



# Official Report (Hansard)

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# Northern Ireland Assembly

Tuesday 18 May 2021

*The Assembly met at 10.30 am (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Matter of the Day

### HMICFRS Inspection of the PSNI's Handling of the Bobby Storey Funeral

**Mr Speaker:** Mr Mervyn Storey has been given leave to make a statement on the HM Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) inspection of the PSNI's handling of the Bobby Storey funeral, which fulfils the criteria set out in Standing Order 24. If other Members wish to be called to speak, they should rise in their place and continue to do so. All Members who are called will have up to three minutes to speak on the subject. I remind Members that I will not take any points of order on this or any other matter until the item of business has finished.

**Mr Storey:** I welcome the opportunity to make this statement to the House on the findings of Her Majesty's Inspectorate of Constabulary that were published yesterday. The scenes that were witnessed at the funeral of Bobby Storey, when thousands of people were brought on to the streets by Sinn Féin, were in breach of the spirit and the letter of the COVID regulations. Their actions cast a dark shadow over the culture of lawfulness and were an embarrassment to law and order in Northern Ireland during the pandemic. Not for the first time in the history of Sinn Féin have we seen it use the dead or the dying for its own agenda. If it was prepared to ignore the dying wishes of Bobby Sands, one of its republican icons, encouraging and organising thousands of people on to the streets of west Belfast would be seen by it as what needed to be done. No respect, no regard, no restraint. The movement was more important than any other consideration.

How different were the actions of many across Northern Ireland who had to bury their loved one alone, isolated and within the law. It all stands in stark contrast to the way in which our gracious Majesty The Queen laid to rest her

beloved husband, Prince Philip, Duke of Edinburgh. Yet, at the same time, the deputy First Minister and other Sinn Féin Ministers were calling on us all to heed the advice when they were devising means whereby they would apply a different standard.

Let it be remembered that my colleagues and I on the Policing Board — I declare an interest as a member of the Northern Ireland Policing Board — supported bringing in HMICFRS to carry out this review. Therefore, we will not shy away from addressing the issues that it has raised or the commentary that it has made. We will now apply ourselves to ensuring that everything is done to address the concerns raised.

We should also remember that we still do not know the outcome of the review of the decision of the Public Prosecution Service (PPS) or whether the Police Ombudsman will carry out an investigation. Therefore, there is some way to go in bringing this matter to a conclusion.

The PSNI's handling of the events and its engagement with the organisers, which the PPS and Her Majesty's inspectorate have concluded provided a reasonable defence from prosecution, have contributed to long-standing concerns and the lack of confidence in policing, particularly in the unionist and loyalist community.

**Mr Speaker:** Will you bring your remarks to a close, Mr Storey?

**Mr Storey:** I am glad that those concerns were recognised by the Chief Constable yesterday. We will work with the police and our communities to ensure that there are no double standards when it comes to applying the law.

**Mr G Kelly:** Mervyn Storey did not once mention that the family of Bobby Storey is grieving, but it is. Bobby Storey was a bad loss to his family and many others. Perhaps, in the middle of this, it is worth remembering that another family is involved. I accept entirely that

people, including other families, were hurt. I have said that on a number of occasions, as have other Members.

This was the third, possibly fourth, investigation into these events. As the result of each comes out, the DUP does not accept it. Mervyn Storey said that there is to be another review, and there will be. The review of the PPS decision is yet to come.

I understand that Mr Storey wants things to be corrected, because some criticisms were made. However, I make it very clear that HMICFRS said that there was no bias or preferential treatment by the police at the funeral. The terms used were that the actions of the police came nowhere near the threshold for disciplinary action against anybody involved. Of course, it took different legal advice from that taken by the PPS and came to the same conclusion.

Therefore, at some stage, instead of just rejecting every report that comes along, maybe we will get to the point at which we can move on. A family is grieving, and it also has to move on. Every time this comes up, it affects the family as well. Maybe we can take some cognisance of that when we deal with this. I say that with an understanding of the hurt caused on that day. In the end, my appeal is that we move on.

Sorry, I should have started by declaring an interest: I spoke to HMICFRS. I was, of course at the funeral, and I am a member of the Policing Board.

**Mrs D Kelly:** We welcome the HMICFRS report. As a member of the Policing Board, I will have to reflect further on its findings. A number of issues with the planning of the funeral were raised.

This is not a green and orange issue, and I would regret its ever turning into one. Mr Storey's family is grieving, but so are the families of over 2,000 others, people who were unable to be at the bedside as their loved one gasped for breath. They were not there when their loved one was being lowered into the ground. Whilst there are many criticisms of the regulations in this report, and there are questions about the interpretation of the regulations by the Health Department's legal adviser and the interpretation of HMICFRS's legal advisers, the spirit of the regulations was clear. As I have said on numerous occasions, the infographics on the motorway for anyone travelling down to Belfast stated, "Stay at home", or asked, "Is your journey essential?".

Indeed, on many occasions in the lead-up to this funeral, the deputy First Minister asked people to stay at home and not to go out if they did not need to do so.

I note that the police, quite rightly, put safety and security above the COVID regulations in a broader sense, but there are questions about from where the violence would come had COVID regulations on funerals, or the spirit of those regulations, been implemented by the police in the way that they have been at other funerals. I know that the police spoke to mourners at funerals in and around the Lurgan area because there seemed to be a large number of cars outside churches. I also know that priests who officiated at funerals advised mourners in advance that they should not even gather in church grounds or cemeteries and should be very aware of and alert to their individual responsibilities to keep themselves and others safe.

People can spin it in whatever way that they want. The police have questions to answer about the planning. Political leaders have to help to rebuild the confidence in policing that is vital to any democracy.

Let me be clear: in my view and in that of many ordinary people who knew what the spirit of the regulations meant, there is a political elite in the republican movement — Sinn Féin, in particular — who believes that the regulations do not apply to it. That is where a lot of the blame lies.

**Mr Nesbitt:** If I had lost a relative or loved one, I would be appalled if we were still debating that loss in the public square 11 months on. It did not have to be like this. The funeral could have been done differently.

I declare an interest as a member of the Policing Board. Yesterday, I was there for the briefing from HMICFRS and to receive the report. The three priorities for the police were to avoid "serious disorder", to avoid the trappings of paramilitaries and:

*"a perhaps distant third ... there should be no serious breach of the Regulations."*

I hear the criticism that the regulations were confusing, but I also remember the gold commander coming to the Policing Board in April and saying that he and his team were clear about the regulations.

HMICFRS stated that those three priorities are a matter of "moral and political" judgement. Politically, I understand that, with policing, there is a balance to be found and a choice to be

made between upholding the letter of the law and maintaining the peace. You do not send policemen in riot gear into the middle of a funeral. I get that, but you negotiate beforehand. The problem is that there is no proper paper trail. Do you know what it reminds me of, Mr Speaker? RHI. Remember that Sir Patrick Coghlin told us that it was government by Post-it notes. Where is the paper trail that records the communications between the funeral organisers and the PSNI? The problem with the lack of such a paper trail is that many people will suspect that the trade-off was very simple and that the PSNI said to the funeral organisers, "Promise us that there will be no volley of shots and no beret or gloves on that coffin and we will back off. We will effectively surrender the streets of west Belfast to the republican movement".

There is evidence in the report of an inspector who was in a vehicle that did not stop at any time because it would have been "interpreted as provocative". He stated:

*"I was getting a clear picture from the steely looks I was getting".*

Can we take part in whatever criminality we want on the streets of Belfast and, when the police come, just give them a steely look and they will back off?

I welcome the Chief Constable's saying that he will now try to rebuild confidence in the community. As members of the Policing Board, we all have a duty to weigh in behind him. The community deserves it, and the officers of the Police Service of Northern Ireland deserve it too.

**10.45 am**

**Mr Allister:** The report was a whitewash, and it was never intended to be otherwise. Anyone who listened to the interview of Mr Parr on 'The Nolan Show' this morning could have no doubt about that. Here was a man, under interview, who said some amazing things. Of course, the starting point of what is amazing is the primary conclusion that Sinn Féin might was more important on the day than the COVID regulations, which were not just secondary but a very distant third to the thought that might was right and might would prevail. This morning, you heard Mr Parr effectively say that matters were delegated to an IRA events company, the name of which he would not give. He would not say whether the company was licensed; indeed, he may never have inquired. When you hear that a gold commander ordered

that a helicopter should not oversee the wake event, where hundreds of people were gathered, and that the video cameras were so far back that the footage was useless, the conclusion is inescapable: the streets of west Belfast were deliberately, consciously surrendered on the day of the Storey funeral.

The contrast is not with what would have happened at a loyalist funeral; the contrast is with what happened at the funerals of ordinary folk, who were deprived of the basic rights that attend a funeral and were required to obey. When it came to Sinn Féin, however, it called the shots. There might not have been any shots over the coffin on that occasion, but there were certainly shots called by Sinn Féin. We had the despicable scene of our compliant Chief Constable toadying to all of that. What he did on that day means, in my book, that confidence in him is incapable of ever being restored.

Then we discover —.

**Mr Speaker:** Bring your remarks to a close, Mr Allister.

**Mr Allister:** Then we discover that the rules were changed by the Executive the night before. That is another story altogether.

**Mr Speaker:** Mr Allister, bring your remarks to a close, please. Thank you very much.

**Ms Bradshaw:** I thank Mr Storey for proposing the Matter of the Day. It is the responsibility of everyone to help maintain and build confidence in policing. It is not good enough for elected representatives and others simply to take perceived grievances and amplify them. It is up to us to lead, follow due process and allow the police to be properly scrutinised, instead of jumping on a bandwagon. The report has carried out that scrutiny, and I hope that people are now mindful of the consequences of their previous statements on the matter. That is not to say that the PSNI was perfect in its handling of the events around that funeral, even if, according to the report, they were "not especially serious failings". My colleague John Blair MLA will continue in his role on the Policing Board to ensure that the recommendations on consistent engagement and, in particular, record-keeping are followed by the PSNI. It is a matter of utmost importance that the Policing Board now be allowed to focus on the work of looking at issues that are in the interests of all people and their safety.

The report demonstrated that it is not the case that the threat of violence influenced policing,

as some assert. In every police operation, there are risks and challenges that need to be weighed up to maintain public order. For example, some claim that the police did not warn about the funeral being in breach of the health protection regulations: again, that is not the case. We, as elected representatives, need to be careful that we do not continue to fan the flames of tension in our society.

Support for the PSNI and the rule of law is necessary in a civilised society. I recognise that the process continues to evolve as we move through our peace process in Northern Ireland.

Lastly, I record my thanks and those of my party to Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services for its diligence in completing the report in a timely manner.

**Mr Clarke:** I will follow what some Members have said about the report. In Jim Allister's words, it was a "whitewash". Reference was made to bias: none of the Members has indicated that there was a bias towards one community over another. Reference was made to, I think, 2,000 funerals by Mr Allister and others, but those were the 2,000 funerals for people with the coronavirus: there were many other funerals for people who died a natural death.

I do not take away from the grief of this family, but something has been missed. There were 2,000 people recorded on the street that day, but the Member opposite, who declared an interest as being one of the organisers, indicated that they were expecting up to 10,000. I do not know what part of the regulations was confusing, given that the deputy First Minister stood on a podium, on many occasions, and referred to the regulations and even to the changes. Mr Allister referred to the changes to the regulations that were made on the night before. I asked that question yesterday. I felt that Mr Parr was unclear about what difference the regulations from the day before would have made, because he is hanging his hat on the fact that they were "confusing". They were not confusing for the undertakers, the ministers of religion or the families who had to make conscious decisions about which family members they could choose to go to their loved one's funeral.

The whitewash is simple. There is the four Es approach, which the gold commander has always talked about. He has pontificated on the television, all the time, on the approach, but only three Es — not four — were used at that funeral. There was intelligence gathering, and

reference was made to the distance from which they had to do the intelligence gathering. Why? The fear of violence. As has been said, the silver commander asked for the helicopter to be in the sky, but the gold commander refused. Why did he refuse? The fear of violence. I do not go to many funerals at which I witness violence. Why should there have been violence at that funeral? Who was going to create the violence? It was not going to be the ministers of religion or the undertakers. I can only presume that it was the people in the white shirts and the cavalcade that followed the funeral.

It has been highly disappointing. I do not know how the police can recover from this. To spin it as some sort of bias between one community and another adds salt to the wound. It is not about religion or people's background; it is about the fact that there were rules and the deputy First Minister of this Government was there in clear breach of those rules. She broke the rules, and nothing has been done. It has been nothing but a whitewash. The only thing to come out of the report, for me, is that I have agreed, for the first time, with Mrs Kelly.

**Ms Bunting:** I declare my membership of the Policing Board.

There will be time to go over the report; doubtless, this will not be the last conversation about it. It is extremely disappointing. The police may have been found to have been consistent throughout the pandemic with regard to their evidence gathering and follow-up, but, in light of everything that we have witnessed, it is clear that they were inconsistent in the run-up to the funeral and in their approach and engagement in advance. That is a courtesy that was not afforded to others who knew that the funerals of their loved ones could not and should not be an event involving thousands of people who were invited to attend.

This is not about whether there has been bias in favour of the paramilitaries on one side over those on the other side; this is about whether there was different treatment for the IRA compared with every other citizen in Northern Ireland who knew the regulations, understood them and abided by them. We are all supposed to be equal under the law and equally subject to it, so why should a paramilitary funeral be treated differently and be different? Those questions remain to be answered.

**Mr Givan:** There is no absolution for the Chief Constable in the report or, indeed, for the gold commander. There are even more serious questions for the leadership of the PSNI as a result of the report. There are even more grave

concerns for how the Public Prosecution Service (PPS) has conducted itself. We await the review on whether those 24 individuals will be prosecuted, as, we now know, the Police Service had recommended. The report makes it abundantly clear that the streets of west Belfast were marshalled by an events company that we do not know that Sinn Féin uses regularly and that the author of the report legally could tell the public but ethically has decided not to. The author of the report has engaged in a sanitisation process of the politics of Northern Ireland. That is unacceptable. That is the very problem that the police have in how they go about their operations. They play politics with it, and that has to stop.

My concerns need to be followed up by the Policing Board. My colleagues are asking the Policing Board to instigate the proceedings that can be carried out for the senior leadership of the PSNI. That needs to happen. The chairman of the Policing Board needs to take up his responsibility, and the members of the board need to support my colleagues in what they seek. The Police Ombudsman needs to carry out the report; there should not be any indecision around that. It has to be done. Then the PPS needs to come to the Justice Committee, as the Committee has requested. It needs to give answers on its conduct and the letter to the PSNI rebuking the Chief Constable for making it public that he wanted a prosecution. The author of the report said that it is quite within the rights of the PSNI to do so. What is there to cover up about the PPS and its behaviour? Why is it not coming forward and giving answers when we have sought them? We need those answers.

Primary responsibility for what took place on that day lies at the feet of Sinn Féin: an anticipated 10,000 people, organised by Sinn Féin; a rally held in a graveyard where the burial did not even take place; and a request to change the law one hour before the day of the funeral. Sinn Féin bears that responsibility, but those in the authorities of the police and the Public Prosecution Service need to be held to account as well. My party will continue to do that, because we need to have confidence in policing and confidence in the unionist and loyalist community has been damaged. There is a differential in how the police go about. It is not a perception, and that has to be addressed. There is a huge piece of work for the police to do in addressing it.

**Mr Speaker:** That concludes the debate on the Matter of the Day.

**Mr G Kelly:** On a point of order, Mr Speaker. Will you look at the comments made by Jim Allister around the events company to see if they were acceptable language?

**Mr Speaker:** OK. We will review the Hansard report. Members, please take your ease for a moment.

**11.00 am**



## Executive Committee Business

### The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021

**Mr Speaker:** The next items of business are motions to approve two statutory rules (SRs), both of which relate to health protection regulations. There will be a single debate on both motions. I shall call the Minister to move the first motion. The Minister will commence the debate on both motions listed in the Order Paper. When all who wish to speak have done so, I shall put the Question on the first motion. I shall then call the Minister to move the second motion, and the Question will be put on that motion. If that is clear, I shall proceed.

**Mr Lyons (Junior Minister, The Executive Office):** I beg to move

*That the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 be approved.*

*The following motion stood in the Order Paper:*

*That the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 3) Regulations (Northern Ireland) 2021 be approved.*

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

**Mr Lyons:** I am bringing forward amendment Nos 2 and 3 of the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021. With your permission, I will focus my remarks solely on those amendments at the centre of today's debate.

Amendment No 2, SR2021/109, was made on 22 April. It brought changes to the regulations to ease restrictions, which came into effect on 23 April and 30 April respectively. From the 23 April, it allowed driving tuition and testing; close contact services on an appointment-only basis; the opening of outdoor visitor attractions; outdoor sport organised by a club, or an individual or individuals affiliated with a sporting body or organisation, extended to allow for squad training; competitive outdoor sport

organised by a club, individual or individuals affiliated with a sporting body or organisation, with participant numbers not in excess of 100 people and with no spectators to be permitted; and equine assisted therapy and learning (EATL), provided that attendance does not exceed 30 people in total.

It also allowed for practice or rehearsals for bands, outdoors, provided that:

*"the band does not engage in a procession",*

that:

*"the gathering consists only of the band",*

and that:

*"no person in the gathering engages in singing".*

Perish the thought.

From 30 April, it allowed for 15 people from up to three households to meet outdoors at a private dwelling; for the curfew on off-sales and takeaways to be removed; for the reopening of all retail businesses; for the reopening of self-contained tourist accommodation, including holiday homes, static caravans, touring caravans and motor homes; and for outdoor hospitality, both licensed and unlicensed, to reopen with a limit per table of six people from no more than two households, not including children under 12, with an allowance for larger single households and with contact details to be recorded. Lastly, it allowed for the reopening of indoor swimming or diving pools and indoor exercise facilities for individual activity, activity with a carer or carers, or activity with a trainer or coach.

Amendment No 3, SR2021/117, to the Health Protection Regulations was made and came into operation at 6.00 pm on 30 April. That amendment allowed for a provider in receipt of grant funding from the Education Authority (EA) to deliver youth activities for persons aged from four to 25 in an informal setting. The aim of the amendment was to ensure that youth activity programmes, including the Together: Building a United Community (T:BUC) camps that are planned for the summer, can be delivered.

It also made an amendment to the regulations to clarify that persons from the same household, bubble or party can be seated at the same table in outdoor hospitality without needing to be socially distanced from each other by two metres.

