those issues. It is right to legislate for the protection of victims, access to legal aid and other issues.

Those are vital in order to alleviate the situation facing victims of domestic abuse.

5.15 pm

The biggest challenge to gender-based violence will come from the fight against inequalities and oppression in society, which are, very often, not only enshrined by institutions but made worse and perpetrated by those in the institutions. Much of the gender-based violence that we see in society is a breach of consent and the use of power imbalances to exert control, yet the very sex education system, as has been referred to, that many experts say is vital to the prevention of those kinds of sexual crimes is not really accessible in any real sense for far too many young people in our schools, and if it is accessible, it is not adequate. Through sex education, we can convey the importance of equality between partners, promote non-stereotyped gender roles and teach mutual respect and consent. I have probably passed the threshold of being considered young, and some time ago, but it was not that long ago that I was educated — perhaps in inverted commas — in sex education and relationships, and the experience was completely inadequate. Unfortunately, to this day, far too many pupils feel that that is the case.

If the Bill is to slot into a strategy aimed at reducing gender-based violence, we need to see it sit alongside proper sex education. Indeed, we need to see it sit alongside proper access to abortion and other healthcare issues, including telemedicine. How often do we need to hear about the impact of restricting access to abortion before we see the Health Minister act on the issue? How many more women will be

forced to travel for healthcare during a deadly pandemic? How many more women will be forced to stay in an abusive relationship because of a pregnancy or be forced to carry a pregnancy to term, against their will, because of an abusive partner? How many more women are unable to escape domestic abuse because, under universal credit, their abuser holds access to their funds? How many will stay in a refuge because they cannot get access to social housing or who cannot rent because of poverty? How many will never get access to a refuge because the refuges are full to capacity on the day? That is the case because we do not, as Ms Dillon referred to, adequately fund emergency services. How many of those women will have children who will experience that process?

There is a lack of access to telemedical abortion and to social housing or a refuge. There is a lack of proper and independent access to decent social security and a lack of access to sex education. Those are rights that everyone should have but that too many in the North go without. Of course, the problem goes far beyond the issues that I have referred to and raised today, given the precarious work of women and the way in which the state underfunds and underpays for caring work that is predominantly taken up by women. All of that is to say that we can never look at the issue of domestic abuse, or any kind of gender-based violence, in isolation. Only when a societal shift is fought for and won will we see the oppression and inequalities facing women being properly challenged, and that shift, unfortunately, will come not solely from within these four walls but from campaigns and movements outside. Until the Assembly does what is right for women, for their children and for their communities more generally, it will continue to perpetuate the conditions that enable domestic abuse to continue.

In closing, I want to use the opportunity to issue this call to those in charge of healthcare, social security, education, finance and employment: the conditions created by policies under your control are harming women and children, and, indeed, all victims and survivors of domestic abuse. It is not acceptable that, instead of their suffering being alleviated, it is deepened by the actions of those institutions and by decisions that are made or not made. The fight for a better kind of society will happen, where it always does, on the streets, in communities and in workplaces. The question for those in power today is whether they want history to say that that fight had to be taken to their door.

Mr Allister: I intend to be brief, and I am sure that I will be. Not for the first time, and possibly not for the last, I will enter a voice of dissent, not to the entirety of the Bill by any means but to a specific issue that I have addressed before. It is not because I have any naivety or lack of understanding of how odious domestic abuse is. Indeed, you could not be involved in as many prosecutions involving this very subject as I have been and not realise just how invasive, insidious and, yes, odious these crimes are. Indeed, I would just say, as a legal practitioner, that I can think of few more difficult cases to do and to be asked to do than one involving domestic abuse or child abuse. They are harrowing in every aspect and harrowing too for the legal practitioners, because, as a human being, you sense, you empathise and you feel. So, I am in no way immune to the realisation of just how hideous domestic abuse is, but that understanding of all of that does not diminish something that is very important to me: my respect for the rule of law and for the fact that, in society and in the canons of the law, we must uphold certain standards.

As I have said previously when addressing the House, at Second Stage and Further Consideration Stage, I fear that, in clause 3 of the Bill, the House and the Justice Committee have taken a very wrong-headed approach; an approach that diminishes the standards and expectations of the criminal law because it totally demolishes the fundamentals of what is a criminal offence. We have talked before about the mens rea — the guilty mind — and the actus reus — the production of the product of the crime. Yet, what clause 3 does is to extract from this criminal offence the actus reus of product, because, incredibly, it says — the House does not agree, but it is my view that it is incredible — that an offence of domestic abuse, which is already defined in clause 2, can be committed whether or not an abuser succeeds in abusing and that the abuser's behaviour can be abusive whether or not it has any of the relevant effects, provided that some notional, reasonable person thinks that it should have caused an effect and should have caused harm. Then, even though it did not and even though the reasonable person was wrong, this Bill says that the offence is complete; the offence is made out.

That jars with me in the manner in which I have previously explained. To me, that is as preposterous as it is unnecessary. I say unnecessary because that situation is already covered by the law that applies to attempts. So, the abuser who attempts to abuse and, because of how stoic the victim is, does not succeed can still, under our law, be guilty of an

offence that carries equal punishment. That is because, under our legislation, if you attempt the crime and have the guilty mind to try to do it but do not succeed, you can be guilty of attempting the crime and for it collect the same penalty — in this case, 14 years.

Therefore clause 3, I repeat, does not add anything necessary to the criminal calendar, because the offence of attempting domestic abuse can equally carry 14 years. It offends all the senses that I have on this matter to say that you can create an offence carrying 14 years' penalty, even though you did not achieve any of what you set out to. You are treated as if you had.

That is my difficulty. I know that it is not something that appeals to the House and that the Committee and the House have a much more flexible view of the sanctity of criminal law, but I do not want this occasion to pass without, again, putting that on the record.

Mrs Long: First, I thank all the Members who engaged in the Final Stage debate. The Bill has only been made possible by the diligent and cohesive efforts of a significant number of people, including the many organisations and individuals who gave evidence to the Justice Committee, many of whom I referred to in my opening remarks. The Bill has been improved as a result of its passage through the Assembly, and I welcome that.

As family courts are the first contact with the justice system for many victims of domestic abuse, I also welcome the provisions in the Bill to enhance the protections available to people when giving evidence in family proceedings and in securing the representation that they need through legal aid. I also welcome the provision in the Bill to enhance protection for victims of offences giving evidence in other civil proceedings. That will ensure that appropriate protection is available to all victims in civil as well as criminal courts.

I want to turn to some of the issues that Members raised during the debate. Linda Dillon and Rachel Woods both mentioned paid leave because, as people have rightly said, while the Bill is a good start, it is by no means the end of the journey. No Bill can comprehensively cover every issue, and no Bill will be perfect. We cannot allow the perfect to become the enemy of the good. Therefore, it is better to have this legislation in place while we continue to work on the many other issues that Members raised.

Linda Dillon and Rachel Woods spoke about paid leave for domestic abuse victims. That

issue that would fall to the Economy Minister, who has asked her officials to consider the matter alongside a range of other employment-related issues as part of a longer-term vision for employment relations in Northern Ireland. If there is consensus that legislative provision is required, she will identify a suitable legislative vehicle. Indeed, I wrote to the Minister to ask that she take this forward during the passage of this Bill.