I commend the regulations to the Assembly.

**Mr McGrath (The Chairperson of the Committee for The Executive Office):** The Health Committee has undertaken the hard work of scrutinising the regulations, and I look forward to hearing from that Committee later in the debate. I will just say a few words about the strategic oversight role of my Committee in these matters.

The Committee for the Executive Office has consistently maintained that there needs to be clear, unambiguous messaging on the nature of restrictions and the need for them. There also needs to be clarity for those who are expected to enforce the regulations. It is encouraging that we are in the position, based on sound evidence, of being able to relax some of the restrictions, and I again pay tribute to those who have borne the brunt of treating people who have become ill, caring for those in need and providing essential services so that we can all keep the economy going. As the restrictions ease, we appeal for caution. We are not out of the woods yet. Sensible precautions need to be maintained so that people can go about their business safely.

The Committee is accustomed to hearing from a range of sectors on the impact and implications of responses to the pandemic. We have a unique opportunity to plan for a constructive and inclusive recovery, and the Committee needs to be part of that conversation. We look forward to engaging with the First Minister and deputy First Minister and the junior Ministers as the pathway out of restrictions progresses.

I would like to make a few points in my capacity as an individual MLA. The amendments that we are discussing today include the reopening of close-contact services such as those provided by driving instructors and hairdressers. Many of us are enjoying the benefits of that, although, as I look across the Chamber, I can see that some of us are enjoying them more than others. We are also discussing outdoor visitor attractions, outdoor activity centres and outdoor static band rehearsals. I am pleased to say that one of my constituents from a nationalist background was telling me about walking home one evening and hearing a local Orange band practising outside, and he said that it gave him a sense of normality again.

The other amendment concerns educational activities and seating in hospitality settings. On a personal level, I welcome the easements for youth activities. That has enabled me to get

back into the work that I do on a Wednesday evening, when I do some volunteering with a group of foreign nationals in the Downpatrick area. They have really enjoyed being able to get back in, engage and have structured activities available for them, as do all the young people who participate in the activities. You can see that, once again, they have a sense of structure and purpose to their evenings and social time, and that critical interaction that they have with adults will help them as they progress through the rest of the year.

It is heartening that the amendments that we are discussing today and, hopefully, in the future are concerned with how we emerge from the pandemic. We all know that there is no return to the status quo. There has been much discussion about what will be the new normal, and I hope that, as these and future amendments progress, the Executive Office will be in a position to place greater focus on our COVID recovery.

We will discuss mental health awareness later today, and mental health, particularly for our younger and older people, is something that we need to pay close attention to, as is high street recovery. I am glad to see that the task force is in operation. There are some issues surrounding its size that need to be ironed out, but I welcome the fact that it is there and will, hopefully, reach out and help high street businesses as they emerge from COVID.

Ultimately, it is welcome that we are moving, step by step, out of restriction and into a place of recovery. As I mentioned, the Committee will need to be part of that recovery, but, equally, the public need to have their voices heard too on their lived experience of the pandemic and the restrictions that we have legislated for. However, for now, we are discussing the continued easing of restrictions, and I am glad to support today's amendments.

**Mr Gildernew (The Chairperson of the Committee for Health):** First of all, I welcome that we have over one million people in the North now vaccinated with their first dose and that over half a million people have been fully vaccinated. The vaccination programme has been a great success and has provided for the gradual easing of the restrictions that we are considering today and will consider in the future. I encourage all those who are eligible to get on to the system and book their vaccine, as it is one important element on the road to recovery and will provide protection to them, their friends, their family and their community as we ease restrictions.

It is also important to note that the system of find, test, trace, isolate and support must continue to play a role as we go forward.

In that respect, it is worrying that we have now seen cases of the Indian variant here in the North and that they are rising. We hope that the procedures and processes in place will allow those isolated instances to be contained, rather than there being further transmission of the variant. Find, test, trace, isolate and support will be key to that. I note the latest research that seems to indicate that the vaccines are effective against the Indian variant. That is another reason for everyone to ensure that they get vaccinated as soon as possible.

Today, our thoughts are very much with those in hospital with COVID-19, all who face this virus across the world and every one of our families and individuals who have suffered the loss of someone as a result of this horrible virus. We have all seen the harrowing pictures of the spread of the virus in India. It was good to see that we supplied assistance to India in the form of generators. International solidarity in that respect is hugely important, and we need to remember that, in an interconnected world, if anyone is at risk, we are all at risk. Helping and reaching out to others across the world is the right thing to do at this time, and I welcome that.

We welcome the introduction of these rules and the continued easing of restrictions that we see at present, which includes the ability — crucial for many people — to meet more friends. There is also further easing for sports, gyms and hospitality, which we all recognise as being hugely important for our social and mental health and well-being.

Last week, during Mental Health Awareness Week, the Committee met a number of groups and many young people to discuss the impact of COVID-19 on them. A number of young people highlighted the fact that they missed school, sport and social interaction with their friends. One mentioned that they missed discos. That highlights the important role that relationships play in improving our well-being, and the fact that these rules will allow more access to our friends and family is welcome. It is absolutely brilliant — I think that we all agree — to see children and young people out and participating in sport again. Long may that continue.

Again, I need to state that this is a process. I urge everyone to continue to follow the guidance and regulations that are in place and not to push or bend the rules. It is important that we follow the rules and guidance as they are

eased, because, ultimately, this will allow us to move more quickly to the point where COVID has less impact on our lives.

The Committee was briefed on the regulations at its meeting on 6 May. The Department's briefing gave Committee members the opportunity to discuss the regulations in more detail, and a number of issues were raised. Members continued to raise the issue of the change of messaging from "Stay at home" to "Stay local". There were concerns about the definition of "Stay local" and how that would be enforced by the PSNI. We were advised that the issue is under consideration by the Executive. Members raised a number of other issues, including engagement with the hospitality sector, plans to pilot non-socially distanced events in the North and cross-border travel.

There is continued frustration among members of the Committee at the limited opportunity that the Committee has to consider COVID-related rules. I acknowledge the Chair of the Executive Office Committee's remarks on the hard work involved, but the Committee would like to be able to scrutinise the regulations more effectively, not only the pace of easing but how we deal with cases where easing might create further problems. I raise the issue every time that I speak about the regulations, and the Committee continues to raise the matter with the Department. We understand that there are tight time frames. However, the Committee's role is to scrutinise legislation, and the process leaves the Committee unable to undertake that role effectively. If the junior Minister could indicate any ideas that are being discussed that might improve our consideration, it would be greatly appreciated. However, the Committee agreed to recommend that the Assembly approve the regulations.

**Mrs Cameron:** I welcome the continued progress that we enjoy towards restoring freedoms and normality and towards helping us to get all aspects of our lives back. I met the announcement of the provisions in SR2021/109 with particular joy. They mean the much-awaited return of my regular visit to the hairdresser. It was most certainly justified. I thank my good friend Emma at Sheer Madness in Antrim for sorting out my lockdown hair. That and the much-anticipated event of having a bite to eat and a beer with best friends at our local make us all appreciate the simple things in life that, until this last year, we very much took for granted.

**11.15 am**

While it is OK to joke, it is also worth remembering that the sacrifice that we have asked of those in close-contact services and hospitality and their businesses has been incredible. I say thank-you to them. The role that they have played in helping to control COVID has been significant. The mitigation measures that they have put in place for continued client safety is greatly appreciated. Resumption of driving lessons and testing is also very welcome.

These regulations signal the reopening of our retail sector. Our high streets have borne the brunt of restrictions. Shutters have been down, and, sadly, some businesses have not reopened and will never reopen. I commend my party colleague Diane Dodds who, as Economy Minister, has supported so many businesses throughout Northern Ireland to stay alive and keep jobs in place. It goes without saying, too, that the support that we have received from our Government at Westminster has been unprecedented, showing once again that we are better in the Union of the United Kingdom. We need to continue to support businesses. Key to that, of course, is increasing the number of people who are vaccinated. I encourage everyone to take up the offer of a vaccine when it comes to them. Help us to look after each other in the most supportive way possible and, in doing that, help the recovery of health and the economy.

The restoration of consumer confidence in terms of safety in shopping, eating out and heading out for a coffee or a drink with friends is vital. In this space, we need to do more to see further easing of restrictions in order to allow our hospitality industry to recover. More households and larger groups must be facilitated. We need common sense to be applied in the use of new outdoor installations at restaurants and bars, given the huge investments and efforts that businesses have made to comply with the regulations. The announcement of the reopening of caravan parks was particularly welcomed by many constituents. Who knew that so many people had caravans? That freedom to return to what many refer to as their "happy place" is a huge step forward and will do much for people's mental health.

We are making great progress. Next steps must focus on human relationships. Indoor mixing to allow families to reconnect, that hug from a friend that we have all longed for, all the family getting together and seeing granny and granda inside — how special will those moments be? We all have friends and family within the

common travel area, and, by now, we are desperate to see each other. We look forward to further announcements that will restore more freedoms to us. Allowing us to holiday at home must include freedom to travel within the UK in particular, given the incredible vaccination roll-out programme, in order to support our rebuilding of the economy. While we remain vigilant to new variants, we must keep moving ahead.

I again urge everyone to take up both doses of the vaccine and to continue to act responsibly. I fully support the Chair of the Health Committee's view that the test, trace, protect system must keep up the good work that it has done to date, especially in light of any new variants. I support both motions.

**Ms Bradshaw:** I support the regulations. I do not intend to say a lot in the debate. It focuses on two amendments, one of which is relatively minor. I will start by passing on my sympathies to those who have been bereaved since we last debated the health protection regulations in the House. I put on record my enduring support for those who work in our healthcare facilities. As of yesterday, we were down to a total of 32 patients in hospital, with only two patients on a ventilator. I send my best wishes to them all for a speedy recovery.

I recognise that 23 April was a significant date as it enabled the reopening of close-contact services with relevant mitigations. This was earlier in the process than when we emerged from the previous lockdown, and I know that it was of huge benefit to customers and businesses alike. Clearly, the reopening of gyms and other leisure facilities works alongside the reopening of sports training and competitive matches. That enables people not only to participate in sport and activity once again but to enjoy low-risk social contact, which has to be good for the mental and physical health of our nation.

The recent easement announcements will be hugely welcome, not only for those in the hospitality trade but, as others said, for those who want to get together in relatively normal circumstances. I remain concerned, however, by some of the exceptions and the seeming lack of input from what we are learning, or could be learning, from contact tracing. The Chair and Deputy Chair of the Health Committee raised that issue.

First, it is obvious from the figures that case rates in the border areas, particularly in the north-west, are among the highest in the UK. If we proceed with easing of restrictions in all of

Northern Ireland, how do we manage the reality of the divergence among case rates in different areas? Secondly, how much do we know about the origin of the transmission of variants? We have been told that, with the opening of schools and hospitality at the same time, we will inevitably see cases rising. Are we content with that in the context of the variants that are entering Northern Ireland, the impact of which remains uncertain?

Thirdly, should we continue to allow exceptions for premises such as service stations, which is an issue that I raised with the First Minister yesterday? Unlike restaurants and cafes, they are not required to take contact information and can allow large groups to sit, without their masks on, at the same venue at the same time to eat and drink. Fourthly, are we content that "face coverings" includes visors, the effectiveness of which has been shown to be significantly less than that of masks?

I throw those questions out there in order to ensure that there is better linkage between what contact tracing can tell us and where we need to go with further intervention. The light at the end of the tunnel is beginning to shine more brightly, but care will be required to ensure that the direction of travel remains towards it. As we ease restrictions, caution will remain the watchword. I urge the public to maintain awareness of the three Cs and continue to avoid, namely, close contact, closed spaces and crowds. To add a V to that, the real way out of this is through vaccination.

If we are to limit concerns about variants, we need to ensure that people take up not only their first dose but their second. Many people, because of an adverse reaction to the first dose, are contemplating whether, or deciding not, to get their second. We need to communicate better with those people. A friend whom I tried to convince to get her second jab said, "You are right, Paula. I have actually had worse hangovers". We need to reassure people that, for the majority of them, the side effects are short-lived.

**Mr Sheehan:** Like everyone else, I welcome the relaxations contained in the regulations. A fortnight ago, we discussed the previous relaxations. I made the point then that caution needs to be the watchword as we move ahead here, because we are not out of the woods yet. At the time of the previous debate, the situation in India was particularly bad. Thousands of people were dying daily, and hundreds of thousands had contracted the virus.

My colleague Colm Gildernew made the point that, while the virus exists anywhere in the world, it is a threat to everywhere. The virus, as far as we know, first came into being in a city in China that most of us had probably never heard of. It was only a matter of weeks before it arrived in Europe, and then it came here. When there is large-scale transmission of the virus, the difficulty is that that increases the possibility of new variants emerging that are resistant to vaccines. That is certainly a concern.

I note that the British Government are already throwing doubt on the possibility of a full opening up of society on 21 June because of the advent across the water of what is known as the Indian variant. That is here now as well. I doubt that Boris Johnson is concerned about the health and well-being of people in Britain, given his previous utterances about piling bodies high.

However, he may be concerned that the Indian variant may undermine his great victory with the vaccination programme. We need to be concerned.

Today, I noticed that public health experts were giving very stern warnings about the Indian variant, and some say that it could be devastating for Europe in the weeks and months ahead. Yesterday, I saw some information that, in England, the case numbers of the Indian variant doubled in four days, from just over 2,000 cases to over 4,000 cases. What will it be in another four days or four weeks? It seems clear that the Indian variant is much more transmissible than the dominant variant existing on these islands at the minute, which is known as the Kent variant.

I welcome the relaxations, but we need to continue to be vigilant and to be aware that the dangers of the virus are still out there. It has been a challenging year for everyone, and, no doubt, the relaxations will be welcomed by most people. However, as I said at the outset of my contribution, caution must be the watchword in the time ahead.

**Mr McNulty:** I support the amendments and I offer my sincere condolences to every family that is still grieving for loved ones who were lost to COVID. I rise in solidarity with people who are the driving force of our economy in high streets, town centres and villages: those involved in close-contact services, such as beauticians, hairdressers and barbers; those involved in retail and hospitality, such as workers in restaurants, bars, hotels, and caravan and camping parks; and those involved in business services, like accountancy and law

firms. Those people have endured a lot throughout the pandemic, and they will be delighted to be able to get back to their lives, passions and livelihoods, so I very much welcome the relaxations on their behalf.

From a personal perspective, I am delighted that the gyms are open, that the leisure facilities are back in play and that sport has recommenced. It is absolutely fantastic, but it still pains me and so many passionate sportspeople to have to watch our sports team on TV. I hope that we will be able to attend sporting matches and events in person soon.

I second the comments and notes of the previous contributor. Whilst I welcome the relaxations, it is also important that we urge caution. We need to maintain vigilance and to understand that the Indian variant, as mentioned, presents a wholly different threat.

Having said that, I want to see clarity soon from an all-island perspective, especially in relation to weddings. We have so many young couples who are excited about their big day that is planned for the coming months. They do not know whether they can have it in the North or the South, how many people will be able to attend or whether they will be able to have a boogie. You cannot have a wedding without a boogie. I hope that there will be clarity on that very soon.

I hope that, as the Communities Minister alluded to in the last few days, we will be able to go to a concert safely. I hope that practices and procedures are put in place to allow that, and I want to be back supporting Armagh as soon as possible. I support the amendment regulations.

**Mr Allister:** It is not the first time that the prevalent issue that is constantly raised with me by constituents is one that I have yet to hear answered satisfactorily in the House. The question is this: why is there such gross disparity between Northern Ireland and the rest of the United Kingdom when it comes to the easements?

We are told that infection levels are similar and that vaccination levels are similar. We have not heard about the R number for a while. Maybe the Minister will tell us exactly what the R number is currently, but, from what we know, it seems to be similar. Yet the pace of easements is totally out of kilter.

**11.30 am**

It is not as though the Executive cannot move at speed when they want to. This morning, we had a reminder of that when we heard that, one hour before the day of the Storey funeral, the Executive were able, apparently without health advice, to change the number of people who could legitimately attend a funeral. Yet, when it comes to the generality of these regulations, we are dragging our feet. Why is that? Many people would like a clear, convincing answer to that.

Is it because we are being held back by the Republic of Ireland — a place, it seems, a Member of the House from East Londonderry thinks that it is appropriate to visit for non-essential purposes? Why is it that we are being held back? Where are, and what will be, the protections for the people of Northern Ireland if there are upsurges in the Irish Republic? In the past, we saw how the Irish Republic authorities took action to inhibit travel from Northern Ireland. I do not think that we have ever seen anything the other way about. Is there an issue there? Are we yet getting full and proper cooperation from the Dublin Airport authorities and the Government in the South, through which, I imagine, those matters are channelled, or is there still a lag and a lack of clarity on those issues?

There are a number of other matters that we need clarity on. Yes, slowly but surely, we are definitely moving in the right direction. However, as we come into warmer weather, is it still necessary, for example, for churchgoers or others who go to indoor events, as they become permissible, to actually wear masks if they are socially distanced? A mask is very uncomfortable to wear for any length of time. Is that necessary? Will that be addressed?

**Mr Buckley:** I thank the Member for giving way. I, too, have raised that issue repeatedly. Further to that, does he agree that it is also imperative that we look at the evidence for mask-wearing by children, who find it particularly difficult in the warmer weather to go about their everyday business? There is a self-confidence issue as well. Surely we should be looking at further evidence on how that affects them.

**Mr Allister:** Yes, and that brings me back to my very first point about disparity. As I recall, in GB, schoolchildren are no longer required to wear masks. It is the same virus, and we are in a similar situation of threat, so why is it that schoolchildren here are still required to wear masks?

We have had some movement on the number of people who can meet and gather outside,

and we have had talk about summer clubs and all that. However, is it permissible for youth organisations, for example, to organise weekends away? When will it be fully permissible? All those things, like the Twelfth of July celebrations, which I raised yesterday at Question Time, have a long organisational lead-in. It is not much use to tell a youth organisation in mid-July that it can now organise weekends away, because those events take time and effort to organise. We need guidance, indications and directions now, not then. I urge the Minister to address those things with considerable urgency.