In 2018, guidance was published for employers on developing a workplace policy on domestic and sexual violence and abuse because it does indeed impact on people's ability to function in the workplace. It was developed in partnership with key stakeholders to provide advice on how employers can develop increased awareness and more effective responses to these issues, and it recommends a commitment to a zero-tolerance approach to abuse, reporting procedures and information about the practical and supportive measures that can be accessed by employees.

Linda Dillon and Rachel Woods also raised the issue of domestic abuse and the difficulties that people can experience with housing. As Members will be aware, under the current housing selection scheme, victims of domestic abuse are awarded 70 points for homelessness and up to 40 primary social needs points, including 20 for violence or the threat of violence. That results in up to 110 points.

Applicants presenting due to domestic violence do not, however, meet the criteria for the award of 200 intimidation points. The Communities Minister is considering proposals raised in the fundamental review of allocations. She does not intend to proceed with the proposal to remove intimidation points. Rather, she wants to consider it from another angle and ensure that they are there for those who most need them. She considers it unacceptable that victims who have suffered trauma or violence, for example, victims of domestic abuse, are not treated with the same priority as those who receive intimidation points as a result of, for example, paramilitary coercive control. She is working out the details of how she will address that.

5.30 pm

Sinéad Bradley raised an issue about funding and asked whether funds would be made available to the community and voluntary sector to tackle any increases in cases as a result of the introduction of the new offence. The vast majority of the financial support to those organisations in the community and voluntary

sector is provided by the Minister for Communities and her Department. In many cases, community and voluntary sector partners will already support victims of the new offence. They are already victims of abuse, but the abuse can simply not be taken through the courts and prosecuted at this time. The offence will also build on cases involving physical abuse or sexual violence that might otherwise be in the system, and, again, those people will already be receiving support. My Department will, of course, monitor the number of new victims who come forward once the offence is in place, and we consider that the new offence could lead to an increase in overall offences of around 3%. We will monitor the impact of the new offence on a range of organisations, including our statutory and voluntary sector partners, and I am confident that, where additional resources are required, the Executive will seek to meet that requirement. It is an Executive priority to tackle those issues together.

Turning to Doug Beattie's comments, I want, first, to tackle the issues that he raised about a victims of crime commissioner, which I know is his preferred model. A number of other Members spoke about the potential for a domestic abuse commissioner, and some spoke of the recommendation in Judge Marrinan's report that a domestic abuse commissioner and a hate crime commissioner could, if you like, become a joint office. Members might not be aware that I met with the reference group that I established to look at establishing a victims of crime commissioner and have received its report, which sets out very clearly a number of different models and suggests a number of ways in which we can take this forward. I hope to bring forward proposals for consultation shortly, and I will write to the Justice Committee in due course with details of the planned consultation and the approach that I hope to take.

Doug rightly highlighted that anyone, regardless of gender, sexuality, age, disability, status, race or religious background, can be affected by and be a victim of domestic abuse. The Bill is blind to all but the needs of victims. It is worth noting that, in 2019-2020, 69% of victims of domestic abuse were female and 30% were male. That is a dramatic change from 2004-05, when 75% of victims were female and 25% were male. From statistics that I will give later, you will see that there has also been an increase in the number of very young victims and older victims. Some of that increase will be due to people feeling more confident about coming forward and speaking about their abuse after the increased effort to tackle the taboos around male victims

of violence, but some will be due to a realisation that male victims of violence have been overlooked. I will speak a bit more about the gendered nature of domestic abuse later in my remarks. It is a gendered crime.

Doug also raised the issue of the policy on parental alienation. As he will be aware, parental alienation and related support services are matters for the Department of Health. I will, of course, support policy development where I can. The Department is keen to work collaboratively to improve outcomes for children and families, and it has worked with the Department of Health on the means of intervening early to help parents to avoid the impacts of acrimonious disputes. I understand that the Department of Health, as part of the joint work that we are doing to improve outcomes for families, proposes to explore guidance and training for professionals who support families experiencing acrimonious disputes and associated negative behaviours.

I will, of course, support Minister Swann to scope future actions in any way that I can.

Family cases involving significant parental acrimony and alienation are among the most difficult that come before the courts. Where alienation is suspected, it is for social workers and those representing the interests of children, and ultimately the courts, to advise the court, which will consider evidence of alienation alongside all other evidence when deciding what is in the best interests of the welfare of the child, which is always the paramount consideration.

While the Department of Health has policy responsibility for parental alienation, I am clear that one parent should not be able to use a child to abuse another parent. I consider it appropriate that patterns of that type of behaviour could be deemed to be abusive behaviour and potentially be captured by this domestic abuse offence, depending on the particular circumstances of the case and subject to the reasonable person test. So, I am keen that the domestic abuse guidance that relates to the new legislation clearly explains that.

My colleague John Blair raised the importance of training, as did a number of other Members, including the Chair of the Committee. The police and the PPS recognise that training is critical to this offence's success. A range of statutory and voluntary sector organisations will need to train front-line staff and raise awareness of the offence. So, the police and the PPS are working with specialist support

providers on how best that training can be taken forward.

The police will create a training implementation team to ensure the effective and timely introduction of the new offence. That will include representatives from the police learning and development team, domestic abuse specialists and representatives from victim-orientated services. Training will be provided for PPS and Courts and Tribunals Service staff so that they can appropriately deal with cases.

As Members will be aware, the judiciary is independent, and the issue of judicial independence from Government is sacrosanct. Judicial guidance and training is therefore a matter for the Lord Chief Justice and will be delivered through the Judicial Studies Board. Discussions are being held with the Judicial Studies Board on that, including consideration of lessons to be learned from other jurisdictions. The issue of sentencing guidelines will be considered as part of the work that is being undertaken ahead of the operationalisation of the new offence. Discussions are also being held with the Judicial Studies Board on that matter.

Paul Frew raised a number of areas where he felt that the legislation could have gone further. However, as he is aware, there are limits. The Bill is already lengthy and incredibly complex legislation, and, of course, were we to overload it, there could come a point where we would be no longer able to make the progress that we have been able to make in the time that we have been able to make it. However, there are issues that he raised on which we are making good progress.

The Westminster Government also intend to bring forward legislation on non-fatal strangulation, and so I want to update Members briefly on our plans around that. Following a recommendation by CJINI in 2019, my officials convened a working group and carried out early scoping work on the legislation that applies to non-fatal strangulation. I commissioned a full review to identify and address any inadequacies in the current legislation, and I have tasked my officials to review the current law, with a view to consulting on improvements and proposing appropriate legislative change as soon as is practicable. I put on record my thanks to Judge Barney McElholm, from the Derry court circuit, who has taken a particular interest in this, along with Women's Aid. I have had long conversations with both about the matter. Meetings of the non-fatal strangulation review board and reference group took place

last year, and we are working on developing a consultation paper.