Then there is the whole issue of disparity in enforcement, and it is back in particular focus this morning. We were told many times about the four Es: engage, explain, encourage and enforce, yet, I am presently dealing with a case in my constituency where, two weeks ago tomorrow, a family thought it appropriate to celebrate the 18th birthday of their daughter. So, they invited to a marquee that they erected in their garden 13 other girls who are in the same school bubble. When parents started to arrive to collect the kids between 11.00 pm and 11.30 pm, the PSNI turned up and issued £200 fines to every kid who was 18, and to those who were still 17, they issued a community resolution notice to take home to their parents to require them to sign it. The kids who were about to go home at 11.30 pm were retained on the premises, in close proximity, until 2.00 am, one of the reasons being because the PSNI had to travel back to Ballymena to get the ticket books. Then, when they came back, a police officer sat in the middle of the group of kids with his mask down round his neck. There was no engagement, no explanation and no encouragement, just enforcement.

The House will not be surprised to hear that those families are beyond irate, and rightly so. Of course, it is necessary to enforce regulations, but they need to be enforced in a consistent and sensible manner. Where was the sense in keeping kids who were about to disperse for another two and a half hours in the very proximity that was the objection and the cause of the complaint? Where were the first three Es of the four? I have been in correspondence with the Chief Constable's office since the morning after, but I cannot even get an answer. Why is that? Maybe I should go to Mr Parr. He seems to have a particular take on regulations. Some of these matters are being dealt with in a really shameful manner.

I trust that the Minister will take back some of those issues and that we will begin to see advancement in how these matters are dealt

with. I think that I mentioned, the last time that we debated these regulations, a north Antrim coffee shop that had its outdoor facility at the rear of the premises closed when enforcement officers from the council took a totally different attitude from that which they had taken back in July. Yet, a few days later, I was walking past another well-known hostelry on the north Antrim coast, and I looked to see whether it had 50% of its roof covered — not at all. It is in the same council area, with the same enforcement officers, but a different law. That is how law gets brought into disrepute.

I will say to the Minister that, although it is not his direct responsibility, the message needs to get through that, if the regulations are to retain any traction of credibility and enforceability, enforcement needs to be even-handed. Through this debate, I say to the Chief Constable: will you please reply to me about the 13 kids in Ballymena who were ill-treated in the sense that they were not fairly treated?

**Mr Robinson:** I will be brief. Thank you for letting me in, Mr Speaker. First and foremost, we must all still act responsibly with this horrific virus, which has caused so much death and devastation to families not just here but right throughout the world.

We are coming to the conclusion of the Irish League football season. Are there any plans to extend the spectator capacity beyond the 500-spectator ceiling for the last few exciting matches of the season, provided that the rules and regulations are strictly adhered to by the respective clubs?

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

**Mr Robinson:** I am finished.

**Mr Buckley:** Oh. Sorry.

**Mr Lyons:** I welcome today's debate on the amendments to the health protection regulations. I thank Members for their contributions.

I will move directly to some of the comments that were made and, in particular, the questions that people raised with me. Mr Gildernew raised a number of issues about scrutiny that he wanted me to address. That is subject to ongoing consideration between the Department of Health and the Speaker's Office. Hopefully, changes will be identified that will assist in keeping the good work of the Health Committee and the Assembly moving forward. I recognise the sense of frustration that there will be about

that because it has been raised a number of times. I have spoken to colleagues about the need for the Assembly to have its scrutiny roles. I hope that that will continue.

Mr McGrath is no longer with us, but I completely agree with the points that he made, particularly those about youth activities and the need to get them opened up again. For some, it is important diversionary work, and it is also good for young people's mental health. That was raised by a number of Members today. I have continually raised, at the Executive and in the Chamber, the mental health problems that we have been storing up for ourselves throughout the pandemic as a result of the restrictions. That is one of the reasons why we need to ease them as quickly as possible, as long as it is safe to do so.

Pam Cameron, along with the Chairman of the Committee, raised the test, trace and protect work. Of course, we reiterate the importance of business owners collecting those details, because it will assist in a huge way in making sure that we trace cases and will help to break transmission.

Paula Bradshaw raised a number of issues, and I want to pick up on her point about service stations. We talked about that situation at the Executive, and we are looking into how it can be changed. The Member will be aware that we wanted to keep the stations open so that people, especially those involved in transport, have somewhere to go to have a rest, which is an important part of their job. It is also about safety. Unfortunately, a lot of people seem to be going to service stations with family, friends and all sorts. That is clearly not what was intended. That is being looked at.

Mr Sheehan raised the need for us to have caution. There are a number of strains of the Indian variant, as it is known. Those are being kept under consideration. Obviously, that feeds into the decisions that we make.

It will always be a balancing act between being cautious and recognising the impact that it is having on our economy and on mental health. The Executive take these issues very seriously.

#### 11.45 am

Mr McNulty raised a number of issues. He hopes to hear live music soon. He talked about boogies, and Mr Gildernew talked about discos, so we can see a lot of passion on that side of the House. I realise that music is, as Mr McNulty said, a significant issue for people on

the big day of their wedding. We want to see changes to the restrictions on music, and I hope to push those changes along. I will give way to my colleague, who may have an interest to declare in this issue.

**Mr Buckley:** No. I thank the Minister for giving way. We have heard about boogies, concerts and sporting events, and I look forward to them all. However, I also look forward to there being, I hope, some sort of normality for the period of festivities around the Twelfth of July. There will be some boogying; hopefully, I will be marching. Will the Minister give us some clarity on the ongoing conversations about the Twelfth? Given the significant lead-in time needed, organisations need clarity on what parades may look like over this summer.

**Mr Lyons:** Absolutely, and Mr Allister raised that issue.

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

**Mr Lyons:** I will give way to Mr McNulty first.

**Mr McNulty:** I feel a bit of a John Travolta moment coming on. In all seriousness, young people are very keen to get back to organising their weddings, and they want to know that there can be a large attendance, that their families are able to come along and that they can get onto the dance floor and throw a few moves.

**Mr Lyons:** I would not want to get in the way of that. When the Member got to his feet so quickly, I thought that he was going to tell us of his plans for the Twelfth of July. *[Laughter.]* Mr Buckley, being from not too far away, may be able to keep him informed of what is going on in his area.

I absolutely understand the issues that are being raised. I also understand the importance of lead-in times. Whether it is somebody's wedding, the celebrations on the Twelfth of July or the summer youth activity that Mr Allister talked about, all need lead-in times. The rules cannot be changed days before. That applies particularly to the Twelfth of July, given that forms also have to go to the Parades Commission. It is important that we give certainty and clarity on that as soon as we can. The First Minister and I have put in a request to the Department of Health, and there are to be meetings involving the Grand Lodge, the First Minister and the Health Minister to see how the parades and celebrations can take place. We have to be mindful that they will take place outside. We are repeatedly told that outside is



safer than inside, so it is only right that we find a way for this to work. I know that the participants will want this to happen in as safe a way as possible. They demonstrated their commitment and adherence to the regulations by the way in which they conducted themselves last year during the 'Twelfth at Home'. That is to be commended.

Mr Allister raised a number of points, and I hope that I can address some of those. We have alignment with GB insofar as we have our pathway. We are following our document in a data-led way, as is GB. We have to consider other factors. It is correct that the lower vaccination level and increased number of cases in the Republic of Ireland will impact on the decisions that we make. We have to take into consideration the prevalence of the virus there and of course it can cross the border. It is only right and proper that, if we see outbreaks in certain parts of the Republic of Ireland, or perhaps in areas very close to the border with Northern Ireland, we take whatever steps are necessary to stop the spread of the virus. That is important, and we will certainly have to consider it.

The Member also asked about the R number. He can always find that on the Department of Health's website, where it is published weekly, but I have been told that the R rate for cases is stable at around 1.

While there is evidence that the wearing of face coverings has a public health benefit and we are told that they will continue to be required, we have to keep that under consideration. If the rate of transmission is low and we are making progress, it is only right that we look at where they are required. I take Mr Buckley's point about the wearing of face coverings in schools. It needs to be data-led and evidence-based.

Mr Allister raised a number of other issues, particularly on the disparity in enforcement. We have been told time and time again that it is about engage, explain, encourage and enforce, and for the second time in two weeks in the House he has brought to me an example of the disparity in enforcement, this time by the PSNI and last time by the environmental health department of Causeway Coast and Glens Borough Council. Nothing irritates people more than seeing themselves being held to a different standard than everybody else. I understand his constituent's concern and anger at what took place, because it is very clear that, if the police had turned up at that event, it would have been entirely reasonable for them to have engaged, explained and encouraged people to go home. There is a problem if we are going straight in

with fines all the time, because it means that the police are not adhering to what they said that they would do. They need to be held accountable for that, and it is absolutely right that the Member has written to the Chief Constable about it. I hope that the Chief Constable has heard what was said here today, because, whether or not it is an isolated case, it needs to be addressed because it sends out a terrible message. If we want success in the application of the regulations, there needs to be a consistent approach, because, without one, there will not be the required buy-in from the public. That is very frustrating for people.

My sense is that people want to follow the rules and work in accordance with them, so sometimes the police need to explain what they are saying in order to provide a bit more clarity. That is what should have happened. The nonsense of it all, as the Member pointed out, is that the police are trying to stop people from gathering together yet, in trying to enforce the regulations, they are encouraging some of the behaviour that they are trying to stop. A little bit of common sense might come in handy, but the Member has very clearly put his remarks on the record, and I hope that they will be listened to.

Finally, I come to the points made by Mr Robinson, who, in the last debate on the regulations, asked for more spectators to be allowed at sporting events. He must be a very persuasive Member because, just last week, we announced that 500 spectators will be permitted, which is very welcome. The Member has come back looking for more, and I can confirm to him that the Irish Cup final on Friday will be a special exception and a learning event with 1,000 spectators permitted. If anybody has any other restrictions that they want to be relaxed, ask Mr Robinson to raise that in the Chamber, and I have no doubt that changes will be made very soon.

I hope that I have answered as many Members' queries and questions as possible. We are heading in the right direction, and we want to be able to make further changes and relaxations. I hope that this is the start of many more relaxations to come. I commend the regulations to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 be approved.*

## **The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 3) Regulations (Northern Ireland) 2021**

**Mr Speaker:** The second motion on the health protection regulations has already been debated.

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 3) Regulations (Northern Ireland) 2021 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

**Mr Speaker:** Members, please take your ease for a moment or two.

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

## **Committee Business**

### **Mental Health Awareness Week**

**Mr Gildernew (The Chairperson of the Committee for Health):** I beg to move

*That this Assembly notes that the week commencing 10 May was Mental Health Awareness Week, which annually provides the opportunity to highlight the importance of mental health; further notes the 2021 health inequalities report, which identified continuing mental health inequalities; recognises the detrimental impact that COVID-19 has had on the mental health and well-being of the population, including our children and young people; further recognises the positive public health campaigns around mental health, such as Take 5; advocates that people seek support to talk about their mental health; and supports the Minister of Health to achieve parity of esteem between mental and physical health by increasing spending on mental health services, fully implementing the Protect Life 2 strategy and progressing the 10-year mental health and substance use strategies.*

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

**Mr Gildernew:** Last week was Mental Health Awareness Week. During the week, the Committee for Health met a number of organisations and individuals in order to help us better understand the real impact that COVID-19 has had on our mental health and well-being.

First, I thank all those organisations and individuals that met the Committee over the course of the week. We very much appreciate the expertise and experience of every one of them. I thank the Royal College of Psychiatrists (RCPsych), Inspire Wellbeing, Action Mental Health (AMH), the Psychological Society of Ireland (PSI), Voice of Young People in Care (VOYPIC), YouthAction, the Children's Commissioner, the interim mental health champion and the #123GP campaign. I especially thank Kirsty and Julie, who shared their lived experience of the help that counselling has provided to them in very difficult circumstances.

I also thank, deeply and sincerely, all the young people who met Committee members last Wednesday night to share with us the impact that lockdown has had on them. A very special thanks goes to Lee, Deirdre, Destinee, Ciara, Orlagh, Jamie, Darragh, Troy and Niall.

We deeply appreciate you all taking the time to share your experience. We all agree that some very good points were raised during the meeting, and, throughout the debate, you will hear from Committee members about some of the comments and suggestions made.

### **12.00 noon**

In today's debate, it is important to reflect on what our young people are telling us about mental health and well-being. They very articulately outlined that they fear not being heard and that we are not listening to their worries, concerns and fears. They said that, too often, we get stuck talking about — what we all recognise as buzzwords — strategies, implementation and monitoring and that we do not listen to their views, opinions or real-life experience of the very different and difficult pressures they face today. That is the true essence of co-design, whereby people can take ownership and feel that they have been heard and responded to. We need to harness the creativity and energy that young people bring to the debate, not dismiss it. Those young people were very clear that they know what they need and when and where they need it. Hopefully, we can give a voice to those young people this afternoon.

One of the young people outlined how difficult it was to know what services were available to them, and that is coming from young people who are generally tech-savvy and fairly well informed. They outlined that just knowing that support is there and where they can find and access it was, sometimes, all the reassurance that they needed.

One of the other key issues that they highlighted was that they need support at the time of a crisis and that support down the line is often not appropriate. We heard about the long waiting lists and the fact that they cannot access services at the point of need, which, at times, puts them off seeking support. That is a worry. Some of the comments from the young people included them saying, "Give us the right help at the right time", and, "We need help and support services outside Monday to Friday 9 to 5". We need to listen to that and to respond effectively to what they are saying.

During the meeting, they all emphasised how much they missed social interaction with their friends. They said that they missed going to school, participating in sport and going to the local youth club. They also mentioned not being able to go to discos and socialising there, which was effectively put on our agenda during an earlier debate this morning. Many of us here will not be rushing back out to discos any time soon, apart from maybe Justin. I have to say that the Deputy Chair also said not to rule her out in that respect, so I suppose that we will just have to watch that space.

It is very clear that positive mental health is about more than just health services. It is about social interaction, being connected, being active, feeling involved and being heard, which is an important element. It is, therefore, understandable that COVID-19 and the lockdowns have had a significant impact on not only the well-being of our children and young people but everyone who was starved of that social interaction for long periods and is now slowly being allowed to interact more normally. We need to ensure that we support our children and young people through that process. We need to listen to and heed them and to respond effectively.

The young people highlighted the good work being undertaken in the voluntary and community sector, which we in the Chamber recognise, because we have all experienced that. They outlined the work happening in youth clubs, sporting organisations and others to encourage them to discuss their mental health and well-being. They also argued, effectively in my opinion, that sometimes it is easier to talk in a sport setting or at a youth club than it is in school or more formal settings, where they told us that it can, at times, feel like a box-ticking exercise to discuss mental health. That is not to take away from the massive amount of very good work that is being done in education settings. Again, however, we need to listen to and heed what we are hearing and to respond where we can.

Many of the organisations that we met last week emphasised the size, complexity and sheer scale of the task at hand. We have seen in the media recently the extent of the waiting lists for children and young people to access the child and adolescent mental health services (CAMHS). Recent information from the Department states that there are over 900 children and young people on the waiting list for CAMHS, with over 380 waiting more than nine weeks for access to services. That is clearly not good enough for our children and young people. I want to acknowledge, however, that

we received a letter from the Minister yesterday, I think, with further information on CAMHS, and I look forward to looking at that in more detail. I welcome the fact that there was an indication that there will be more spend to come, although it is marginal, going from 8% up to 10%. However, some of the things there are a step in the right direction. There is a recognition that the waiting list fluctuates at times as a result of vacancies, and I hope to come back to that later.

It was also stark to hear of the level of service provided by the community and voluntary sector because the trusts do not provide it and to hear that that sector is picking up the slack on all of that. For example, the only counselling service that the Belfast Trust, the North's largest trust, provides is as part of its Lifeline suicide prevention service, and that is at the very top end of the scale.

One of the worrying lines that was repeated a number of times over the week was that there will be a tsunami of additional mental health issues coming out of COVID-19 and that we need to prepare, resource and fund additional access to counselling services in GP surgeries and through the community sector to deal with that oncoming tsunami.

We also received a briefing from the Department on health inequalities. The statistics on mental health inequalities across the North are stark. They are ingrained, and, worryingly, there appears little evidence that the funding of services is sufficiently impacting on those health inequalities. It is important to highlight the fact that behind every one of these statistics are individuals, families and communities that we need to support through the most difficult of circumstances.

Over the past week, we have heard many good examples of work being done in the community and voluntary sector to promote mental health and well-being across our entire population. We have also heard on many occasions about the very positive impact that multidisciplinary teams are having in primary healthcare settings and the real benefits of GP surgeries having access to counselling and talking therapies. What we need now is the financial support and resource to respond. We need increased access to counselling GPs, and we need resource targeted to CAMHS to provide children and young people with access to services that they need, when they need them and where they need them. We need to effectively listen and to put in place the effective responses.

I now want to make a few remarks as Sinn Féin spokesperson for health. I declare an interest in that I previously worked as a social worker. It is widely recognised in the sector that, if we could do more earlier, we would see the benefit not only for health and well-being but even down the line with cost savings and in supporting people better before the crisis has become a bigger issue. We cannot go further without mentioning the mental health and well-being of carers, who, even before this pandemic, were placing their own health and self-care and mental and physical health before those who they are caring for. This year has been unbelievably tough, and they cannot be left behind any longer. We need support for our carers.

The Take 5 Steps to Wellbeing campaign is a truly and ingeniously simple but effective campaign that promotes positive mental health. I also think that it is important that people think about their mental health and well-being where they work or in their place of study and that employers play a role there too. Securing a good work-life balance is important to mental health and well-being. Finally, and very briefly, we need the workforce. I welcome all of the strategies and all of the plans and recognise that they are genuinely put together, but, if we do not have the workforce, we will not be able to deliver it. Sin a bhfuil uaim.

**Mr Buckley:** I feel a wee bit overwhelmed standing today to speak on Mental Health Awareness Week. It is an issue that has affected so many in this House and in our community. I mentioned in my maiden speech how I was particularly moved to be talking about mental health, given the experiences that I had in school when I lost some of my school friends to suicide. Just last week, some Members may have become aware of the moving story of another one of my constituents who, sadly, took their own life: Luke O'Hara, who was 25 years of age. His mother, Julia McKeever, has taken to the airwaves to highlight the ordeal that her family has been through following Luke's tragic passing. She wants me to highlight today the online forums and the online dangers. Luke committed suicide after accessing an online suicide forum. Unbeknown to his mother and unbeknown to his friends, he had been engaging in conversations on that forum, where they basically showed him how he could take his own life.