With respect to the so-called rough-sex defence, it is clear in the law in Northern Ireland that no person can consent to behaviour that could cause them harm or, ultimately, take their life. In June 2020, however, a UK Government amendment to the Westminster Domestic Abuse Bill sought to outlaw the rough-sex defence explicitly to ensure that a person may not consent to being seriously injured or killed in the course of consensual sexual activity. I have determined that the rough-sex defence should be included in the review of non-fatal strangulation in legislation. Consultation on that particular item closed last Monday, and following an analysis of the consultation responses, I will consider the way forward. I have already indicated my intention to prioritise consideration of the rough-sex defence, with a view to early legislation, if appropriate.

Rachel Woods and Gerry Carroll raised the impact of education on changing societal attitudes. They will both be aware that that I am fully supportive of that. It is not something that I can bring forward as part of the Bill; however, my Department and I will work with the Department of Education to ensure that education — sex and relationships education in particular — not only meets the needs of addressing issues in domestic abuse but addresses issues arising from the Gillen review of serious sexual offences. We need to educate our young people about respect and consent and about how to treat a partner and have a healthy relationship. The inadequacy of sex and relationships education in Northern Ireland does a huge disservice to our young people, and I hope that that will change and change soon.

Rachel Woods also raised the reasonable chastisement defence, and she will know that I, too, wish to see it removed. The policy lead on that matter is the Department of Health. I wrote to the Minister of Health and the Education Minister about it, and I am keen to progress it as soon as possible. I have also engaged with those in other jurisdictions who have managed to change the reasonable chastisement defence and remove it from law. It is, of course, necessary that parents are able to discipline their children, but it is not acceptable that people are able to use the reasonable chastisement defence as a cover for abusive behaviour that is directed towards young children. I believe that the reasonable chastisement defence should be removed.

Mr Storey: Will the Minister give way?

Mrs Long: I will.

Mr Storey: I have listened to the debate all afternoon. As a parent who believes in the right to bring up a child in accordance with the views of my faith, what assurance will you give to parents like me that, given the views that I hold dear, and by which I have brought my children up — although that has not always been very successful, I have to say, when it comes to respect and so on — the outworking of the Bill will not result in a witch-hunt against people of faith who have very strongly held views on that issue?

Mrs Long: The experience in other jurisdictions shows that if we work with parents and not against them, we can make it clear that this is not about criminalising parents, either those of faith or those without faith, for how they raise their children. It is about giving parents support and encouragement to find means of discipline for their children other than those physical means that are often used. In fairness to the Member, I think that he would agree that it would be shameful were someone who is physically abusing their child be able to escape prosecution for that — we know the difference — by hiding behind a reasonable chastisement excuse.

I believe that, for the greater good, it is important that that reasonable chastisement defence be removed, because that is the only way that we can break it down. I suspect that, despite what the Member said about his own weaknesses in raising his children, they, too, know the difference between abuse and parenting. I am sure that he raised them in a loving home with a caring environment, and that is what is key. Therefore, it is hugely important that we protect those who are vulnerable to abuse, and the reasonable chastisement defence has run its course.

It is not a witch-hunt against parents. It is a way to support parents, and that is why it is so important that we look, for example, at the experience in Wales, where people started off quite nervous about the removal of the defence. Through working with parents and organisations that support them, people came to agree that it was the right way forward and made good progress. The same was true in Scotland.

Rachel Woods and Gerry Carroll also raised violence against women and girls, which is a hugely important matter. It is not solely or primarily a matter for the Department of Justice.

It is primarily for the Department for Communities and the Executive Office, but I would fully support them in bringing forward such a strategy. It is not a requirement of the terms of the Istanbul convention that we have such a strategy. However, that is not an argument for not having one. We should aim not simply to comply with the minimum standards in the Istanbul convention but to raise standards and raise the bar in that area.

It is important, however, to disentangle those issues somewhat. It is important that the matter is addressed separately to the Domestic Abuse and Civil Proceedings Bill, which is designed to support people of all genders whilst recognising that domestic abuse is a gendered issue and that the vast majority of victims of domestic abuse are women. It is important that we have the correct support to encourage them to come forward. However, it is also important that we break the stigma for those who are non-female, non-binary and non-heterosexual so that they recognise that this legislation is also their legislation. They should feel empowered to speak up about abuse, come forward and seek help.

5.45 pm

Ms Dillon: I thank the Minister for taking the intervention. We often talk about the fact that statistics show that victims and survivors are mostly women. We also need to point out that the perpetrators, for the most part, are men, even when men are the victims.

Mrs Long: That is a very important point. I do not want to go on a crusade, but dealing with some of the toxic masculinity in our society would be a good place to start to tackle not only sexual violence but domestic abuse and many of the other ills that we face. There is nothing strong or compelling about a man who has to resort to his fists to make his point. We need to stop valuing the strong over the thoughtful and considered. It is not a healthy place to be as a society, and neither is it good for the men themselves, who are often then racked with mental health problems because they see that as a sign of weakness and who feel that they cannot seek support, or who are abused in relationships and do not feel that they can come forward. If we are to get to the bottom of this, we need to deal with all those societal issues.

I agree with Gerry Carroll: we have to look at how society is structured if we are to do that successfully. It is not simply about one piece of legislation or action. We need to take a course of action to change the dynamics in our society.

These are power-based offences; they are abuses of power. These are people who want to control, coerce and prevent the person from being who they are and living their lives with freedom. That is not what a loving partner or loving family member does. Rather, someone who truly cares for you wants you to be the best that you can be and gives you the strength to be that person. We need to educate our young men and young women as to what healthy relationships really look like.

I thank Kellie Armstrong for her remarks, and I share her disappointment about the manner in which the vote on the Bill will be taken. It is regrettable that, on an issue that has united the House on all sides in support, irrespective of our position on the constitutional question, at the point at which it passes, it divides us yet again into tribes. For me, that is evidence that the system here is broken and needs to be changed and reformed so that we are all equals in the House, we are all equally counted and all our votes and constituents matter.

Jim Allister said that he was a dissenting voice. That is a position with which he is familiar, but I give him respect because he has come to the House and made his point. While I disagree with it, he has made a reasoned and cogent argument. I enjoyed our debate at Second Stage on the *mens rea* and *actus reus*, because I am a Latin geek, as well as all the other geekery with which I get involved. I understand his point about the guilty mind and the criminal act, but this is not policing a thought crime. This is not someone who is thinking about abusing someone and then does not follow through. This is someone who has acted in an abusive manner, but, due to the resilience of the victim, the outcome has not been to break that person in the way intended. Therefore, the issue here is about the impact on the victim.

While I have full respect for Jim's point, I cannot agree with him that, in this case, there has been no course of action that would lead to the criminal act. For me, it is clear that the act itself is the course of action that leads to the abuse. It is not just thinking about it; it has actually been done. It is only the —

Mr Allister: Will the Minister give way?

Mrs Long: Yes, I will.

Mr Allister: Surely the problem is that it is a failed course of action.

Mrs Long: The problem is not that it is a failed course of action. The course of action has been completed successfully; the abuse has taken place. The only failure has been in the ability of the abuser to break the spirit of the victim. It could be, as we outlined at Second Stage, the fact that the abuse has been so successful that that person is no longer able to recognise with confidence and assurance the person whom they were, the degree to which they have been denigrated and the degree to which they no longer have the capacity to recognise the fact that they are being treated unfairly.