Julia has spoken out bravely. A

It is an issue that, sadly, does not affect only Luke. After her son's passing, Julia was brave

enough to look into exactly what happened. She accessed the website, saw the chat and saw how people were encouraging Luke to take his own life. They talked about, "catching the bus". It was truly horrific. When Julia flagged this up via the online account, a message was sent immediately to Luke's personal profile saying, "Somebody has accessed your account. Your mother has accessed it. Please remove her." Julia then went beyond that and accessed it herself, where she saw some horrific stories, one of a 17-year-old girl who said that she was going to commit suicide and asked whether anyone wanted to sit with her while she did it. Julia said that there were others willing to video themselves committing suicide, so that you could see exactly how it happens.

Friends, colleagues, this is truly a sad story for us all. We have heard so many horrific stories. Julia spoke out because, she said, although she had lost her son and would not get him back, she did not want people to go through what she had gone through. We have to recognise the dangers in the world. Online forums are now so far removed from civilisation and reality that, I am afraid, we are just papering over the cracks with positive words of encouragement. Much as those are needed, there must be real and meaningful action. I hope that, through my office, the Health Minister might meet Julia to hear about the ordeal that she and her family have been through and search for ways by which we can help tackle this truly horrific practice.

Social media has a lot to answer for. We have seen the bullying and abuse. Many elected representatives have faced that. Many members of our community continue to do so. There does not seem to be the support structures that should be in place. The Assembly needs to look for ways in which it can help and be part of the conversation, so that people can show and treat each other with basic courtesy and respect.

Luke was diagnosed with autism at 14 years of age. There is no doubt that he was a vulnerable young man. Those online forums preyed on that vulnerability.

**Mr Swann (The Minister of Health):** Will the Member give way?

**Mr Buckley:** I will indeed.

**Mr Swann:** I thank the Member for sharing that story. I would like him to have the extra minute for taking the intervention.

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

**Mr Buckley:** I thank the Minister for that.

It was a truly horrific experience, as an elected representative, to listen to Julia's narrative. I helped Luke and his family in cases before this happened. His mother described the scene when she arrived at Luke's flat, with police in forensic suits and ambulance crews knocking in doors. She had to unravel the story of what happened her son through that means. It is truly horrific.

I am not the only Member who can claim to know about such stories. Members have all heard of the horrific ordeal of suicide and the mental health issues that face our community. As I have been saying since I first came to the House, I sense genuine, cross-party support for those facing the ordeal of poor mental health and suicide. I hope that, collectively, as an Assembly and a society, we can put the support structures in place and help those vulnerable young people and, indeed, our society in general.

Thank you, Mr Deputy Speaker and Minister, for giving me an extra minute.

**Mr Durkan:** I begin by reaffirming the importance and value of speaking openly and honestly about mental health struggles. No one is immune from the toll that daily life and its challenges take on our mental health. However, thanks to campaigns like Mental Health Awareness Week, the stigma surrounding mental health is slowly but surely eroding. We are moving into an age where parity of esteem is within reach. Evidence of that is the Executive's commitment to mental health. It has been placed firmly on the agenda, largely thanks to the many charities, families and, in particular, young people who have lobbied to put it there and keep it there.

**12.15 pm**

Every time that I visit schools or talk to young people, I find that the real, burning issue is mental health. In our younger generation, there has been a real, tangible shift towards a culture of openness and having the confidence to talk about how they feel, and I am encouraged that the future of Northern Ireland lies in the hands of such an impassioned and considerate generation, whose common goal is the betterment of our society for all. In the here and now, we must inhabit that same can-do spirit. Mental health does not discriminate. It affects

every community. It is a shared interest of all parties in the Chamber, and, as such, it must be a shared responsibility for us all.

Undoubtedly, this year more than most, mental health has been brought into sharp focus. This Mental Health Awareness Week and its befitting theme of nature have provided a moment of reflection for all and an opportunity to put aside time for self-care and to reconnect with our natural world. The year 2020-21 has been the most tumultuous and challenging period in living memory. Every one of us has carried the burden of anxiety. Sadly, in many cases, we have suffered loss, whether that is the loss of a loved one, financial security or just independence. A recovery period for our mental health should *[Inaudible owing to poor sound quality.]*

**Mr Deputy Speaker (Mr Beggs):** I am afraid that technology has let us down.

**Mr Durkan:** I am under no illusion that the mental health question has been answered. It has been and will remain the biggest hurdle for the Executive to overcome in a post-COVID landscape. While it is good to talk, that sentiment falls flat without appropriate support being in place. In my constituency of Foyle, the vital Community Crisis Intervention Service (CCIS) has once more found itself in the all-too-familiar position of being threatened with closure. The funding clock is ticking, and it has been forced to again present the begging bowl. It is regrettable that such a service is necessary in the north-west, but it is scandalous that such a vital service is forced to fight year-on-year for survival.

Thousands here are waiting to access mental health care, and Northern Ireland persists in being the perennial black spot in these islands, as it has the highest levels of mental health issues. We cannot and should not resign ourselves to that fate. It is incumbent on us all to rise to the challenge and to not shy away from the shocking statistics, because behind every statistic is someone's loved one who is desperate for support. We owe it to them to come together to demand different thinking and to develop creative solutions to ensure appropriate and accessible models of care at the first point of contact. One solution that we have touched on is the role of GP surgeries and in-house counselling as laid out in the #123GP campaign. It is vital that GPs are resourced to provide effective and timely support in the months ahead.

If we can take any positive from this desperate year, it has to be the reconnection with nature.

Embracing a greater connection to the natural world is a simple but effective option that can work wonders for improving well-being. It is that kind of thinking that we need to see embedded in our health service. Small, simple steps can make a huge difference.

It is imperative that the Executive now take the big steps to prevent the North sleepwalking from one pandemic into a mental health pandemic. No one should be left to suffer on ever-increasing waiting lists. Time is of the essence with mental health matters, and it is vital that we lay the groundwork to ensure that no one is left behind. As MLAs and politicians, let us start with ourselves. We churn out phrases, lecture and pontificate to our constituents to be kind —

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

**Mr Durkan:** — but we revel in *[Inaudible]* each other — one second, Mr Deputy Speaker — as political opponents and even colleagues, with little or no regard for the impact that public humiliation, scurrilous rumours and scandal have on people who are already under massive strain and carry the worries and problems of their constituents.

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

**Mr Durkan:** Let us be kind to each other.

**Mr Chambers:** I am pleased that the Health Committee, on which I serve, has once again demonstrated its recognition of and concern about the scourge of mental illness in our community and has tabled this important motion.

The public should be reassured that we have a Health Minister who is aware of the extent of the mental health issues that we face and that he has recently appointed a mental health champion to give the issue a public and independent voice. He is committed to putting in place the necessary actions to tackle the problem.

Mental ill health is unlike many other illnesses, in that there may be no visible indications that a person is suffering. Many people feel that talking about their problem will be seen as a sign of weakness that may put their career or reputation at risk. It can also place an intolerable strain on the close family trying to deal with behaviour that they may not understand or recognise in their loved one. The

message that it is good to talk is a valuable first step for someone starting the journey to overcome their difficulties. Battling mental health issues is a recipe for a further decline into what can become a very dark place. Talking and seeking help are not signs of weakness; rather, they are signs of strength.

The COVID pandemic has undoubtedly increased the circumstances for more of our citizens to begin to suffer from mental health issues. Financial problems caused by a loss of income for workers and business owners can be one major trigger. For others, the loss of a daily routine and missing the comfort of personal contact with friends and neighbours can be the trigger. Many find comfort in attending church to worship and, importantly, to participate in the social activities and fellowship provided by broader church life, and the loss of that is also a possible trigger. Fear of contracting COVID, especially among those considered vulnerable, is another potential trigger.

Young people make up the largest group exposed to many of the trigger points for developing mental health issues. With the closure of schools for long periods as an appropriate protection against the spread of the pandemic, the most important part of their life was taken out of reach. Outdoor play and social contact with their peers were taken from them, perhaps without their full appreciation of the reasons. All those situations were created solely by the COVID virus, and it is understandable that as more mental health issues developed, all the focus and efforts were on fighting the virus.

Now, as we continue to make a slow return to normality, the damage has been done to the mental health of many across the age groups in our community. I welcome the funding that the Minister has directed towards the voluntary and charity groups that offer mental health support. Those organisations will be the front line as we move forward and will provide triage and pathways for those who may need more in-depth help to recover.

I hope that the motion will lead to the timely interventions that other Members highlighted. I support everything that the Minister is doing to deal with mental health, and it is important that all parties in the Chamber pledge that the ring-fenced funding that he needs will be provided. We will all be judged by our actions rather than our words. We cannot afford to fall short on mental health. The Ulster Unionist Party fully supports the motion, and we support all actions taken to tackle this issue.

**Ms Bradshaw:** I welcome the opportunity to speak in the debate. I echo the thanks from the Chair of the Health Committee to the organisations and individuals who engaged with us last week.

Mental health is so far-reaching that it impacts on every one of us in many different ways throughout our lives. It covers everything from low mood to post-traumatic stress disorder. Today, I will focus on an issue that still has a degree of stigma and something of a taboo attached to it, and there are very few support services for it. I have not spoken about this in a while: the issue is the mental anguish and emotional damage caused to children and parents in cases of parental alienation and court-induced child estrangement. Before I make my substantive remarks, I make it clear that I am talking about situations in which the parent is loving, caring and poses no risk to the child.

First, I will focus on the child who, through no fault of their own, has found themselves in an acrimonious split, bitter custody battle, protracted court processes and general unhappiness in whatever home they are living. That results in their having only one parent in their life, one side of their family and, in particular, only one set of doting grandparents, and being encouraged to have hate and bile in their heart towards their absent or, as they are termed, "targeted" parent. That is child abuse and causes great harm to their sense of being, belonging and self-worth. Many studies show that that internal turmoil manifests itself in many ways through the classroom and social settings, and is carried through into adulthood. I will give a contemporary angle to that. Members received frantic emails and calls to their constituency offices from parents who were denied access to their children during the COVID pandemic because the other parent was using it as an excuse. I welcomed, and thanked the Health Minister for, the joint statement with the Justice Minister in which they made it clear that children should continue to move between the two houses.

Secondly, parents are the other victims in these situations. I have spoken to over 100 such parents, and it is fair to say that the majority are men. The constant pain that they suffer from not seeing their child or children is incalculable. The majority of them experience depression from those protracted processes. I know of one man who is fighting through the courts, eight years later, and, despite all sorts of court orders, is still not seeing his children. I appreciate that the Justice and Health

Departments are working on the issue, and I welcome the family support and parenting strategy through the Department of Health, but I am highlighting the human impact of allowing vindictive ex-partners to have the power to have such a devastating impact on the bond between parent and child.

Parental alienation and child estrangement are best described as living grief. It is mourning the loss of a child, even though the child is still alive. I know of many parents who seek support from their GP for depression and anxiety, and take medication. I thank Parenting NI for its dads' project. I know that it supports many parents, but, as far as I am aware, that is the only support that is available across the Province. Unfortunately, many other parents turn to alcohol to numb their pain. I know of some in that group who have lost their jobs.

**Mr Butler:** I thank the Member for giving way. She has been strong on parental alienation for a long time, and I support her in that. Is she aware that some groups deny that parental alienation is an issue? Does she agree that that is one of the harder things to combat and that we need to do more to reinforce the fact that it is real and has a huge impact on people's mental health?

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

**Ms Bradshaw:** It happens; it happened to me. I was estranged from my son for three and a half years. He is back — he is eating me out of house and home — but it happened. It was the worst three and a half years of my life. People can produce as many reports as they want; I am living proof that it happens. As I said, the majority are men. I will probably regret the fact that I said that in about an hour. There is a taboo and a stigma. You feel that you are going to be judged that you were a bad parent.

I will return to what I was saying before the intervention. Some people who turn to alcohol lose their jobs, and that compounds the situation and further impacts their mental health. I am raising this societal problem because there are many situations through which life can change through no fault of your own. You feel that your life is spiralling out of control, and there is a sense of powerlessness. We talk about parental alienation. You do not know who your ex-partner is now with; you do not know whether your child is safe; you do not know how they are getting on at school; you do not know how happy they are. There is no greater pain for a parent than experiencing that.

However, there are all sorts of pain in life: bereavement, especially in the case of death through suicide, as Mr Buckley raised today; miscarriage; or even a car accident that results in lifelong injuries.

In conclusion, I thank all the charities and community organisations across the country that provide counselling and well-being programmes. That localised support provides immense support in times of need and is greatly appreciated.

### 12.30 pm

**Ms Brogan:** I thank the Health Committee and its Chair for bringing the motion to the Assembly today. It has already been a really worthwhile debate, and I appreciate all the contributions. I am, of course, speaking in support of the motion, and I welcome the discussion. I join my colleagues Paula Bradshaw and Colm Gildernew in acknowledging the organisations, charities and staff that work so hard in the area of mental health and provide important support to the people of the North. Mental Health Awareness Week provided us with an opportunity to show our appreciation for the work that they do. It also raises awareness of mental health issues and highlights the importance of promoting good mental health.

We have heard time and time again about the rising rate of mental health issues in the North. It is clear that we are facing a mental health crisis, and there is no doubt that the impact of COVID-19 has exacerbated that. Fear and anxiety swept through our communities as coronavirus swept the globe. Feelings of isolation and depression owing to the exceptional, yet necessary, restrictions were experienced by many of us. Mental health difficulties can affect all ages, genders, races and religions, but, in my capacity as Sinn Féin spokesperson for children and young people and a member of the Education Committee, I will focus on the mental health and well-being of our young people.

Earlier this year, the Education Committee hosted a delegation of young people representing a number of groups, including the Belfast Youth Forum, the Secondary Students' Union of NI, Pure Mental, Crisis Cafe, the Children's Commissioner Youth Panel and the NI Youth Forum. That engagement provided us with an insight into the impact that COVID-19 has had on young people and into their experiences. The main issues highlighted were an increase in anxiety and stress, driven by the uncertainty around GCSE and A-level grading;



difficulties with remote learning; loneliness and isolation from their peers; uncertainty about returning to school; and the fear of bringing COVID home to loved ones. A survey of over 2,000 students across the North, carried out by the Secondary Students' Union between November and December 2020 showed that 76% of respondents had experienced mental health problems. That is a startling statistic. It was made very clear to us that more needs to be done to support young people and their mental health needs.

Mental health issues can and do affect people across all categories. They do not discriminate, but support services do. For example, only 40% of GPs in West Tyrone provide an in-house counselling service. It causes great concern that services are not accessible locally or in rural areas. There is disparity among the mental health services and treatment available across the North. As I said, service provision in rural areas is even more limited. I have recently made calls for the Health Minister to improve mental health services in Omagh to meet the demands of the people of West Tyrone. I support calls for increased spending on mental health issues, including for CAMHS.

The mental health champion, Siobhán O'Neill, appeared at the Education Committee and agreed with an assessment made by my colleague Pat Sheehan that, as we emerge from the pandemic, our children and young people are set to face a tsunami of emotional health and well-being challenges. In her evidence to the Committee, Professor O'Neill noted the link between prolonged stress in childhood and mental illness and poor educational performance. Both she and the Children's Commissioner made calls for children's well-being to be prioritised on their return to school. Young people have made huge sacrifices throughout the pandemic to safeguard those most at risk. As we cautiously emerge from the COVID-19 restrictions, it is our turn to help young people by promoting their well-being and mental health and by supporting resilience and positive mental health actions and behaviours. We also need to improve access to services and outcomes for mental health services, where needed. I ask all to support the motion.

**Mr McGrath:** I also support the motion. I had not originally planned to take part in the debate, but I felt that I wanted to add my voice to it, particularly about young people. Before entering politics here, I spent about 17 years working as a youth worker in the heart of Downpatrick. It is by no means an easy task. I

certainly appreciate that it must be more difficult now during the pandemic.

What I know about youth mental health was learned not from working as a councillor or as an MLA but from working directly with remarkable young people as they grew up in my town. Many in the House can attest to the experience of being able to work with young people in various strands. I know that the Chair of the Health Committee, as a social worker, will certainly have worked with young people. Social workers are often forgotten for the work that they do and the interventions that they make in young people's lives. I offer my support to them and to that sector for the work that they do.

Young people, in their own wonderful way, have been crying out for improved mental healthcare, support and provision. We see that on social media platforms such as Instagram and TikTok. It can come across more directly, through arguments and tensions at home or through difficulties in the friendships and relationships that young people have around them. They really want and need to have their voices heard, so that we can respond to them.

Many organisations do great work to support and help young people, such as the facilitating life and resilience education (FLARE) project, which is delivered through the Youth Service and provides great support and interventions for young people across Northern Ireland. Many young people have come to rely on that service. There are other organisations, including the Public Initiative for the Prevention of Suicide & Self-Harm (PIPS) and many others that reach out to and help young people. Our school staff, while juggling everything else that they do, also make time and space available for young people at their time of need. We need to see much more support for the work that is currently happening.

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

**Mr McGrath:** Yes.

**Mr McNulty:** I thank the Member for mentioning PIPS Hope and Support. In relation to the terribly traumatic story that Mr Buckley shared with us, I encourage Julia to get in touch with PIPS Hope and Support. They have done such important work to destigmatise death by suicide, and they are very helpful in crisis prevention and reaching out to families who are suffering from bereavement. I encourage Mr Buckley to recommend that Julia gets in touch with them.

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

**Mr McGrath:** Thank you very much. Of course I welcome that intervention and the help and support that are available. We heard that heartbreaking story. It would break our hearts to listen to that story, and I hope that support services are available to all families.

Much work is also needed to allow individual groups to learn from each other. There are so many specialisms and so much dedicated work is taking place across all our communities that it would be great to see opportunities for those groups to get together and share their practice, their strengths and their skills, so that we can develop the work that we do.

Last December, I hosted a youth mental health discussion on Facebook Live. From that discussion came a sense that you cannot change the world on your own but you can help by changing your little corner of it. I welcome the opportunity today to appeal directly to the Health Minister. I hear on the ground that there are real problems in accessing CAMHS and problems with some of the waiting lists that go with that. That is a wee corner that we can try to fix to make services more readily available and more responsive so that we can reach out to young people whenever they are in need.

Young people who are seeking inpatient support are often placed in adult inpatient centres. That is not the appropriate place for them, and it is not the help that they need. It is help, but it is not the bespoke help and space that a young person needs. It would be good to see additional ways of helping to focus on treating those people's individual needs at that time.