We talk a lot these days about "gaslighting", but it is a factor in this kind of abuse, where abuse is conducted and victims become so fragile in their mind and spirit that they can no longer tell whether it is abuse or simply a figment of their imagination, because their abuser has taken such total control of them. In those cases, there is no question in anyone's mind that abuse has happened, except, perhaps, that of the abused person. If we see that that act has happened and we know that that act has happened, surely that proves that we have the *actus reus* for a criminal prosecution. It is not about prosecuting those who simply think about abuse but about prosecuting those who act on it and abuse their partners.

I will turn to some statistics, because a number of Members raised the issue during the debate, and, as we bring it to a close, it is important that we go back to the issue of victims and survivors. The PSNI's most recent statistics, from September 2020, show that, during the period from 1 October 2019 to 30 September 2020, 32,015 domestic abuse incidents were reported in Northern Ireland. That represents an increase of 128 on the previous 12 months and is the sixth-highest figure recorded in a 12-month period since the start of the data series in 2004-05. Furthermore, the police recorded 18,885 domestic abuse crimes during the same period, showing an increase of 9.1% from the previous 12 months and the third-highest level since reporting began. That equates to 17 domestic abuse incidents and 10 crimes committed per 1,000 of the Northern Ireland population. It is important to note that, as Rachel Woods said, those are only the reported figures. Many more victims suffer across Northern Ireland but cannot or do not feel able to report it to the police.

Domestic abuse crimes made up 19.1% of police-recorded crime during that period, which is an increase from 16.5% during the previous 12 months. Increases were seen in all major offence types except sexual offences. The largest volume increase in domestic abuse

crimes was seen in offences of harassment, which increased by 1,270. That is a 49.8% increase, although there were changes made to how those offences are recorded. It highlights, however, how important it is that the Protection from Stalking Bill had its First Stage in the House today, because it is increasingly an issue.

There was an increase in that period too in male victims. During 2019-2020, 69% of domestic abuse crime victims were female and 30% were male, compared with 75% female and 25% male in 2004-05. There was an increase in victims in the younger and older age groups. In 2004-05, three quarters of victims — 75% — were between the ages of 20 and 49. By 2019-2020, that had fallen to 64%. Over the same period, increasing proportions were seen in the younger and older age groups but particularly in victims under the age of 15: children suffering domestic abuse.

During 2019-2020, almost three in five relationships between the domestic abuse victim and offender were categorised as being current or ex-spouse, partner, boyfriend, girlfriend, husband or wife. Just under a quarter were parent and child relationships. Of all offenders dealt with by police during 2018-19 in connection with domestic abuse crimes that resulted in an outcome, 86% were male and 12% were female.

The majority of offenders were aged 18 and over.

Those statistics make grim reading. However, behind each of those statistics are individuals who live in fear, whose homes are not a safe place, whose lives have been turned upside down and whose very being is in turmoil because of the continual abuse and stress that they are living under. Given the numbers, they are our friends, family members, neighbours and members of our community. We know them, and they know us. My final words are for them: do not suffer in silence, do not feel guilt or shame and do not be afraid to speak up and to reach out for help. Help is there. You will be heard, you will be believed and you will be supported. There is a better and safer future for you. Justice can and will be done. Thank you.

Mr Deputy Speaker (Mr McGlone): Before we move on, there is a bit of housekeeping. Because the business on the Order Paper is not expected to be disposed of by 6.00 pm, in accordance with Standing Order 10(3) I will allow business to continue until 7.00 pm or until it is complete.

Before we proceed to the Question — the Minister and Kellie Armstrong referred to this — I advise Members that the functions of the DPP set out in the Justice (NI) Act 2002 can be altered only by provision in an Act of the Assembly passed with cross-community support. The imposition of mandatory training requirements by clause 32 of the Bill will alter the functions of the DPP and, as a result, will require cross-community support.

Question put.

Some Members: Aye.

Mr Allister: No.

Mr Deputy Speaker (Mr McGlone): Have we still a dissenting voice?

Mr Allister: Mr Deputy Speaker, I put it on the record for the reasons that I have accounted for. It is quite clear that there is no other support, but I am happy that it is on the record.

Mr Deputy Speaker (Mr McGlone): You are happy that it is on the record. OK. Members, as that is on the record, we will not move to a Division. It is clear that there is no dissent. As there are ayes from all sides of the House and no dissenting voices, I am satisfied that cross-community support has been demonstrated.

Resolved (with cross-community support):

That the Domestic Abuse and Civil Proceedings Bill (NIA Bill 03/17-22) do now pass.

Mr Deputy Speaker (Mr McGlone): I congratulate all those who have been involved in this serious and important piece of legislation. I am sure that many people out there will say a big thank you to you all. Members should take their ease.

6.00 pm

(Mr Speaker in the Chair)

Assembly Business

Standing Order 10(3A): Suspension

Mr 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).

Resolved:

That, in accordance with Standing Order 10(3A), the sitting on Monday 18 January 2021 be extended to no later than 7.30 pm. — [Mr O'Dowd.]

Ministerial Statement

Public Expenditure: Draft Budget 2021-22

Mr Speaker: I have received notice from the Minister of Finance that he wishes to make a statement. Before I call the Minister, I remind Members that, in light of social distancing being observed by all parties, the Speaker's ruling that Members must be in the Chamber to hear a statement if they wish to ask a question has been relaxed. Members still have to ensure that their name is on the speaking list if they wish to be called, but they can do that by rising in their place as well as by notifying the Business Office or Speaker's Table directly. I remind Members to be concise in asking their questions. I also remind Members that, in accordance with long-established procedure, points of order are not normally taken during a statement or the period for questions afterwards.

Mr Murphy (The Minister of Finance): I wish to update the House on the Executive's agreement to a draft Budget for 2021-22. Members will know that the Executive cannot set their Budget without a funding envelope being set by the Treasury spending review. I had hoped that the Executive's Budget would be set last summer and would provide a multi-year settlement. That would have provided the Executive with sufficient time to reprioritise, plan and consult the public. However, the spending review outcome was not announced until 25 November 2020 and provides only a single-year Budget.

In those circumstances, I tabled a draft Budget for the Executive's meeting on 10 December that largely rolled over Departments' existing baselines for another year. Unfortunately, it was not until today that the paper was allowed onto the Executive's agenda for decision. That delay has further shortened the time available for consultation.

Excluding the funding provided for COVID-19, the spending review outcome provides a broadly flat-cash position for normal departmental spending, once one-off funding for public services in 2020-21 has been factored in. It is that spending review outcome that forms the basis of the draft Budget that I am announcing today.

The spending review has not delivered the support required to kick-start economic recovery in the context of COVID-19 and Brexit.

The outcome reflects an effective flatlining of the 2020-21 Budget position. With increased demands on public services, and taking account of inflation, it will be a challenge merely to deliver existing services at their current levels. Make no mistake: the spending review outcome has led to very difficult Budget settlements for all Departments.

Of course, the Executive have the option to increase revenue through the regional rates. However, in recognition of the impact that COVID-19 has had on jobs and households, we are freezing the regional rate both for domestic and non-domestic customers. I call on councils to consider taking the same approach when setting their district rates.