Young people are crying out for better mental healthcare and support. They are becoming more open and honest about that. We need to learn their language. As policymakers, an Executive and an Assembly, we need to know exactly what we are listening to from young people, who are telling us exactly what they need. We can then develop and respond through the services and packages that we put in place for them.

I totally support the motion. This sort of debate shows the public the real and human side of politics.

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

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

**Mr Butler:** I will try not to take up too much of your time. Will the Member join me in thanking Pure Mental NI for the toolkits that it has published? Young people are already mobilising and showing us what can happen and what they can do through that cross-departmental approach to supporting mental health.

**Mr McGrath:** I thank the Member for that. It is really wonderful to hear. Again, as I mentioned, if there is good practice out there, let us bring it up, amplify it and spread it everywhere, because we —

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

**Mr McGrath:** — have the tools and the ability to respond to this situation. If we bring everything together that is happening, we can do that even better.

**Ms Flynn:** I am happy to speak in support of the motion. I like how people have taken a different focus in each speech, and, without coming across too negative today, I would like to focus our minds on — it will not come as news to the Minister — the pressures that mental health services face at present. We marked Mental Health Awareness Week last week, and it is important to be aware of the realities and pressures that some of the services are under. Minister, last week, you told the Health Committee in your own words about the increase in referrals and the situation with the bed occupancy rates, which are actually above 100%. We need to take into account the pressures that you, as Minister, and your Department are under in dealing with what is a serious enough situation with mental health capacity.

Sadly, we know that many specialist services are not available or do not have the inpatient beds to provide the care that people need. Since 2015, 142 patients have been referred outside the North for services that were not available locally. Sixty-eight of those related to personality disorders, and 45 of them, as you know, related to eating disorders. That is not right, and it is not good enough. I do not put the blame solely on you as Health Minister, but I think about the people who have to travel to get that treatment. We need to do something to change that, and I appeal to the Minister to consider all the options that are available, including any all-island options. The health services across the island have looked at

different services, but we should look at those options to prevent people having to travel long distances to get those specialised treatments.

As has been mentioned, we know that, over the course of pandemic, many patients suffering with severe and diagnosable mental illnesses have deteriorated further.

**Ms Ní Chuilín:** I thank the Member for giving way. Again, it is not to be negative, but, through questions, we have got some statistics from the Minister's Department. The figures on prescribed medication, particularly antidepressants and medications for anxiety, have increased, particularly in areas of north and west Belfast. We need to look at what support we can give to those people, including talking therapies and holistic approaches.

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

**Ms Flynn:** Thanks very much for the intervention. We spoke about that in the Committee with the Minister, and we have seen the increase in antidepressant prescription forms across almost all constituencies, so it is a worry.

I will just finish off my previous point. The number of patients who have been detained is double this year what it was last year, so it is just to put in the context — Alan raised it — of the impact of the pandemic and how that will increase the pressures on the mental health system.

I will bring it back to health inequalities, which we have covered in our Health Committee. The Minister will be well aware that the biggest health inequality that exists in the North is in relation to drugs and alcohol. We have seen and heard the stats. We do not like to use the term "stats", because it is about people, but you are four or five times more likely to die an alcohol or drug death if you live in one of the most deprived constituencies as opposed to the least deprived. Again, I call on the Department to try its best to get some sort of dual diagnosis system up and running. I know that the Department is looking at the introduction of minimum unit pricing, which is work in progress, but we need to keep working on that stuff at pace.

Someone mentioned the idea that we need targeted funding to capture the areas that are most deprived. Ideally, the Department of Health should ring-fence funding for where it is needed, and, again, I think that Alan mentioned

having the support of the Executive to try to ring-fence that funding to save lives. I appreciate that the Minister has just appointed a new director of mental health, which is an important role, and I really wish him all the best in that.

However, I also feel strongly that we need a psychology lead in the North to have a voice and direct input into the discussions and programmes of work that take place at management board level.

## 12.45 pm

Minister, all the positive actions that are being taken with the strategies — the crisis review, the perinatal services, the money that goes to charities and everything that you have spoken about — are great. It is really good stuff that shows your commitment to mental health, but it is the funding that really worries me. If we cannot break through that 5% to 6% of funding for mental health, it will not have an impact and bring down the number of deaths.

I do not have my glasses, so I am not sure what time I have. To finish, I will ask this: as the threshold to accessing services increases and the waiting lists lengthen, what happens to those who cannot seek the help when they need it? They reach crisis point. We have heard it from Jonathan and others. That is the worry. When you do not get people at the right time, they get to a crisis point. Minister, I have spoken to you many times about why I feel so passionate —

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

**Ms Flynn:** — about the issue. Jonathan encapsulated it: it is when we talk about the families who have lost.

**Mr Muir:** I thank the Health Committee for tabling the motion. Mental health is an important issue. As other Members have done, I intend to talk about something that is quite close to me but also relates to many people in the Chamber and beyond.

This week marks LGBT Awareness Week. Yesterday was International Day Against Homophobia, Transphobia and Biphobia. It was great to see it being marked. Members will be aware that there are many particular mental health issues that affect LGBT people. Funding for organisations has been hard-fought for and opposed on some occasions. The funding and

support that are in place, whilst welcome, leave a lot to be desired.

The Rainbow Project has documented mental health issues in the LGBT community. People find some of the facts difficult to understand, but they are evidenced in the research. One survey found that 35% of LGBT people had self-harmed. It also stated that 70% of respondents had experienced or are experiencing depression: 70%. Almost half — 47% — indicated that they had experienced or were experiencing suicidal ideation. Just over a quarter had made at least one attempt at suicide.

Two of my friends who were gay committed suicide. One of them checked into a hotel, took an overdose and died. That is a reality in my community. The situation has gone on for far too long, and it is extremely clear.

COVID-19 has had a particular impact. We have had numerous lockdowns. Just imagine either being at home, as a result of lockdown, with parents who do not accept your sexuality or gender identity or trying to live in that home if you are not out. There are so many stories of the impact that COVID-19 and the lockdowns have had on people. Another example relates to domestic violence. Those are stories that have not truly been told. They will need to be heard.

**Ms Ní Chuilín:** I thank the Member for giving way. He has highlighted the importance of peer support. Groups such as Rainbow, HERe NI, Women's Aid and many others have been through similar experiences and have empathy. The Member obviously agrees that it is important that those projects are supported.

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

**Mr Muir:** Thank you, Mr Deputy Speaker, and I thank Carál for her intervention. That support and those interventions are absolutely vital. We have rightly given credit today for those interventions. They need to do more, whether the support comes from third-sector organisations, statutory agencies or others. More can be done.

For me, the bigger and perhaps better and more significant intervention would be to build a new type of society where, rather than tackling just the symptoms, we tackle the causes; a society where it is easier to talk about mental health; a society in which we are more respectful of each other; and a society that

values each individual without discrimination or conditionality. I say to Members that the responsibility for starting that work and building that society rests primarily with us as civic leaders. As regards having a more respectful society, you have only to look at social media and the cesspit that it is for lack of respect. It rests on us to show some leadership and ensure that we do not denigrate ourselves by engaging with it and that we challenge it where it occurs. If we are to build a society that values each individual, we must be conscious of the impact of the words and language that we use.

**Miss Woods:** I thank the Member for giving way. Does the Member agree that, for the respectful society that he mentioned, education is key and we need mandatory and comprehensive relationships and sexuality education (RSE) that reflects the lives of everybody here? Does he also agree that it is a disgrace that Departments with responsibility for equality have provided no funding to LGBT groups since Peter Hain was Secretary of State?

**Mr Muir:** I agree. In 2021, we should not have to debate those issues.

On the impact of our language, I fully get the right to freedom of speech, but with rights come responsibilities. Given that there has been a changing of the guard in political leadership in the country, particularly in the largest party, I ask those individuals to reflect on their words and language and the impact that they can have. I can remember the impact of that language as a young person growing up. That language was crushing. That language told me that I should either deny who I was or leave the country. Do you know something? I did leave, but I came back six months later determined to change this place. Every Member, whether as an MLA, a leader or a Minister, should take learning from what doctors sign up and agree to on taking up their profession, which is to do no harm. That is our responsibility.

**Mr Butler:** I am one of those who was not going to speak in the debate, but I just want to commend each Member for how they have conducted the discussion. Mental ill health is one of the biggest crises that we face in Northern Ireland. That was the case pre COVID, and, obviously, it will only be exacerbated now. I know that the Minister is already setting out plans to tackle it. The Minister is the right person in the right place at the right time. I think, genuinely, that his performance over the last year will give comfort

to people, as they will know that it is a priority of his.

I will pick up on a number of the issues that have been talked about. Mr Muir talked about the LGBT community here, which, for many years, has been marginalised, on the wrong end of conversations and bullied. He gave some stats. I have seen it over the years, and I regret those stats very much, I really do. It is almost unforgivable that those things are still the case in 2021. As a person of faith, I also suffered abuse and bullying in school. I was physically abused and spat on, so I know what it feels like to be marginalised. Woe betide anybody with a faith who uses their faith to marginalise someone else. I find that reprehensible and would pull anybody up who did it. We are all the same, and we are all different. It is our differences that need to be celebrated, and we all need to be given the room to be who we are.

Domestic abuse and coercive abuse were talked about. I was at an event at Queen's last week where I put on VR goggles and was able to view coercive abuse through the eyes of the victim. If you get a chance, guys, have a go at it, because it is quite revealing. Mr Buckley told a very emotional story about a family in Portadown who lost their son. The Minister was close to tears when he intervened to find an extra minute for the Member. These are all real issues and real problems.

I commend the motion and support it. However, it brings me back to one thing, guys: prevention. The motion is about intervention and the need to support people who are in need at the moment. That is absolutely right. We need to find the money, and, hopefully, we can do that through the Minister of Finance. Working collaboratively with structures such as the Department of Education, which was mentioned in the context of what we can do for young people, we can do this together. However, we also need to reach further and ask, "How do we prevent this problem continuing into the future? Is this the legacy that we want for our young people in 10, 15 or 20 years' time?". I go back to what I said in opening my speech: I commend each and every Member who has spoken on the motion. The tone has been brilliant — it has been excellent — and will give people hope that we are serious and collegiate about one of the most significant issues that we face in Northern Ireland.

I urge everyone, when we look at this, not to discount our ability to prevent such things happening. I will use an example that relates to addictions. Dr Gabor Maté's helix of the

addiction cycle is simple to understand. He talks about trauma — Professor Siobhán O'Neill, our mental health champion, is big on trauma-informed practice — and how a lot of our problems, whether of addiction or mental health, come from a trauma. He describes how, for most people, addiction happens when there is a trauma. You look for the fix. You take the fix that eases the pain, but the problem does not go away. You wake up with a hangover, reach for the drink or the drugs, and you go back in. Your problem is not fixed, so you just repeat the cycle. If we are to be serious about prevention, that is where we need to get to. We can use that image when we look at a lot of things, which may include relationships, coercive control, domestic abuse or bullying of the LGBT community and faith groups. We can apply it to everything.

**Mr Deputy Speaker (Mr Beggs):** The Business Committee has arranged to meet at 1.00 pm. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be questions to the Minister of Health. This debate will resume immediately after Question Time, when the first Member to speak will be Rachel Woods.

*The debate stood suspended.*

*The sitting was suspended at 12.57 pm.*

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

**2.00 pm**

## **Oral Answers to Questions**

### **Health**

**Mr Principal Deputy Speaker:** I advise the House that question 9 in the name of Ms Cara Hunter and topical question 3 in the name of Mr Gary Middleton have been withdrawn.

### **Regional Dementia Care Pathway**

1. **Mr McCrossan** asked the Minister of Health for an update on the implementation of the regional dementia care pathway, launched in March 2018. (AQO 2061/17-22)

**Mr McCrossan:** I put on record my sincerest appreciation of and thanks to all carers for those with Alzheimer's disease or dementia across Northern Ireland. They are doing great work in supporting the vulnerable people in our society who are battling this awful illness.

**Mr Swann (The Minister of Health):** I thank the Member. To date, work has been carried out that has already made significant improvements to the lives and well-being of people with dementia and their carers. It is vital that we continue to push forward with that work. In 2019, regional dementia leads, integrated care partnerships and the trusts established multi-agency working groups to consider what arrangements, structures and resources were required to support the roll-out of the regional dementia care pathway.

Legacy funding from the Delivering Social Change dementia signature programme supported the recruitment of two dementia service improvement leads in each trust, with specific responsibility for coordinating the pathway implementation programme in their respective trusts. The regional dementia lead and commissioning staff at the Health and Social Care Board (HSCB) have drawn up a detailed commissioning specification and invited the local implementation groups to submit investment proposal templates to support the implementation of a prototype in each area. That is to be completed and returned to the Health and Social Care Board by 30 June this year. It has been agreed that the implementation structures will include a regional steering group that will have oversight of implementation across all five trust areas in order to ensure consistency and shared learning, a regional stakeholder reference group and local multi-agency and disciplinary implementation groups that will include people with dementia and carers. The expectation is

that a pathway will be rolled out across all areas in a three-year time frame, subject to the availability of any funding necessary. As Members know, we face and are likely to continue to face an extremely challenging fiscal environment.

**Mr Principal Deputy Speaker:** Before I call Mr McCrossan for his supplementary question, some Members have advised me that they are struggling to hear you, Minister. Can you move your microphone closer?

**Mr McCrossan:** Thank you for that answer, Minister. Those living with dementia have been worst hit by the pandemic, with the Northern Ireland Statistics and Research Agency's (NISRA) published statistics indicating that dementia and Alzheimer's disease were the most common pre-existing conditions appearing in one third of all COVID-19-related deaths in Northern Ireland. Given that this is Dementia Action Week, can the Minister outline what steps his Department is taking to ensure that the views of those living with dementia are heard as we build back a better health service?

**Mr Swann:** I thank the Member. I refer him to some of the content in my previous answer about the regional dementia leads and the commissioning specification that has been drawn up by the Health and Social Care Board. The implementation groups have been asked to submit investment proposal templates to support the implementation of a prototype. That bidding and implementation process is due to end by 30 June this year.

In relation to the reform of dementia services, my Department has previously provided funding to support the roll-out of actions from the Delivering Social Change dementia signature programme. That included the appointment of 10 dementia service improvement leads, 10 dementia navigators and 44 dementia champions. Additional work is ongoing to support the roll-out of products and findings from phase 2 of the Delivering Social Change programme, which includes and takes account of input from users and dementia sufferers through a co-production approach.

**Ms Ní Chuilín:** The Minister mentioned the reform of dementia care services, which is crucial, and all the actions outlined in that.

What support will families and, in particular, carers get? When does the Minister intend to publish his strategy on the reform of adult social care services?

**Mr Swann:** I thank the Member for that important question on the support that carers need. They have had a particularly hard time over the past 14 months. The social care recommendations are being worked through by the Department. We have looked at them, especially for care homes, to see how we can support people with a dementia through the care partner programme so that we can ensure that a family member or another familiar face can go into their care home and give them that support while they are there. That work is ongoing. As I say, the vital piece for us is that it is co-produced, because one thing that we must take out of the past 14 months is to learn from the lived experience of people who suffer from dementia and their carers.

## Domiciliary Care Packages

2. **Mr K Buchanan** asked the Minister of Health for his assessment of the current delivery of domiciliary care packages. (AQO 2062/17-22)

**Mr Swann:** I thank the Member for his question. Domiciliary care is an essential front-line community care service that has been sustained throughout the COVID-19 pandemic. Statutory and independent-sector domiciliary care providers have liaised closely during the pandemic to maintain service provision. The pandemic has presented challenges for the sector, such as the suspension of some domiciliary care packages at various stages. That was done at the request of service users or families to reduce the risk of contact and transmission of the virus. Some domiciliary care providers have experienced COVID-19-related staff shortages that led to changes in service provision. Trusts have worked to address those shortages by, for example, reconfiguring service provision across geographical areas.

Now and throughout the pandemic, health and social care trusts and providers have endeavoured to ensure that any fully or partially outstanding domiciliary care packages are still provided. As of 26 April this year, there were 23,188 domiciliary care packages being provided in the community. I am pleased to note that, over the past 12 months, the social care workforce has expended significantly, with an increase of 2,086 registered workers between May 2020 and April 2021. While that is welcome, more staff are clearly still needed to ensure that services continue to be delivered as and when they are required.

Trusts aim to achieve timely discharge in every case. Sometimes, however, there are delays in getting people home. In some cases, that can

be a result of delays in getting the right care package in place. There are also occasions on which individuals are returned home into their family's care until a package can be implemented. While delays in implementation can be frustrating for all concerned, it is vital that patient safety and well-being remains at the forefront of decision-making in hospitals.

Some £275 million was invested in domiciliary care in the financial year 2018-19. The Department remains committed to providing a high-quality domiciliary care service —

**Mr Principal Deputy Speaker:** If the —.

**Mr Swann:** — to support people to remain in their home.

**Mr Principal Deputy Speaker:** I was about to ask you, Minister, whether you wanted to conclude, because Mr Buchanan has a supplementary question. You were able to get to the end of the text anyway.

**Mr K Buchanan:** I thank the Minister for his answer. COVID has put a strain on care packages that people had prior to the pandemic. I am aware, as, no doubt, are other Members, that there are still issues in other areas, not just Mid Ulster. What is the financial situation with regard to addressing bed-blocking? Are additional resources available? I appreciate that you said that you have additional resources. Bed-blocking is still going on, however. People are not getting out in a timely manner, and that puts pressure on families and hospitals. Can the Minister put any more resources into dealing with it in order to prevent it totally?

**Mr Swann:** I thank the Member for that point. It is about patient flow and flow management. As constituency MLAs, we all know of the challenges. When the appropriate care package is not available, some family members want their loved one to remain in the hospital setting until it is provided. I understand that there are several hundred fully or partially outstanding domiciliary care packages across Northern Ireland. While that is not the situation that I want to see, trusts have mitigation measures in place to ensure that care is still provided to those individuals. To ensure the continuation of care, the trust sends a list of outstanding cases to its in-house domiciliary care service and all the independent-sector providers each day, requesting their assistance with accepting those care packages either in full or in part. Every evening, that outstanding list is shared with the commissioning teams and key workers for

review and validation. That is an ongoing process of review of people who are still in hospital but need a support package.

I urge that it is not that they are viewed as bed-blockers; it is basically just until we get appropriate care and support mechanisms in place to ensure that they are going home to a safe environment. It is vital that we get that flow right, throughout our entire health service, so that we can get as many people as possible seen in a hospital setting.

**Mrs Barton:** I, too, would like to put on record my thanks to the domiciliary care staff and givers. They have provided a great service to those who needed them, particularly during COVID, and when many people needed to be looked after in their home.

In Fermanagh and South Tyrone, we have a number of problems around domiciliary care packages. Domiciliary care packages are recommended, but we have difficulty with getting individuals to take up positions in the domiciliary care career pathway. Minister, what steps will you take to try to recruit new members?

**Mr Swann:** I thank the Member for her point. She will know from my original answer that I welcomed the fact that, between May last year and April this year, we have an additional 2,000 people working in that highly valued profession. It is about giving them the support and recognition to do their jobs. It is also about it being a career for those who want a career in the service.

I recently established the social care fair work forum, which will bring about representations from the health trade unions, the workers, the service providers and the trusts, so that we can identify how to progress those who want to work in social care and make it a job of choice for many. However, the Member rightly indicated that, in some areas across Northern Ireland, there is a geographical challenge in regard to recruitment. That also has to be tackled and addressed through that piece of work. It is about a whole-system approach because no part of the health service works independently of any other part.

**Mr Principal Deputy Speaker:** Before I call the next Member to ask a question, I remind Members to ask short, sharp questions. I am as given to windiness as the rest of us, but it is really important. To give us a perfect example of a short, sharp, focused question, I call Ms Emma Sheerin.



**Ms Sheerin:** Minister, you will remember that, in November 2020, I asked if your Department kept a record of the number of people who sadly passed away whilst on the waiting list for a domiciliary care package. I am thinking particularly of the emotional stress that that causes for families, particularly when loved ones have a family member who is in a palliative care situation or is unwell, and they are going into the house with a responsibility as opposed to spending precious time with the member of their family. In November, you committed to looking at that. Do you have an update on that?

**Mr Swann:** I do not have an answer with me today, but I will get back to the Member in writing.

**Mr Principal Deputy Speaker:** I call Mr Colin McGrath.

**Mr McGrath:** Thank you very much, Mr Principal Deputy Speaker. I am sorry to hear about your windiness.

Will the Minister give me his assessment on carers' pay? Does he agree with me that the work that they have done during COVID-19 has just proved to us the absolute need to have fully resourced and well-paid staff in our domiciliary team?

**Mr Swann:** I thank the Member for that. If the Principal Deputy Speaker wants medical help, I am sure that we can point him in the right direction.

The expert panel report, 'Power to People', which was published by my Department in 2017, proposed that the care and support sector should be at least a living-wage sector as a first step to recognising it as a professional workforce.

On 13 May 2020, I announced that I intended to make much-needed improvements in standardisation with regard to pay, training and career pathways for the social care workforce. My officials are working to develop policy proposals in respect of providing a pay uplift, which will be part of a package of measures to improve opportunities for the social care workforce in line with the wider aims of the Department of Health's work to reform adult social care and its future sustainability for Northern Ireland.

As I said earlier, in addition to addressing low pay, further measures have been delivered to

improve the training, education and career development opportunities available to the workforce, and I have invested funding to develop a social care workforce strategy for Northern Ireland. That strategy will signal the commitment of my Department to the strategic value of the social care workforce in the health and social care service in Northern Ireland.

2.15 pm

## Health Inequalities

3. **Mr Carroll** asked the Minister of Health for an update on measures he is taking to reduce health inequalities. (AQO 2063/17-22)

**Mr Swann:** I thank the Member for his question. The latest health inequalities annual report, which was published by my Department on 14 April, highlighted that inequalities in health outcomes continue to be a key challenge. The report showed that alcohol- and drug-related indicators continue to show some of the largest health inequalities that are monitored in Northern Ireland, with rates in the most deprived areas being five times those in the least deprived areas for drug-related mortality and four times for alcohol-specific mortality. Other large inequalities exist for teenage birth rates, smoking in pregnancy and healthy life expectancy.

Inequalities in health outcomes primarily arise because of the inequalities in the conditions in which people are born, grow, live, work and age. Those conditions influence the ability of individuals, families and communities to take control of their own lives and choices and whether they are enabled and supported to lead long, healthy, active lives.

My Department leads on Making Life Better, which is the overarching strategic framework for public health through which the Executive committed to creating the conditions for individuals, families and communities to take greater control over their lives and be enabled and supported to lead healthy lives. The pandemic has, no doubt, exacerbated existing inequalities. Therefore, my Department and the Public Health Agency (PHA) continue to deliver a range of actions to address the impact of COVID-19 and other health conditions and behaviours on the most deprived communities and reduce health inequalities. The Public Health Agency has also developed a short-, medium- and long-term plan for the recovery of health improvement services, the majority of which are focused on the most deprived communities.

**Mr Carroll:** I thank the Minister for his answer. Figures that we discussed recently in the Health Committee show that men in deprived areas die seven years younger than those in more affluent areas. The figure was five years for women. Those figures are really shocking. Belfast has 32 areas, and Derry and Strabane have 25, in which they perform below the average for health outcomes. Does the Minister agree that poverty is the main driver of those inequalities and that, in order to tackle health inequalities, we need urgent action on the eradication of poverty?

**Mr Swann:** I fully agree with the Member. He knows that I addressed the issue at the Health Committee on Thursday. When we talk about health inequalities, that is the measure at the end. We, as an Executive, a community and an Assembly, need to invest at the start so that we support the community and the individual throughout their life. As I said, those inequalities are subject to the conditions in which people are born, grow, live, work and age. If we, as an Executive, can improve people's lived experience through their housing conditions, education, opportunity to work and opportunity to have a better life balance, we can really challenge those health inequalities. That is something that is, and should be, at the core of our Programme for Government.

**Mr Gildernew:** Minister, there has been no progress on oral health outcomes. We have some of the worst in these islands. Given the profound health inequalities that exist and the underspends in the Department, will you commit to allocating resources to address that inequality?

**Mr Swann:** The current Northern Ireland oral health strategy was published back in 2007. Despite its age, the main oral health problems that are described in the document and the approaches to prevention that are advocated by it remain largely valid today. Although it is still valid, it is accepted that, in some instances, the settings or opportunities for prevention have changed. As such, prior to COVID-19, my Department decided that the two sections of the Northern Ireland population that would benefit most from updated oral disease prevention programmes were young people and older adults.

An older adults health options group has been established and is chaired by the acting Chief Dental Officer. The oral health strategy for older adults is expected to be published later this year. The young people's oral health options

group has, unfortunately, been delayed until later this year, although some preparatory work has commenced. The intention is for the groups to establish the oral health needs of children and older adults in Northern Ireland and review the evidence base to determine which preventative interventions are likely to be the most effective and cost-effective.

**Mr Dickson:** Minister, one of the other health inequalities is the outcomes for screening. Screening is so important for a wide range of illnesses and diseases, yet the communities that you made reference to are the ones where there is the least amount of screening take-up. What is your Department doing to encourage take-up of screening services?

**Mr Swann:** I thank the Member for that. He is right, and that is the challenge that continually faces not just my Department but the PHA and GPs that we work with in collaboration as well. It is about making screening accessible to people in their own environments.

The Member will be aware of the Big Bus that goes round for the cancer screening services. It is about bringing that service as close to people as possible but also making them aware of the preventative benefits of screening. That is what this is about, and what the discussion in regard to health inequalities should be about. It is about prevention being better than cure or treatment, so the more people we can screen, the better. It is about education and awareness but also accessibility.

**Mr McNulty:** Minister, this day three weeks ago, my son, Setanta, was born in Daisy Hill Hospital. My wife and I were overwhelmed by the quality of care received from the maternity teams, GPs, doctors, nurses, midwives, community midwives, porters, cleaning and catering staff. It was second to none. It was world class. It was exemplary. Minister, we do not know how to thank them.

Minister, in relation to the question at hand, with the recently published health inequalities report showing that the rates of alcohol-specific mortality in the most deprived areas are four times that in the least deprived, what steps is your Department taking to tackle the problem with alcohol?

**Mr Swann:** I congratulate the Member and his wife on the birth of their child. I know that in a conversation earlier, there was an allegation made by the Chair of the Health Committee that the Member was interested in going to discos. Speaking from experience from a number of

years ago, as a new father, that will be the last thing on the Member's mind.

With regard to his question, the substance use strategy that is being worked through by my Department acknowledges that alcohol is still the drug of choice in Northern Ireland. The question is how we meet that strong challenge. The Member may or may not be aware that we are looking at a minimum unit pricing strategy for Northern Ireland. Unfortunately, it is not as far advanced as we would like, but that is due to go out to consultation towards the end of this year, so that preparatory work will have been started for whoever takes up this post after the next election.

## Long COVID

4. **Mr McGuigan** asked the Minister of Health for an update on the development of services for patients suffering from long COVID. (AQO 2064/17-22)

**Mr Swann:** I thank the Member for his question. The Health and Social Care Board recently submitted proposals to my Department, and I have asked that they be considered urgently. I hope to announce a decision shortly.

In developing the proposals, the Health and Social Care Board has been engaging extensively with the primary and secondary care sectors as well as other stakeholder groups to ensure that we have the right service offering to meet the needs of people in Northern Ireland. Once a final service model has been approved, work will be undertaken to rapidly deliver the appropriate services.

**Mr McGuigan:** I thank the Minister for his response. Recent correspondence that I got from the Chartered Society of Physiotherapy stated that one in 10 of those testing positive for COVID-19 had symptoms for 12 weeks or longer. They estimate that there could be a need for 41 extra physiotherapy posts to address the community rehabilitation needs of COVID survivors here in the North.

As the Minister pointed out, the needs of long COVID patients will include physiotherapy but go beyond that. What level of funding and resources will the Minister allocate to develop services for patients who are suffering from long COVID?

**Mr Swann:** I thank the Member for his question. With regard to who will make up those teams, we are looking at that multidisciplinary approach as well, so there will be

physiotherapists, primary care and secondary care.

The costing proposals that have come forward to me to establish that service are not insignificant. This year and next year, we are looking at something in the region of £2 million to supply that service. It is not simply a question of how much money I will allocate; it is how much his party colleague in the Ministry of Finance will see this as a worthy cause to support in additional item bids or monitoring rounds from COVID moneys. It has been debated in the House that this is a service that is needed.

**Mr Storey:** Keeping things in North Antrim, it is good to see that the five-party mandatory coalition is working well when the Minister is making a bid already for additional finances. What planning is going into making up those multidisciplinary teams? Long COVID will be with us, if you will excuse the pun, for a long time. Will you ensure, Minister, that facilities such as Dalriada Hospital in Ballycastle, Robinson Hospital in Ballymoney and our local health centres will play an important role in those teams, given their strategic location and importance

**Mr Swann:** I thank the Member for the local question. Who knows? Maybe when the bid comes to the Executive, he may be able to support or approve it, depending on what role he finds himself in, if any. *[Laughter.]* I assure the Member that the full services and where we base long COVID supports will be part of the commissioning model in order to make sure that we get the best supply and locations across Northern Ireland. I will not make any commitments at this time, but it is vital that those services are established and funded.

**Ms Bradshaw:** I welcome today's update on the long COVID service. However, you will know, Minister, that I remain very concerned that we still do not have a fully commissioned service for another post-viral condition, ME, despite there being 7,000 people with the condition across Northern Ireland. Will you give us an update on that service?

**Mr Swann:** I thank the Member. I do not have an update on ME services with me. However, she has long called for the establishment of the long COVID support model, and I thank her for her consistency in and persistence on that. Once again, when it comes to supporting the bid for additional funding through the Executive, I hope that she can apply the same pressure on her ministerial colleague as well. I will get back

to the Member in writing with an update on recruitment for the ME service.

**Mr Chambers:** I thank the Minister for his answer. Those who suffer from long COVID will welcome the announcement that the board has completed its important piece of work. It is, obviously, very easy to draw comparisons with what England is doing on long COVID. Will he confirm, however, that neither Scotland nor Wales are planning on following the English approach and that they, too, are focusing much more on a multidisciplinary approach?

**Mr Swann:** I thank the Member. Some of the challenge has come from the perception of what the Department has been doing. In October, NHS England announced that it was supplying £10 million to be invested in the establishment of a number of multidisciplinary clinics, which would improve multidisciplinary teams in the same way that we are looking at a multidisciplinary approach. I understand that neither Scotland nor Wales are planning to follow England's approach on the establishment of the specialist assessment clinics. In Scotland, the focus to date has been on developing community-based services and on mental health needs. Wales has identified a need for a multidisciplinary rehabilitation service, with a care pathway being developed for post-COVID-19 syndrome, as well as a recovery map.

## Ambulance Replacement

5. **Mr Robinson** asked the Minister of Health to outline what impact the COVID-19 pandemic will have on replacing ambulances. (AQO 2065/17-22)

**Mr Swann:** I thank the Member. The pandemic has caused manufacturers in the automotive industry to close factories for short periods. That has created supply chain delays and has, ultimately, reduced the availability of new vehicles, which has caused the Northern Ireland Ambulance Service (NIAS) to experience delays in replacing ambulances. However, my Department continues to provide capital funding for the Northern Ireland Ambulance Service fleet replacement programme, and, in January 2021, following a short delay due to the pandemic, the Department approved the fleet replacement business case for the period 2021 to 2025-26.

**Mr Robinson:** I thank the Minister for his answer. Will he assure the public that regular funding for replacement ambulances will continue, given the fact that they are a vital

front-line asset for patients of all ages? Will he also take into account the fact that ambulance staff must have top-quality life-saving equipment on board?

**Mr Swann:** I thank the Member. To give the Member and the House an update, I will say that our Ambulance Service has a fleet of 330 emergency and non-emergency vehicles, including A&E ambulances, patient-care service vehicles, the Northern Ireland Specialist Transport and Retrieval (NISTAR) vehicles, rapid response vehicles (RRVs) and support vehicles.

There are currently 116 A&E ambulances, 112 patient care service vehicles and 43 rapid-response vehicles. The vehicles are replaced under a five-year rolling programme. In January 2021, the Department approved a business case for £22.7 million for the replacement of vehicles until the end of 2025-26. That programme allows for a proportion of the fleet to be replaced annually, which spreads the need for capital funding evenly over the period of replacement and allows it to be planned and managed effectively, thus minimising the risk to service operations.

## 2.30 pm

**Mr Principal Deputy Speaker:** Thank you, Minister. That concludes the period for tabled questions to the Minister. We move on to topical questions.

## Lateral Flow Tests

T1. **Mr Catney** asked the Minister of Health, given that information on nidirect states that, from 24 May, anyone who travels within the common travel area (CTA) does not have to isolate but must, in line with public health advice, take a pre-departure lateral flow test, to be repeated on day 2 and day 8 post-arrival in Northern Ireland, to confirm that that is a legal requirement. (AQT 1321/17-22)

**Mr Swann:** I confirm to the Member that the information is in guidance at this time, because that is how we as an Executive have managed travel within the common travel area.

**Mr Catney:** Minister, should we not put all guidance into law to provide clarity to the public, particularly as lockdown eases?

**Mr Swann:** I thank the Member for his question. In the past 14 months, the Executive have supported travel within the common travel

area under guidance rather than regulation, because, if we put it into law, it will need enforcement. If we were to put in place regulations on travel east-west, we would have to take into consideration travel North/South and how that would be policed and enforced. The Executive have taken the decision that the rules on travel within the common travel area should be based in guidance. The guidance is there for a reason: it is not only to support the people of Northern Ireland but to maintain and provide advice to those who wish to travel from other areas to Northern Ireland on how they can best look after themselves and the loved ones whom they are coming to visit or stay with, or the work colleagues with whom they will be socialising now that some easements have been made.

## Orthopaedic Surgery: Waiting Times

**T2. Mr T Buchanan** asked the Minister of Health to outline the work that his Department is doing with the health and social care trusts in an effort to reduce waiting times for orthopaedic surgery. (AQT 1322/17-22)

**Mr Swann:** I thank the Member for his question. He will know that we have established a board for rebuilding services to look at how we get back to completing the number of surgeries that we were completing in the past.

On orthopaedic surgeries, while we look at a specific hub-and-spoke model that we had developed and build up local capacity, we are using the private sector. Recently, we utilised orthopaedic operations in the Republic of Ireland. We were able to buy some provision of operations there while we get our health service back to full capacity.

**Mr T Buchanan:** Thank you, Minister, for your response. The reason why I asked the question is that a constituent waited three and a half years to see a consultant. He saw the consultant about a month ago, and the consultant confirmed that he needed two hip replacements. However, he was then told that he would have to go on another waiting list for up to 240 weeks, which is four years and eight months. If that is the case, he will have been on a waiting list for a total of eight years and four months. Minister, you will agree that that is totally unacceptable. Can you give us any indication of when orthopaedic surgery will be back in full swing, if you like, in, for example, the Western Health and Social Care Trust?

**Mr Swann:** I thank the Member. He asked for my opinion about that waiting list: of course it is

not acceptable. Since I have come into post, I have been clear that those waiting lists are not acceptable. We must do everything that we can to get in front of them, not just get back to where we were. When we look at where we were pre COVID, we see that those waiting lists were increasing, even without the challenges that COVID has presented. It is about how we look at our rebuilding board, and I know that the Member specifically mentioned the Western Trust. We have been looking at that regional approach so that we take people from the top of the waiting list or with key priorities and offer them the operation or the service no matter where that theatre capacity may be so that we can get a standardisation, I suppose, across Northern Ireland so that those who are waiting longest do not have to wait on their local trust's waiting list but we can see how we can respond as a service to get those waiting lists down.

## E-cigarettes

**T4. Ms Sugden** asked the Minister of Health, given that the Health (Miscellaneous Provisions) Act (Northern Ireland) 2016 received Royal Assent in May 2016, giving the Department of Health powers, which it has not used, to prohibit the sale of nicotine products, including e-cigarettes, to under-18s, meaning five years when children have been able to purchase e-cigarettes, albeit the past year has been a challenge, to state what his Department did over the previous five years to bring the regulations into law. (AQT 1324/17-22)

**Mr Swann:** I thank the Member for her question. I can answer with regard to what has happened since January 2020. As the Member knows, within a number of weeks of coming into office, we were faced with a pandemic, so many pieces of work that were already in train in the Department were put on hold. I think that this was one of them, and I will check that and get back to the Member in detail in writing. I do not have the specific list in front of me, but I will respond to her.