Members will know that I am looking at how additional business rates support can be provided in 2021-22. In this difficult financial context, the Executive have prioritised allocations to continue welfare reform mitigations and to provide for Agenda for Change pay, which will support our health service staff. Those allocations reflect the priority that the Executive place on protecting the vulnerable and supporting our front-line health and social care staff, who have been at the coalface of the fight against the virus. We have also provided funding for pupils with special educational needs, reflecting that this is a crucial stage in young people's lives. However, I recognise that, for most Departments, the draft Budget outcome represents a flat-cash settlement that will mean effective reductions once increased costs and demands on services are taken into account. Choices will have to be made, public services will have to be prioritised, and, if Ministers want to start new programmes, they may have to stop others.

I turn now to the capital budget. The draft Budget sets out some £1.75 billion of capital spending. It will help to deliver on the Executive's flagship projects, including the A5, the A6 and the new mother and children's hospital. Those capital allocations will enable investment in our infrastructure while supporting the construction sector. I can also announce that funding has been allocated to enable work finally to begin on Casement Park. More widely, the draft Budget will also help to deliver key capital projects that will encourage investment and drive our economy: for example, investment in water infrastructure and in the school estate. The level of funding provided also delivers on the NDNA priority to increase investment in social housing. That investment will help to address high levels of housing need and stimulate the construction sector.

People will want to know what provision we have made for dealing with the impact of COVID-19 into the next financial year. The spending review provided £538.2 million of funding for COVID support in 2021-22. That compares with £3 billion in the current financial year. The Executive have allocated £380 million to the Department of Health for the COVID-19 response and vaccine support; £30.6 million to the Department of Education to support families on low incomes through holiday hunger payments; and £700,000 to the Department for the Economy for higher education places following the uncertainty that surrounded the A-level results last summer. The £126.9 million balance of our COVID funding will be held for further consideration as part of the final Budget.

Due to legislative constraints, the Executive's Budget is restricted to the amounts set out by the Secretary of State and notified to the Assembly in my written ministerial statement of 1 December 2020. Unfortunately, the Secretary of State failed to confirm a number of previously agreed financial packages, and, as a result, those cannot be formally allocated as part of the draft Budget. They include confidence and supply funding, city deals funding and New Decade, New Approach funding, and come to £254.4 million for 2021-22. I hope that the Secretary of State will confirm those important funds in time for them to be incorporated into a final Budget in the coming weeks.

The Secretary of State has also yet to provide funding for the victims' pension, which his Government designed and legislated for. Indeed, Mr Lewis has refused even to meet the First Minister, deputy First Minister, Justice Minister and me to discuss the funding of the victims' pension payments. The Executive are fully committed to delivering those payments, and, in line with the British Government's statement of funding policy, it is the responsibility of the British Government to provide the necessary funding. I hope that the Secretary of State will meet with Ministers to discuss how the significant costs involved, which the Justice Minister has estimated might be as much as £800 million, will be funded.

As part of the Budget process, I am commencing a period of consultation to help the Executive to form a final Budget before the new financial year. As a result of the delay in the spending review, it is possible to allow only a short period for the consultation process, with replies due by 25 February 2021. Details of how to respond are available in the Budget document that accompanies this statement and on the Department of Finance website.

In conclusion, the Budget seeks to protect key public services in a very challenging financial context. I hope that this one-year Budget will act as a bridge to a multi-year Budget that allows the Executive to reprioritise their spending properly and plan for the longer term. I commend the draft Budget to the House.

Dr Aiken (The Chairperson of the Committee for Finance): I thank the Minister for the statement and for meeting with me earlier today to discuss its contents. The Finance Committee considers that Budget scrutiny is a primary foundation of good government that recognises the respective roles of the Executive, in producing a draft Budget, and Assembly Committees in undertaking and exercising their scrutiny duties. Notwithstanding the unprecedented events arising from the pandemic this year, the Committee is very concerned that delays in progressing the draft Budget will have a direct and very adverse impact on the scope for legitimate scrutiny and engagement with key stakeholder groups.

The Minister indicated that the Executive has received around £3 billion of COVID support from our nation's Treasury in the current year and that some of this money remains unspent. Minister, is there a danger that Departments will hand back COVID money in March, only to find themselves with Budget shortfalls in April? I know that the Minister is seeking flexibility from HM Treasury with regard to unspent COVID resources. Will he use that flexibility to fund a rates holiday for hard-pressed local businesses? I advise the Minister that the Committee strongly supports the full take-up of the £200 million per annum of the available reinvestment and reform initiative (RRI) borrowing. What measures is he bringing forward to make sure that Departments make the best use of that cheap form of borrowing?

I thank the Minister for his comments earlier, but I have already started engaging with other Committees to encourage their Ministers to look at this money and at the likelihood of any underspends this year to make sure that money is not going back to the Treasury.

Finally, there is obviously concern that, within the draft Budget, there is no provision for the victims' payment scheme or the Troubles permanent disablement payment scheme. The Minister has already given an explanation around why this is the case, but, bearing in mind that the courts have ruled that the Executive was obliged to make the relevant provision in this Budget, will he outline how we are going to get to that point? Thank you.

Mr Murphy: I thank the Chair of the Committee for his comments, the support that he has offered me over the course of trying to get the Budget paper to the Executive and agreed, and for the conversation with the Committee last week on these matters. Of course there is concern about potential underspends. We had £3 billion of COVID money on top of the money that Departments already had to spend over the year. It is a significant challenge, and a lot of the COVID money came late in the year. Although we have allocated the vast bulk of it, we received an additional £200 million on Christmas Eve. It was a Christmas present from the Treasury, but it was just before we broke for Christmas and added to the money already there.

Departments are beginning to return money, and I intend to bring a January monitoring and COVID paper to the Executive on Thursday. Departments have begun to return some amounts that they fear they will not be able to spend. As he said, there are two ways to address this. One is that we encourage all Departments to bring forward schemes and to redouble their efforts to make sure that whatever sectors are under their responsibility get the necessary support over the next two and a half months. We are also lobbying very strongly, alongside the Finance Ministers in Scotland and Wales, with Treasury to allow us the maximum flexibility to carry over some of that money into the new financial year. Whilst we have a significant proportion of money to spend in this financial year, our challenges arise in the next financial year, for which we have been allocated, as I have said, a flatline Budget which, in effect, is a cut for some Departments. The COVID money that we have allocated is only a small proportion of the COVID money that we have received this year. We want that flexibility to carry over as much as we can to assist with some of the pressures that we will undoubtedly meet in the next financial year.

With regard to RRI borrowing, I have identified that two Departments have asked for £70 million each — the Department for Communities and the Department for Infrastructure. That will help the Department for Infrastructure to carry out the very necessary water and sewerage work. It will allow for other development, not just public-sector development but private sector as well, and stimulate construction and development. For the Department for Communities, as we have said, there is an NDNA commitment to a significant housebuilding programme. This will help support us to meet that commitment, and I

look forward to those projects being developed in full.

6.15 pm

That leaves an additional £60 million of RRI borrowing that is accessible over this year. I know that a number of Departments are interested and have expressed an interest in bringing forward projects, among them the Department of Health and, potentially, the Department of Education. I look forward to engaging on that with those Departments and their Ministers before we get to the final Budget paper.