**Ms Sugden:** I thank the Minister for his attention. He will know that this has a significant impact for the rest of people's lives. Will he commit to introducing the regulations before the end of the mandate?

**Mr Swann:** As I said, I will check with my Department on how far that work has been progressed. Again, I will respond to the Member in writing with an update as soon as I have it.

## EU Medicines Regulations

T5. **Mr Beggs** asked the Minister of Health to confirm that requirements in the protocol to follow EU medicines regulations add to bureaucracy and are likely to add to the costs and lack of availability of some medicines, thus adversely affecting the entire community, given that, during yesterday's debate on unfettered access to medicines, it was striking that some of the commentary remained stuck in the 2016 Brexit debate rather than focusing on how we can work collectively to avoid the adverse effects on our health service. (AQT 1325/17-22)

**Mr Swann:** I thank the Member. As we debated yesterday, medicines and medical devices supplied through the NHS bring cost advantages to the Northern Ireland health service, and their distribution through our controlled free NHS and GP prescriptions cannot threaten the EU single market. Given that everyone in Northern Ireland will be adversely affected by increased pharmacy costs, there has to be a realisation about the implication of what that means for additional bureaucracy, the time frames and the supply chains that have to be put in place for the delivery of those medicines.

**Mr Beggs:** Will the Minister confirm that the additional bureaucracy and unnecessary costs will be a burden on his budget and ultimately mean that less money can be spent on our waiting lists and the other pressing issues that we face?

**Mr Swann:** I thank the Member for his supplementary question. As was debated yesterday afternoon about how we now have to look to the Medicines and Healthcare products Regulatory Agency (MHRA) and the European Medicines Agency (EMA) regarding where medicines are licensed and their uses, it puts an additional strain on the small team that works with my Chief Pharmaceutical Officer on how we assess what medicines are available and on the additional bureaucracy and management that is now needed because we are in two jurisdictions. While the grace period is useful, it is coming to an end, which puts an additional workload on how we seek to ensure that those medicine supplies and medical devices are there for the long term and not just through the grace period.

### **Abortion Services: WHSCT**

T6. **Ms McLaughlin** asked the Minister of Health what action he has taken to provide early medical abortion services in the Western

Health and Social Care Trust (WHSCT) area. (AQT 1326/17-22)

**Mr Swann:** The Member's question has been covered in the Chamber a number of times. My Department is not required under the law to commission abortion services. In recognition and anticipation of regulations being introduced by the UK Government from March last year, however, my Department had commenced work to develop a commissioning model and service specification for those services to be delivered in Northern Ireland. That work was paused from February 2020, owing to the need to divert departmental and Health and Social Care (HSC) staff resources to manage the response to the pandemic. The Western Health and Social Care Trust has been delivering a service, and, as far as I am aware, it is looking to recruit to fill the post that is vacant at the minute.

**Ms McLaughlin:** Women in my constituency in Derry have a right to a full suite of medical abortion and crisis pregnancy services. Minister, you need to ensure that the trust meets its legal responsibilities and commissions the services that are required. Do you agree that it is fundamentally wrong and in contravention of equality and human rights to expect women from Derry to travel outside the jurisdiction, particularly during a pandemic, to access routine healthcare that is afforded to women in every other part of the UK?

**Mr Swann:** The Executive have yet to come to an agreement on the provision of early medical abortion in Northern Ireland. Women who require access to services not available in their own trust area can contact the British Pregnancy Advisory Service for access to services. They may also contact their GP.

### **Northern Ireland Hospice: Support**

T7. **Mr Humphrey** asked the Minister of Health what support he has provided to the Northern Ireland Hospice this year and whether that support will be ongoing as the years progress, given that he will know that, although the hospice is based in north Belfast, it provides a regional service. (AQT 1327/17-22)

**Mr Swann:** I thank the Member and acknowledge the work that the Northern Ireland Hospice provides as a regional service. The Member will be aware that not just my Department but the Department of Finance made a number of financial interventions during the past year in support of the hospice. He will also be aware, because I have said it numerous times, that I am constrained by a one-year

budget with non-recurrent funding proposals. As we go forward, I must look at what commitments are in place in New Decade, New Approach to support palliative care. It is a whole-Executive approach, and we need a commitment to a recurrent Budget that can allow us to make long-term commitments.

**Mr Humphrey:** I thank the Minister for his answer and encourage him to fight for resources for the hospice.

You will be aware that, during the COVID pandemic, the Mater Hospital has played a key and pivotal role as a COVID hospital. I ask the Minister whether he values the role that the Mater Hospital plays in greater Belfast in providing medical care. Can he assure us that, going forward, the Mater Hospital's services will be protected?

**Mr Swann:** I thank the Member for his question. The Mater has played a vital and crucial role in our fight against COVID. It also plays a vital and crucial role in our recovery process. I raised that issue in discussion with the chair of the Belfast Health and Social Care Trust when we last met. I stressed to him the value that we place on the Mater Hospital as part of our footprint and as part of our entire health estate. We need every square foot of it. Service provision may not be the same as it was pre COVID, but I assure the Member that it is a vital part of and link in our health service in Northern Ireland.

## **Oxygen Generators: India**

T8. **Mr K Buchanan** asked the Minister of Health for an update on the oxygen generators that were shipped to India and to state what purpose they are serving and whether they are operational. (AQT 1328/17-22)

**Mr Swann:** I thank the Member for his question. That is a fantastic example of what we in the health service of Northern Ireland can do. It has not been acknowledged greatly that the three generators that we were able to ship were manufactured in Northern Ireland with support with engineering from the Belfast Trust.

Those three generators have arrived in India: two of them have already been connected to hospital supplies, and the third one is undergoing commissioning work. We expect to receive an update in the next few days on the full operation of those three generators and the vital part that they are playing in helping India to combat COVID-19 by supporting patients with a supply of oxygen that has been engineered,

developed, designed and built here in Northern Ireland.

**2.45 pm**

**Mr Principal Deputy Speaker:** I am sorry, but we have run out of time for a supplementary; you can get him later. I ask Members to take their ease for a few moments before we move back to the motion on Mental Health Awareness Week.

## Committee Business

### Mental Health Awareness Week

*Debate resumed on motion:*

*That this Assembly notes that the week commencing 10 May was Mental Health Awareness Week, which annually provides the opportunity to highlight the importance of mental health; further notes the 2021 health inequalities report, which identified continuing mental health inequalities; recognises the detrimental impact that COVID-19 has had on the mental health and well-being of the population, including our children and young people; further recognises the positive public health campaigns around mental health, such as Take 5; advocates that people seek support to talk about their mental health; and supports the Minister of Health to achieve parity of esteem between mental and physical health by increasing spending on mental health services, fully implementing the Protect Life 2 strategy and progressing the 10-year mental health and substance use strategies. — [Mr Gildernew (The Chairperson of the Committee for Health).]*

**Miss Woods:** I thank the members of the Health Committee for tabling the motion. It is really important that we send a message to people in Northern Ireland that mental health is taken seriously and that help is out there. It is really important for people to talk and reach out to each other to seek help, even if it is initially to a friend or family member, and to take advantage of the support that is there. It is also crucial that the Executive deal with the ongoing and historical issues with accessing mental health services and dealing with the root causes.

The COVID crisis will have and already has had psychosocial impacts on people here that will be felt for years to come, and short-term changes will be difficult for our mental health. That is something that I have found difficult recently, especially as we emerge from another lockdown. We also have much to do to deal with historical trauma and the intergenerational impacts of the conflict.

The health inequalities report 2021 that is referenced in the motion highlights massive gaps that continue to exist in mental health provision between those who are disadvantaged and those who are better off. The death rate from intentional self-harm in the most deprived areas was double that in the least deprived areas, and prescription rates for

mental health problems are increasing and the gap between the most and least deprived areas widening. Those are shocking statistics, and they highlight the urgent need for improvement.

Like others, I want to focus on children and young people and how they, in particular, are still waiting for the services that they need. Last year, the Northern Ireland Youth Forum surveyed thousands of children and young people on the issues affecting them. In response to its April survey, 62% said that mental health was the main issue that they, as a young person, faced; 332 young people mentioned loneliness and isolation; and 361 said that fear and uncertainty were affecting them, which, as we all know, impacts on mental health. In its November survey, 74% of the nearly 4,000 young people who were surveyed said that they felt that their mental health had deteriorated during the pandemic. Mental health and well-being were the joint-top issues for young people at the time of the survey — 67% mentioned them — with isolation, loneliness and boredom following suit.

Only 29% of the respondents said that they felt hopeful about the future, and over half felt that they are not coping well with not seeing friends and family. That is not OK. It is not OK that our children and young people continue to raise that, especially when we know that youth mental health services are unable to meet demand.

The Children's Commissioner has been clear on the need for a children's rights-compliant mental health system that is responsive to children and young people. 'The Elephant in the Room' report, published in July 2016, and the UN Convention on the Rights of the Child (UNCRC) recommend that the Executive:

*"Rigorously invest in child and adolescent mental health services and develop strategies at national and devolved levels, with clear time frames, targets, measurable indicators, effective monitoring mechanisms and sufficient human, technical and financial resources."*

Nearly five years on, I reiterate that call.

As we come out of the COVID crisis, trying to get back to the way things were is not good enough. We must build back better and focus on resilience and well-being to ensure that those needs are met. We need properly resourced services for the people who need them, no more cuts to the very organisations that exist to help others and support for people of all ages. We also need to reconsider what we



prioritise and value as a society. The community and voluntary sector has a wealth of experience and can help to meet the challenges that we face. The sector has been going above and beyond, providing support to some of the most vulnerable in society, including our children and young people, and it has picked up where statutory organisations cannot. That is set against a backdrop of already stretched resources and the added pressures of a dramatic fall in fundraised income and increased demand. For this work, we must be forever grateful.

Are we going to continue to prioritise macroeconomics like gross value added (GVA) and GDP as the marker of progress, or can we do better and prioritise health and well-being as the key to a just and green recovery for our generation and the generations to come?

**Mr Carroll:** I thank the Chair and Committee colleagues for bringing this important motion to the Floor today. Obviously, last week was Mental Health Awareness Week, and this is a very important and timely debate for everyone who had mental health problems, illnesses, stress, anxiety and depression before the pandemic and those who will or may experience those issues at a greater level or for the first time after the pandemic.

The fact is that people's lives and, in many ways, the world was turned upside down by the pandemic. It would not be surprising if there was an increase in mental health issues as a result of the necessary measures that were put in place to protect people because of COVID. The motion correctly notes that people who are facing difficulties should reach out and seek help, and that is, of course, safe and sound advice. My main concern is that people I know, people in my constituency and many others across the North, have reached out and taken that important step and, instead of getting immediate and urgent access to services, many of them, some of whom have presented at A&E, have been sent home and put on a waiting list for weeks to get the appropriate help. That is very worrying.

The CAMHS figures that the Chair quoted earlier are also very concerning and worrying for the people who need help. My main concern is that the Minister is essentially presiding over an underfunded and broken system. I do not doubt his personal commitment to the issue of mental health — I have said that before — but I remain unconvinced that there is a plan beyond the mental health strategy to increase the number of counsellors, psychiatric nurses and psychologists to the level that we need to see.

After the Minister's comments at last week's Health Committee, I remain unconvinced that there is a plan in place with the current budget.

**Ms Dillon:** I thank the Member for taking an intervention. I am sure the Member will agree that there is a real issue with proper supervision for people when they are first administered with medication. It is supposed to happen for a minimum of six weeks, and it is not happening in the manner that it should.

**Mr Carroll:** I thank the Member for her intervention. I agree with the Member. Obviously, self-medication is a further problem on top of that.

Coming out of the pandemic, despite words to the contrary, there has been an acceptance that what went before can and must continue going forward. We have to reject that narrative outright.

Globally, the wealthy have increased their lot from \$5 trillion to \$13 trillion. That is the greatest swindle of our time, and it took place when we were trying to manage and fight the pandemic. One Member said that poor mental health can affect anybody: of course, that is true, but it is not the full picture, as the discussion has touched on. If you are in a working-class or deprived community, you are more likely to have health problems, as we heard at Question Time. You are more likely to have mental health issues, life obstacles and so on. The #123GP campaign pointed out that 50% of GP services in my constituency and, I think, in others in the North are without access to in-house counselling. That is scandalous, when other constituencies have 100% access. Why does that discrepancy exist? It needs to be tackled and addressed. Class is one of the main determinants of whether people will be ill and whether they can get access to services. People with a few thousand pounds in the bank can get access to cancer services and, possibly, other services, if they can fork out that money, but not everybody has access to such money, as the almost 400,000 people who are in poverty here can attest to.

We also need to call out the role of sectarianism and bigotry in our society and racism, homophobia and sexism in our communities, which Mr Muir touched on. Those issues need to be tackled generally and, specifically, the role that they play in making people's mental health worse. People leave these shores because of the poisonous atmosphere in society and the role played by some people in whipping that up. Those issues

are part of mental health and tackling mental health problems.

I support the motion, obviously, and pay tribute to the many important groups in my constituency and beyond. There are too many to name, but Compass Counselling on the Shankill is an important cross-community organisation that, unfortunately, has to fight for funding. I have already mentioned the #123GP campaign, and there is the Lenadoon counselling service. I am sure that I have left out many, but there are many good services in my constituency and beyond. I pay tribute to them and thank them for their work.

**Mr Swann (The Minister of Health):** I start by thanking the Chair of the Health Committee for tabling the motion and the Members who have spoken so passionately in their support. In this debate, we have seen the best of the House: working together on a subject with a unity of purpose. Many times, when Committees bring motions to the House, it ends up with Committee members talking to themselves. However, this subject has brought in many other Members, with a diverse range of aspects and personal contributions that have shown the dedication of the House to truly tackling the challenge that is mental health. It has also highlighted the many aspects that make up the mental health challenge across Northern Ireland. When we talk about mental health in the generality, we can forget about some of the specifics that have been mentioned by Members today.

I am grateful to have the opportunity again to speak publicly about one of my top priorities and one of the most important aspects of my Department's remit: mental health. Last week, during Mental Health Awareness Week, mental health rightly featured heavily in the media. I am hopeful that we can continue to build on that platform to ensure that it continues to receive public and governmental focus. We have to keep the momentum going if we truly want to see lasting and meaningful change, but that focus and commitment need to be maintained for 52 weeks of the year, not simply for Mental Health Awareness Week.

As we have heard, the 'Health Inequalities Annual Report' that was published last month highlighted the continuing challenges in mental health. It is shocking but, unfortunately, unsurprising that those living in our most deprived areas experience poor mental health. While I am encouraged that there were some positive changes noted in the report, there is much more work to be done to improve that. It is not something that my Department alone can

address. Inequalities in health outcomes arise primarily, as I said in Question Time, because of the inequality in the conditions in which people are born, grow, live, work and age. Those conditions, known as social determinants of health, influence the ability of our communities and the individuals in those communities to lead long, healthy and active lives.

### 3.00 pm

My Department leads on Making Life Better, which is the overarching strategic framework for public health. It outlines the Executive's commitment to creating the conditions for individuals, families and communities to take greater control over their lives and to be enabled and supported to improve their well-being and lead healthy lives. Departments are working together on a range of issues, including mitigating the impacts of poverty and tackling the conditions that create health inequalities. It is important that we continue to work collaboratively on that, as no Department has the resources or the power to combat the issues alone.

There is no doubt that the pandemic has exacerbated health inequalities, and it has certainly impacted our community's mental health. As raised by quite a number of Members, children and young people have been disproportionately impacted. For many, the loss of the daily structure that school attendance normally provides, alongside reduced social contact and support in school, has had an impact on well-being and could lead to a deterioration in mental health. Early in the pandemic, I recognised that impact, and, as a result, in May 2020, my Department produced the mental health action plan, which included a COVID-19 mental health response plan. That set out a range of key actions that my Department and its agencies were taking forward to support our communities during the initial period of lockdown and beyond.

My Department has worked collaboratively with the health and social care sector, the community and voluntary sectors and other Departments to provide as much help and support to our population as possible. That includes free online stress control classes; a COVID-19 well-being hub; new use of technology; funding for children and young people for the Department of Education; and much more. Along with the health and social care sector, my Department has developed public messaging during the pandemic, and, as the Chair acknowledged, the Take 5 programme has been widely adopted by many

agencies and communities. I am pleased to see that continue. For example, last month my Department launched the "How are you Feeling?" mental health campaign in over 500 community pharmacies in Northern Ireland. That was done in partnership with the Health and Social Care Board, the PHA and Community Pharmacy Northern Ireland. The campaign runs to the end of this month and encourages people to simply ask the question, "How are you feeling?".

Well-being campaigns are a hugely important tool in promoting positive messaging on mental health, reducing stigma and supporting people to look after their emotional well-being and mental health, as well as signposting people to further help and support if they need it. However, even as we start to move out of the restrictions that have been in place, the impact of the last year will affect for some time to come our communities, their mental health and the services that support them. It is, unfortunately, highly likely that we will see a surge in mental health needs over the coming months and years; indeed, we are already witnessing the beginnings of that in our mental health services. Our trusts are reporting an increase in referrals, as well as a heightened acuity of patients. Members will no doubt have heard the comments that I made to the Health Committee last week about bed pressures. Those include patients sleeping in chairs and the reality of being a patient in mental health crisis. It is a sad reflection of the priority that we have given to mental health over the last number of years that patients cannot count on having a bed to sleep in when they are admitted to hospital.

I publicly thank the staff who work with our mental health patients. They are hugely dedicated and caring, and they do a difficult job in increasingly difficult circumstances. I assure them and the House that their efforts do not go unnoticed or unappreciated, and I commend that workforce for its commitment to helping others in their time of need.

Unfortunately, it is highly likely that those pressures will continue as the mental health surge that we have all been anticipating hits home over the coming months. My Department is taking actions to help and support those who deliver services. In the short term, a regional bed flow network has been established, but, for the longer term, I have recently approved the policy direction for psychiatric low-secure inpatient and mental health rehabilitation services. While that is likely to have a positive impact on patient outcomes and pressures on the system, it will require additional investment.

The mental health action plan also committed to developing a new 10-year strategy for mental health in Northern Ireland. That, I believe, is the best way to address the historical issues facing mental health services; to face up to and meet the increased demand caused by the pandemic; and to put in place real and lasting change that will significantly improve mental health outcomes for all the people of Northern Ireland.