The final question that the Member raised was about victims' pensions. I am, of course, conscious of the findings of the court and the responsibility that we have to address that. That means not just the responsibility that the court placed on us but the responsibility that we have to victims to find a solution. As the Member will know, the Government changed the agreement that we collectively reached at Stormont House. They drafted a new policy and legislated for it, and, under their statement of funding, they are required to meet the costs.

We have not yet had an accurate final cost for victims' pensions, but the top-level estimation of the Department of Justice is certain to be well beyond the finances available to the Executive over a number of years. We have tried diligently to get conversations with the Secretary of State but to no avail. In order to meet not only that court requirement but the requirements of victims, I want to have the matter agreed before the final Budget statement comes to the House and goes to the Executive so that we can get some certainty for victims. We hope that the Secretary of State will eventually commit to meeting us. As I said, a joint meeting was sought with the First and deputy First Ministers, the Minister for Justice and me. We have not been able to get that meeting yet. I will also continue to talk to Treasury about these matters, because it will also have an input, not just the Northern Ireland Office. We want to see the matter addressed and resolved by the time that we get to the final Budget stage.

Mr Frew: Radical thought seems to be non-existent in this Budget. In a time of great challenge, we seem to be doing the same thing over and over again, so will the Minister ensure that the final Budget will contain sufficient revenue allocations to promote economic recovery when the Executive allow businesses to open and trade freely?

The two Departments that seem to be hit hardest in this time of challenge are Health and Education. Will the Minister give a commitment to the House that he will look seriously at RRI borrowing for Health and Education?

Mr Murphy: With regard to radical rethinking, the funding that we hoped to announce in the summer did not get announced until 25 November. We were told right through the autumn that we were working on the basis that we were going into a multi-annual Budget situation. We were told abruptly at the end of November that it was to be a single-year Budget. That funding was then not confirmed for a further 14 days by the Secretary of State, as is the requirement. Therefore, the ability to engage in a significant reprioritisation exercise was taken away from the Executive because of the timescales involved.

Nonetheless, we want to see economic recovery. Economic recovery is, of course, led by the Department for the Economy but is not the responsibility solely of that Department. The capital funds that we have found for housebuilding and the necessary sewage and water treatment work that will underpin all sorts of developments that might happen, public and private, will make a significant contribution to construction, which makes up about 20% of our economic activity. Of course we want to support the Department for the Economy in the time ahead, and we will do all that we can to support it. All Departments recognise that every one of them is in a difficult position as a consequence of a Budget that we did not seek and that we find unacceptable.

In relation to RRI borrowing for Health and Education, of course I am happy and willing. When we published the initial draft Budget, the Departments that came back to us were Communities and Infrastructure, which said, "We had significant capital bids that were not met. We would like to examine the possibility of using RRI borrowing", and we were able to do that with them. I am doing a similar exercise with Health, and we will do one with Education, should it come forward with some projects.

Mr G Kelly: Go raibh maith agat, a Cheann Comhairle, agus gabhaim buíochas leis an Aire as an ráiteas seo. Thank you, Mr Speaker, and I thank the Minister for the statement. There is a lot in it to be welcomed. He mentioned investment in social housing: how many homes does he anticipate will be built in the coming year with that funding?

Mr Murphy: I thank the Member for his question. I agree that there are things to be welcomed, but the overall picture is not good, as I have made clear. While we are able to find some good news in how the Executive will prioritise the limited resources available to us, the picture is not the one that we would have wanted.

I am trying to find the figure from the Department for Communities, but I am told that it intends to have around 1,900 new builds next year. That is a significant number, not just to meet the acute housing pressure. I have listened to the Minister for Communities address the Executive over the past number of weeks, and I understand that the pressure has built during the pandemic and that housing stress has become more acute and has risen more rapidly, as, I am sure, has happened to many public services. The contribution to economic activity that that level of construction will bring is also to be welcomed.

Mr O'Toole: Minister, whatever about food supplies being disrupted as a result of Brexit, I am afraid that the draft Budget statement is, as you have acknowledged, pretty thin gruel. The statement is fairly brief.

I want to ask the Minister a couple of things. First, what is the picture on underspend? It is critical to understand what we are not spending this year in order to understand how badly off we will be next year. Secondly, the draft Budget document that was recently published online mentions just under £70 million in lost EU funding. However, from what I have seen, that is not in today's statement. Will the Minister confirm exactly how much lost EU funding there is? It is falling particularly hard on Invest NI. There is a lot in here that we need to study in more detail, particularly in the draft Budget document, and I hope that there will be the opportunity to do that.

As a final thought with regard to lost opportunities, as the Minister said, we are, sadly, being squeezed very tightly. Unfortunately, we are finding £2.5 million to spend on Sammy Wilson's phantom flights. What an absolute disgrace. Is there no way that we can address that man's absolutely ridiculous folly, Minister?

Mr Murphy: I am happy to look at the flights issue, particularly in relation to where we are now. The Member will know that connectivity is a key factor in our economic recovery.

We have not identified EU funding because the discussion with Treasury on some elements of that funding and Brexit costs goes on. However, with regard to the Shared Prosperity Fund, from which the Department for the Economy has drawn down a significant amount of money — I think that it is around £70 million, although I do not have access to the figures now — the letter that I saw over the weekend from the Chief Secretary to the Treasury to the Scottish Finance Minister does not fill us with any degree of hope. He confirmed that the Treasury's intent — we will continue to challenge it along with Scotland and Wales — is to hold on to that replacement European funding of, he said, £1.5 billion and allocate it centrally from Whitehall and use it to contribute to the levelling-up fund. From my reading, that is really about channelling money into northern English constituencies, perhaps to try to hold on to the seats that the Conservatives won. That paints a poor picture for us here with regard to our access to lost EU funding. The Member will know that we understood and intended that we would have the funding that we previously had and that it would be given to the Executive to allocate against our priorities. However, it appears that Whitehall and the Treasury are set in a different direction. That is not in the statement because it has not been finalised. We will continue to fight that battle over replacement EU funding.

Mr Speaker: Members, as is always the case in these circumstances, a limited amount of time is available to us. Steve Aiken, as the Chair of the Finance Committee, asked a number of questions, because Chairs are always given greater latitude. However, I do not want that to affect other Members' contributions. When Members ask multiple questions, they need to understand that a Minister is obliged to answer only one, although Ministers normally try to answer as many as they can. However, I am trying to make sure that as many Members as possible get to speak. Therefore, when Members can, they should limit their questions. Thank you.

Mr Muir: I have only one question. It is blue Monday, and I am trying to be positive, but, as I read the draft Budget, that is really hard. A lot of that is because the UK Government have wretched on their commitments. These institutions were re-established about a year ago on the basis of commitments, and they are not being fulfilled.

My question is on rate relief. Throughout the pandemic, a lot of businesses have suffered really badly, and Brexit is also having an impact on them.

What consideration is being given to rate relief for businesses in the next financial year? I am conscious of the fact that some of them will not be able to pay their non-domestic rates bill if they land in April.

Mr Murphy: I thank the Member for his question. I am conscious that the Chair asked me that as well, but I neglected to deal with it, as I was trying to get through the number of questions that he had asked. Yes, businesses have made it very clear to us that the thing that they would like that would benefit local businesses — small, medium and large — most is a continuation of the rates holiday that many of them have experienced over the past 12 months. Some of the carry-forward COVID money that we have bid for and argued for is intended to provide some level of rate relief into the next financial year, and hopefully as much as we can possibly provide. Hopefully, if the vaccination programme rolls out and the pandemic begins to recede, a lot of businesses will re-emerge and be back trading again in the new financial year, but they will continue to struggle with bills.

Rates is a particular bill. The business community has argued in all of our dialogue with it over the past year that the one measure that has had the most impact, by providing it with a level of support, is the taking of the rates bill off the table. That has also assisted councils, as it has given them a guarantee for their rates income. It is something that we very much want to do, and we have earmarked money to be set aside into the next financial year to do that. The earlier that we can give businesses the advice that that is what we intend to do, the more that they can plan and budget for next year.

Ms P Bradley: I thank the Minister for his statement. I also welcome the freeze on the regional rate. I agree with the Minister and encourage all councils to do the same with the district rate.

My question relates to what Mr Kelly asked earlier. We know that any investment in social housing should involve not only new builds. Investment in our present stock is much needed. We also have the added issue of the tower block strategy and people being displaced, especially in north Belfast, where there is not the land on which to build. If all the money allocated is going to new builds, will any other money be made available for those other, much-needed housing strands?

Mr Murphy: There has been a substantial capital allocation made to the Department for Communities for usage, but, obviously, it will be up to the Minister to prioritise. I am sure that the Committee and its Chair will be in dialogue with her and her officials about the priorities that they think that they should be following. The additional £70 million that we earmarked was an unmet bid. The Department for Communities therefore has quite an ambitious capital programme for next year. We identified £70 million of RRI funding to try to contribute towards that, particularly to meet the NDNA commitment on social housing. It will be up to the Minister for Communities to identify where the rest of her capital budget will go to once the final Budget paper is agreed. I am sure that she will consider issues such as those that you have raised.

Ms Dolan: I thank the Minister for his statement this evening. The level of COVID funding will reduce dramatically next year. Given that some Departments will return money late in the year, can COVID money be carried into the next financial year?

Mr Murphy: As I said in answer to the Chair earlier, we have gone back to Departments to try to ensure that they will spend out. We wanted an early return if that was not going to be the case, and we have had some returns. As I said, I will be bringing a paper to the Executive on January monitoring plus COVID. Clearly, the larger element of the underspend is from COVID allocations. We want Departments to come forward, because there is still a very significant and continued need out there from businesses, communities, hospices, farming communities and other sectors. We want to see whether we can allocate more of that money ahead of the end of the financial year. In recognition of the particular challenge of spending that out and the challenge of having a poorer Budget next year, we will try to carry over as much as we can in order to try to ease pressures. It is a combination of trying to spend out what is available and seeking as much flexibility from Treasury as we can possibly get to carry over money into the next financial year.

Mr Buckley: This statement, like many of the Minister's statements in the past have been and as many of his statements in the future will be, is dominated by COVID-19 and the response to it. Although I welcome the £538 million in the next financial year, the reality is that it falls far short of the £3 billion that was pledged last year. I support the call for the Treasury to allow flexibility to carry over funds into next year. That is essential.

The Minister will know that the most vital support for small business has been rate relief. I support the call for the continuation of that.

Equally, VAT has been a crucial support line for many businesses in the sectors affected. Has the Minister had any conversations with Treasury as to a continuation of that reduced VAT rate?

6.30 pm

Mr Murphy: The Member is correct that that has also been vital. That is not in this because it is not within our remit or our control. However, yes, we continue to talk to Treasury in relation to all the schemes that it runs. Obviously, the furlough scheme was essential to keep workers paid over the course of this. The VAT scheme was a great contributor to an awful lot of businesses as well. The furlough scheme will now go up to the end of the financial year, which is good news. We will encourage Treasury to consider extending the schemes and protections that have been built in into the new financial year, and I hope that we have some success in doing that.

Ms Anderson: Minister, we read last week that some of your ministerial colleagues want you to address the EU shortfall perhaps by taking money out of other Departments' budgets; the irony in that, if it is true. I have listened to your response. Are you saying that the shared prosperity fund — the fund that Brexiteers told us was going to replace all the European funding — is not going to replace the European social fund and the European regional development fund? Have there been any further developments in the replacement of EU funding for next year?

Mr Murphy: The shared prosperity fund may well replace the funding that came from Europe, but it will not replace it in the way that we are used to receiving it. There is a clear indication, particularly in the most recent communication from the Treasury to the Scottish Finance Minister, which was shared with me over the weekend, and in the legislation that is passing through Westminster, that they intend to hold that fund centrally with people having to bid in. They have now gone further and said that they intend to use it as part of the levelling-up process. Of course, the levelling-up process, as announced by various Government Ministers, including the Prime Minister, is really about the north of England.

First, I think that our chances of receiving the same allocations are very limited. Secondly,

those allocations are not set by the Executive against our priorities and the priorities to suit the people who we represent here. Therefore, I do not believe that we are going to receive anything like the same level of funding that this Executive received as part of EU funding and spent down through its Departments. We will continue to fight that battle to see whether we can change Treasury's mind. The Executive have an agreed position that we want to access the funding that we got previously and be able to allocate, prioritise and distribute that according to our own priorities. However, the Treasury seems very intent on a different direction, one that, I think, will be damaging to the people here because we will not have access to funding that, over the years, was vital to supplement a lot of departmental budgets and to provide much needed support on the ground.

Mr McGrath: As has been mentioned, it would be unthinkable if those who were severely injured and have waited so long have to wait again for a victims' payment. In your statement, you said that the Secretary of State has refused to even meet to discuss the funding for the victims' pension payments, which must be an affront to those in that sector. Is there an opportunity to move the ignorant Secretary of State out of the way and go directly to the British Prime Minister to get this issue sorted for that sector immediately?

Mr Murphy: The Secretary of State has been tasked with the responsibility of sorting the issue out, so, in the first instance, we want to talk to him, but he is not the British Government. I talk to Treasury regularly. We will continue to raise this and other issues where funding arrangements have not been finalised. He is quite correct that it adds to the pain and anguish of victims when, on an issue such as this, what seems like an unseemly squabble over finances has not yet been resolved, even though the administration has been put in place by the Executive to make sure that the process can continue. It clearly needs to be resolved. We have no official estimate or figures attached to what the British Government legislated for, but, according to some of the estimates that the Justice Department has brought forward, it would be beyond the scope of the Executive.

That is, unless we were to reduce that over the lifetime of the victims' pension. If it was against the high-level estimate that the Department of Justice brought, we would be taking £0.5 billion off the health service and £150 million off the Education Department over the lifetime of the

scheme to match that. Clearly, it is not sustainable for the Executive to continue to provide public services and do that. I hope that the Secretary of State will engage in the times ahead. If he does not, I will ask Executive colleagues that we press whatever buttons we can to get this issue resolved in time for the final paper.

Mr Nesbitt: This time last year the newly appointed Health Minister was addressing the issues of nurses' pay and safe staffing levels. I note that the Minister says that the Executive have prioritised allocations for agenda for pay in the health service. However, can the Minister go further tonight and commit the funds to deliver on nurses' pay and safe staffing levels and to do so in a sustainable manner, and not through non-recurring means such as monitoring rounds?

Mr Murphy: To do so, I would have to ask another Department to surrender money because the Government in London — supported for nine years while they delivered austerity policies upon us by elected Members from this part of the world — have decided to give us a flat-cash Budget. In order to meet increased demands on pay, we would have to take consequential resources off another Department.

What I can commit to, and what I have committed to the Health Minister in recent conversations with him, is that the money will be found to do those things. The Executive, as part of this paper, have committed to find money for safer staffing levels and those issues in the Health Department. The Health Department, as I can remember, has always had, over the last number of years, even prior to my being in the Department of Finance, a first call on moneys throughout the year in recognition of the particular pressures that the Health Department faces. That prioritisation of the Executive will continue into the new financial year, and those issues will be addressed. They would be much better addressed if we had a Government in London that did not continue to follow austerity policies in relation to public finance pressures.

Dr Archibald: I thank the Minister for his statement, although it is disappointing that the Executive have been provided with only a standstill Budget. I am particularly concerned by the Minister's statement that the spending review has not delivered the support required to kick-start an economic recovery.

I ask the Minister whether he agrees that, given that the economy will only be entering recovery mode next year — depending on the path of the pandemic — what is needed now is economic stimulus rather than a return to austerity, as he mentioned in his previous answer, particularly so at a time when there are historically low borrowing rates.

Mr Murphy: In light of a very disappointing Budget allocation, we have to examine what additional measures we have to kick-start economic recovery and some of the RRI borrowing issues. We will examine ways to utilise the full level of RRI borrowing up to £200 million. There is financial transaction capital available to us, and we will be encouraging Departments to make bids that will utilise it. It is our responsibility to utilise all the options we can to support public services and to kick-start economic growth coming out of the pandemic. That will be a challenge; nonetheless, it is a challenge that we have to meet.

Ms Armstrong: I thank the Minister for bringing this depressing document to us. It is quite tough. I want to ask for clarification on a detail.

Included in annex A, table 2, there is a planned capital DEL of £28.4 million for Fresh Start for integrated shared education and shared housing. Given the comments made throughout the document about how disappointing the Secretary of State has been in coming forward, is there a risk that those 17 schools will not proceed if the planned money is not finally decided by the Secretary of State?

Mr Murphy: I have no reason to believe that that commitment will not be met. It certainly will operate on the basis that it can, should and will be met by the Secretary of State. We got recent correspondence from the Treasury on the Strule campus, which you know is a key shared education project for the Department of Education, with some clarity in moving forward, and that is good news. We wanted and should have been able to include in our Budget the figures for the money that the NIO has authority for. Those did not come through in time to do that, but our intention is to have them cleared and in the final paper.

Mr McGuigan: Minister, I have found some good news in the pages of your statement. I welcome the fact that funding has been allocated to enable work finally to begin on Casement Park. Certainly, that will be welcome news for Gaels in County Antrim and right across Ulster and Ireland, and I look forward to spending many days supporting my club of

Dunloy there when it is built. As others said, essentially, what you are proposing is a rollover of this year's Budget into next year. As you said, it is a very difficult Budget settlement, for all the reasons that you outlined. Is it your intention to carry out a more strategic review of future Budget allocations?

Mr Murphy: I accept that there were consequences of the pandemic in London as well as here. If things had gone according to plan this year, we would have had a comprehensive spending review over the summer, we would have had a multi-annual Budget, and we would have had a process to enable us to do strategic and longer-term thinking and prioritise Executive plans over a number of years. That, however, did not happen, and we ended up with an announcement at the end of November, confirmation in December and an annual Budget scenario yet again. Of course, over this coming year — the next financial year — we want to plan again for the ability to set more strategic priorities. We have a five-party Executive, and we have the ability to have input from all the parties, with the exception, of course, of the Green Party and PBP, which are not in the Executive. That allows, going forward, for a broad approach in the Executive to prioritising spending in a more strategic way. I hope that we are in a better Budget scenario in the financial year beyond the next one and into a multi-annual Budget to allow us to be able to do that.

Mr Beggs: I thank the Minister for his statement. Like others, I feel that it is very sparse and difficult to scrutinise. I have noticed that the Scottish and the Welsh Governments have a degree of pre-Budget consultation, with one starting in June and one in September. Does the Minister accept that it is very disappointing that, despite having been in post for a year, he is announcing a largely flatlined Budget? There has not been detailed planning, scrutiny or prioritisation to decide how we should spend the money that is available to us.

Mr Murphy: It is very hard to prioritise and plan how to spend money when you do not know how much you have, when you do not know the period over which you are to spend that money and when you get an announcement about that at the very end of November and confirmation of it on 8 or 9 December. I am disappointed with the Budget outcome. I did not campaign for the Tories to be in government; you did, and they brought austerity policies with them. That was nine years ago. You might remember the Ulster Conservatives and Unionists — New Force

(UCUNF): that incarnation of the Ulster Unionists and the Tory party. David Cameron was over here, and you wanted to get him elected to replace Labour, and he brought with him nine years of austerity policies that continue to affect us. I am disappointed by the outcome, as you should be, but I never supported them in the first instance.

Mr Allister: Minister, 2021 will be a very important year for many in this community. It may not matter much to you, but given that this is the intended Budget of the Government of Northern Ireland, how much do the Government of Northern Ireland intend to spend on the centenary and on projects for the centenary? Can you tell us that? Surely it is not nothing, just like the innocent victims of terrorism got. What would that say about the alleged inclusiveness and outreach of the Executive?

Mr Murphy: Well, 2021 is an important year for me as well, because it represents 100 years of partition on the island. Of course, there are those who would like to celebrate that, and the budgets for it will be included in TEO's overall spend.

Mr Carroll: It is very concerning that the Budget represents a flat-cash position, and it is very disappointing that most Departments will, effectively, have to face reductions, as the Minister stated. It seems as though the lessons of the last 10 years have not been learned. The squeezing and cutting of services will be ramped up if this goes ahead. What discussions has the Minister or his officials had with the Secretary of State about implementing a COVID wealth tax? To me, it is absolutely disgusting that, during this pandemic, billionaires have increased their wealth by £25 billion at the last count and likely by more now, and we are asked to take crumbs to deliver our public services over the next number of years.

6.45 pm

Mr Murphy: I share the Member's opposition to the way that policies are framed in London. We have always made clear that that is the case. Of course, taxation matters are a matter for the Treasury and not the Secretary of State, and when we cannot get a meeting with the Secretary of State in relation to victims, I suppose it would be a bigger stretch to get a meeting in relation to taxation issues. We continue to raise the unfairness of this approach of deciding to cut public services in the first instance whenever any financial squeeze comes on and spend vast amounts of money in other areas that do not benefit people

in their everyday life. We will continue to make those arguments in London for a fair allocation and a fair approach to government spending, but I have to say that I do not have a huge amount of confidence, given the Government that are currently in position there, that those arguments will fall on any willing ears.

Mr Speaker: Members, that concludes questions on the statement.

Adjourned at 6.46 pm.

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