Members will be aware that, in December last year, I published for public consultation a draft mental health strategy for 2021-2031. That followed an intensive period of co-production, even during the pandemic. The consultation concluded at the end of March this year. In total, 428 responses were received, with over 82% assessed as positive. That strategy is my Department's long-term strategic plan to address the pressure on mental health inpatient beds, to meet the increased needs created by the pandemic and to put mental health on an even footing with physical health in this country. I hope to publish the final strategy in the summer of this year, together with a funding plan setting out the resource requirements to implement it. The final strategy will seek to draw clear linkages with the new substance use strategy, which, along with the Protect Life 2 strategy, I hope to publish in the next few months. Those three strategies are hugely important as we seek to make significant positive changes to the lives of people in Northern Ireland.

Unfortunately, despite the great strides forward that we as a society have made in talking about mental health and despite the progress over the past year, I must also reflect the reality of the funding position. As Members know, historically, mental health services in Northern Ireland have, compared with other UK jurisdictions, been underfunded. Mental health in Northern Ireland receives between 25% and 30% less funding per capita than England, despite many indications that mental health needs in this country are greater, not least because of the legacy of the Troubles. That equates to a funding gap of approximately £100 million to £150 million a year, which is a dire reflection of the low priority that we as a society and a Government have afforded to mental health until now. The particularly difficult funding position that my Department currently faces does not make redressing that imbalance any easier, and the capital budget position remains severely constrained. Full implementation of the strategy, which all stakeholders fully support, will require significant investment. Securing that investment to achieve what we want and what society

deserves will require full support from the Executive and the Assembly. We must now walk the talk. If we are truly serious about making mental health a priority, which many in the Government and the House genuinely want to do, we have to do our utmost to get the resources in place.

One of my most significant actions in recent weeks was the establishment of the £10 million mental health support fund. That will provide grants to charitable organisations that provide interventions to improve the population's mental health. In recognition of the fantastic work of the community and voluntary sector, the new fund will equip and enable those charitable organisations to provide a wide range of support services for people with mental ill health and help to ensure continued access to mental health support services in the community for those who need them. Many of those services have been named today. The fund is expected to open formally before the summer and will be accessible through the Community Foundation website.

In closing, I thank colleagues on the Health Committee for tabling the motion, which I fully support, and I thank all Members who spoke for the tone, tenor and content of their contributions. We need to take every opportunity to encourage people to talk about mental health, whether that is in the Assembly, on television, in the workplace or in private. I assure Members and the public that I remain committed to improving mental health services and mental health outcomes for all the people of Northern Ireland. The challenges ahead might seem insurmountable, but, if we all continue to work together, we can overcome them to make a significant, lasting and positive difference for all the people of Northern Ireland.

**Mr Principal Deputy Speaker:** I call the Deputy Chair of the Health Committee, Mrs Pam Cameron, to make a winding-up speech on the motion.

**Mrs Cameron:** I thank all the Members and the Minister for their contributions, some of which have been very personal. I greatly appreciate them. The debate has been a good opportunity to talk about mental health and to acknowledge that we all have mental health and that, at times, our mental health may go up or down. The key point is that we need to provide support to those who need it at the time that they need it.

When making a winding-up speech, Members normally outline the comments made by other Members. Members' comments are on the

record, however, and, this afternoon, I want to give a voice to the young people whom we met last week, who outlined the very real impact that lockdown has had on them. They provided their thoughts and ideas about how we can improve access to services for children and young people. The comments from those young people were interesting and challenging. The young people outlined their worries and fears over the periods of lockdown. Many of them were primarily concerned about the impact of COVID, not on them but on their families. They had concerns about their parents' work and businesses and the health and well-being of their parents, grandparents and siblings. That reflects very well our young people.

At that meeting, the young people talked about the difficulties that they faced during lockdown. They raised issues such as lack of access to their friends and to a normal routine. They all outlined that they find online classes difficult, and some of them mentioned that their grades suffered as a result of the change to schooling. They mentioned that they missed hanging out with their friends, participating in sports and going to youth clubs and discos. They spoke of the role that they and their peers play in one another's mental health and well-being. They are the ones who can identify when their friends are struggling and talk to their friends about the issues that they face.

The young people outlined that there is additional stress due to inconsistent advice about school exams. They also came up with great ideas for addressing some of those issues. They were clear that they fear not being heard and that they want to be involved in contributing to decisions that are made about them.

We need to be creative in our solutions, and our children and young people are best placed to inform policy. The issues faced today are very different from the issues that we faced growing up. Today, it is all about social media and pressures relating to access to and the cost of further and higher education.

We need to listen to the children and young people. Some of their comments were challenging. They outlined that discussions about health and well-being in schools can sometimes feel like box-ticking exercises and that there can be too much talk about mental health and not enough action. The young people outlined that it may be good to provide more information and workshops on well-being through youth clubs and sporting organisations, and that that could be a route to normalising conversations on well-being.

We heard from a member of staff based in Beechcroft, who shared the experiences of young people who are based there and spoke of the difficulties that they face. Those include being restricted from leaving the site, having poor internet connection and having restricted access to outside space and visitation. All those difficulties have a negative effect on the mental health and well-being of vulnerable children and young people. We need to do our best to protect and support those vulnerable children and young people.

The Chair outlined the lengthy waiting list for our children and young people in accessing CAMHS. There are over 900 people on the waiting list, over 380 of whom have been waiting for over nine weeks. Supporting our young people in a timely manner must be a priority for the Minister. The Committee will keep prioritising this issue. We look forward to seeing the mental health strategy soon and hope that it clearly outlines how the Department will address the very real issues that people face.

We welcome the Department's 'Take 5 Steps to Wellbeing' publication and the Protect Life 2 suicide prevention strategy. We underline that those strategies are key to addressing some of the issues that communities face. We need to see the Protect Life 2 strategy being resourced and monitored. Our young people need to understand that it is OK not to be OK, but that it is also OK to be OK. They are not alone. If they are struggling, I encourage our children and young people to speak to someone whom they trust: a family member, a friend or a teacher. I encourage them to connect and to share their worries and fears.

I will share a quote from Christopher Robin of 'Winnie-the-Pooh' fame:

*"Promise me you'll always remember:  
You're braver than you believe, and stronger  
than you seem, and smarter than you think."*

With your indulgence, Mr Principal Deputy Speaker, I will make some remarks as the DUP health spokesperson. We fully support the motion and the overriding principle of achieving parity of esteem between mental and physical health.

We understand the mental health crisis that is engulfing our society. Too often, we see lives devastated following suicide. For others, it has been about the debilitating impact of mental illness on the lives of individuals and families. There has been too much suffering and

heartbreak, and there is a great need for support and intervention.

### 3.15 pm

We have done a great deal of talking about mental health need in Northern Ireland, but we have not necessarily backed it up with meaningful action. That can be evidenced by funding. The funding deficit for mental health services in Northern Ireland, despite our 25% higher rate of incidence, is simply not sustainable and must be addressed by a strategic, targeted investment programme moving forward. I welcome the Minister's announcement of a mental health fund, as it is long overdue. It is scandalous that, in our society, we have counselling services that do amazing, life-saving, life-improving work yet they have nowhere to turn to for funding. They turn to their local trust to battle for access to support. They turn to their council, which has no statutory basis to support mental health. Those issues need to be addressed now.

The use of single-year budgets severely hampers the ability to plan or to develop services and the workforce. Furthermore, psychiatry and other specialisms have high staff vacancy rates, and we need to invest in graduate and training places and incentivise the expansion of the mental health workforce.

We need a specific focus on the mental health and well-being of our young people. The isolation of lockdown has exacerbated many issues. Research has shown that half of mental health disorders develop before the age of 18, so it is vital that there be a strong focus on prevention, resilience and early intervention, particularly in vulnerable families, in deprived areas and in circumstances of substance misuse. Earlier intervention in all aspects of mental illness can promote better short- and long-term outcomes. A focus on mental health passports is key to that, particularly as we know that the incidence of illness among children and young people is increasing, and there is a requirement to be able to track previous interaction with services in order to avoid duplication of work.

I want to highlight the key issue of eating disorders. Recently, I met Nichola from Beat, which is an eating disorder charity and support organisation, and she outlined the dramatic rise in cases. Eating disorders are a serious mental illness that affect people of all ages, genders and backgrounds. One in six young people in Northern Ireland experiences disordered eating. In 2020, Beat received 120% more calls to its helpline from people in Northern Ireland than it

did in 2019. The number of referrals to eating disorder services increased by 43% between March 2019 and September 2020. It is a matter of concern, as, according to the draft mental health strategy, outcomes for patients with eating disorders in Northern Ireland are lower than those for patients in close jurisdictions.

I welcome the comments in the mental health action plan about reviewing eating disorder services and developing a new service model. I ask the Minister to ensure that the voluntary sector and those with lived experience are included in co-designing and co-producing the new regional eating disorder service model. The new model must be accompanied by measurable targets to support early access to specialist treatment, with sufficient investment to make targets achievable. The time has gone. The overriding message has to be about the need for action, not words. We need delivery, not dithering, because, as a society that spends £7 million a year on antidepressants, we have a mental health pandemic that needs life-saving intervention.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes that the week commencing 10 May was Mental Health Awareness Week, which annually provides the opportunity to highlight the importance of mental health; further notes the 2021 health inequalities report, which identified continuing mental health inequalities; recognises the detrimental impact that COVID-19 has had on the mental health and well-being of the population, including our children and young people; further recognises the positive public health campaigns around mental health, such as Take 5; advocates that people seek support to talk about their mental health; and supports the Minister of Health to achieve parity of esteem between mental and physical health by increasing spending on mental health services, fully implementing the Protect Life 2 strategy and progressing the 10-year mental health and substance use strategies.*

**Mr Principal Deputy Speaker:** I ask Members to take their ease for a few moments. We will move on to the next item of business after there is a change at the top Table. Thank you very much.

*(Mr Speaker in the Chair)*

## Private Members' Business

### Public Inquiry into the Murder of Human Rights Lawyer Pat Finucane

**Mr G Kelly:** I beg to move

*That this Assembly notes that it is 31 years since the murder of human rights lawyer Pat Finucane, and almost 20 years since the British Government committed to a full and independent public inquiry into the circumstances surrounding the murder; further notes the Supreme Court ruling that there has not been an article 2 compliant inquiry into the murder; is concerned at the refusal of the British Government to hold the public inquiry that they promised; is further concerned that the British Government's approach risks undermining wider confidence in the rule of law and the administration of justice; reiterates that a public inquiry is the most effective means to get the truth about the scope and extent of state collusion in this murder; urges the British Government, in the public interest, to reconsider their response to the Supreme Court ruling; recognises, on 12 March 2021, the reopening of supervision by the Council of Europe Committee of Ministers into the murder of Pat Finucane; further recognises the significance of this unusual step by the Council of Europe Committee of Ministers, which acknowledged, with profound concern, the delay in ongoing legacy cases generally whilst resuming supervision of measures by the UK Government in order to ensure they are adequate, sufficient and timely; calls on the British Government to establish the Historical Investigations Unit and the other Stormont House Agreement legacy mechanisms so that families of all victims have access to human rights-compliant investigations; and further calls on the British Government to initiate the independent, public inquiry they promised to the family of Pat Finucane in 2001.*

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr G Kelly:** I am grateful to be afforded the opportunity to speak on a very important cross-party motion.

I acknowledge that any discussion of legacy matters brings with it a number of different

views and perspectives. I am aware that there are many families across the whole community who live with the consequences of the death or injury of a loved one and that, even with the passing of time, the loss and pain do not diminish. Members do not need me to tell them how difficult the consequences are to deal with.

I do not underestimate the challenge involved in dealing with legacy matters. That does not mean, however, that we should shy away from those challenges, nor should it be beyond us to conduct the debate in a respectful manner. In its response to the NIO legacy consultation, Sinn Féin called on the British Government to fulfil outstanding Weston Park legacy agreements and to hold a public inquiry into the state killing of human rights lawyer Pat Finucane. In setting out our remarks, I will speak to the facts of Pat Finucane's killing and the need to answer the family's key question about who pulled the trigger. I will also ask this: who pulled the strings?

Human rights lawyer Pat Finucane was killed at his family home, 32 years ago, on 12 February 1989. For 32 years, the Finucane family has spoken the truth to all who would listen. The family has been an inspiration to many others who have sought the truth during that period. The Finucane family believe that the killing of Pat, a much-loved son, brother, husband and father, was British-state-sponsored murder. It is known that the man who killed Pat, the man who provided the weapon and the man who provided the intelligence were all British state agents. It is known that the Force Research Unit (FRU) inserted Brian Nelson, who was on the MI5 payroll, into the UDA. Nelson was involved in countless killings himself. It is known that, of the 210 people arrested as part of the Stevens investigations, only three were not working for the British state. It is known that 85% of UDA intelligence came from British security force sources. The UDA was not proscribed until 1992. These facts provide clear evidence that agents of the state were directly involved in authorising and planning the killing. On the balance of probability, there is general acceptance that an officer or officers from the RUC did propose Pat Finucane as a target for assassination. That is why former British Prime Minister David Cameron himself acknowledged that there had been "shocking" levels of collusion in the killing.

Yet, while the facts are clearly accepted, they do not address questions of public interest that should concern all citizens. Who ordered the killing, and why? Who knew what, and when? Thirty-two years on, these questions have not been answered. It is a statement of fact that the

British Government have frustrated and blocked answers to these questions. They even brought in an Inquiries Act in 2005 to secure secrecy around the role of the state in the killing. That is despite a political commitment by the British Government at the Weston Park talks in 2001 to hold a public inquiry.

The Supreme Court ruled in February 2019 that all previous reviews, including the Stevens Inquiries, the work of Judge Cory and the research of Desmond de Silva, were incapable of establishing the full facts, failed to meet article 2 standards, were not effective and did not fulfil international human rights standards. The publicly known facts clearly indicate a web of conspiracy and deceit and that there was an overarching state conspiracy. The British Government's strategy was clear. They used key figures in the UDA as their proxies to advance a policy of state-sponsored killings. Concealing the level of state involvement is the real reason why, after 32 years, there has been no public inquiry. The British Government's approach of resisting investigation into the killing and their role in the conflict more generally should concern all of us, particularly now that they seek to introduce an amnesty for state actors.

On 24 November 2020, Members of the US House of Representatives expressed concern that:

*"the British government has refused to live up to its responsibility, and is violating its commitments to establish the inquiry."*

I can only conclude that the decision by Brandon Lewis to resist the public inquiry, and to involve the PSNI and the Police Ombudsman, amounts to more of the same tactic of obstruction, frustration and delay. The responses from both Governments to his decision are instructive. The Office of the Police Ombudsman has said:

*"at this stage events connected to the murder of Pat Finucane are not central to any of our ongoing investigations".*

Alongside that, the PSNI said that there were:

*"currently no new lines of inquiry".*

A four-party letter that was signed and sent to Brandon Lewis, urging him to consider his response to the Supreme Court ruling, stated:

*"Both responses raise serious questions about your decision, your approach and why you have rejected a public inquiry."*

At its core, the British approach is to delay, frustrate and deny accountability.

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

**Mr G Kelly:** No.

It is long past time that the British Government's policy and practice of collusion was subject to a public inquiry and, indeed, the rule of law. In summary, the killing of Pat Finucane is a matter of significant public interest. This is not an issue for narrow politicking and political consideration.

The scale of concern about legacy cases has been acknowledged by the Council of Europe's Committee of Ministers in Strasbourg, which has reopened the supervision of the Finucane case.

**3.30 pm**

The unanswered questions around the killing are very much an open wound for the Finucane family. With all other avenues exhausted, there is only one investigative option left to the Finucane family that can examine information and compel and cross-examine witnesses: a full public inquiry. Only a public inquiry can assist the family to get to the truth about the scope and extent of British state collusion in the killing.

The decision by the British Government to block a full public inquiry is a matter of public and international interest. I urge Members to support the motion and call on the British Government to hold a public inquiry into the killing of Pat Finucane in 1989.

I will finish on this point. Sometimes people say, "Why the Pat Finucane case?" Remember that, at Weston Park, it was agreed that five investigations would go ahead. Four went ahead. Pat Finucane's case did not. If what happened to Pat Finucane is not exposed and admitted by the Government, it can happen again to anyone.

**Mr Speaker:** Before I call Paul Frew, I note that some devices are interfering with the recording system. Maybe people could desist from using their devices.

**Mr Frew:** The murder of Pat Finucane was an abhorrent and appalling act that could never, should never and will never be justified. We recognise the devastation of that loss for the

family, and we do not wish to add to anyone's pain. The Finucane family, like so many others, deserve justice.

This particular case has had Weston Park, the Cory inquiry, the de Silva report, the offer of public inquiry legislation, which was rejected, and, most importantly, a criminal trial and successful conviction. There were other murders. Are we in danger of creating a hierarchy of investigations if we do not remember all the victims, all the unsolved murders and all the investigations yet to be concluded?

I think today of the 211 RUC widows and of the victims of La Mon, Kingsmills, Bloody Friday, Teebane and Narrow Water. Is it right that the House can select individual cases for special treatment when so many families are still grieving their loss, impacted day by day, with no prospect of justice? With no prospect of justice, they have no prospect of truth, and that is just as harmful.

I say that because I believe that, at the source of the motion, there is hypocrisy from Sinn Féin. We saw Sinn Féin's refusal to cooperate with Smithwick or any other legacy investigation. I ask the parties that purport to occupy the middle ground why they would place more significance or importance on one case or another, instead of all the cases that remain unsolved.

Every family and every victim should be treated equally. Every person involved in wrongdoing must be held accountable in a fair and even-handed way. Consideration of whether to grant a public inquiry in this case must include consideration of all the other unresolved cases. It is not, on its own, good enough to suggest that attention should be on this one, albeit very serious, case, simply because of suspected collusion by security services or British intelligence or individuals within.

We know from numerous security reports and personal accounts that the IRA and other terrorist death organisations were heavily infiltrated by informants and agents. That fact alone is why so many people are alive today, and it is the single biggest reason why the IRA was defeated. That is an undeniable fact. With that in mind, I will ask this: what about the victims of terrorist violence? What about the many innocent people who were gunned down on their doorstep, at their work or travelling home from work and whose families have never received justice, a trial, a conviction or even the truth?



As a political party aspiring for power, Sinn Féin cannot expect the Government in power, or any Government for that matter, be it a British or an Irish Government, to be on a higher plane than itself or to set a level higher than it sets as a political party. Whilst I will fight tooth and nail for truth and transparency, that goes across the board. I appeal to Sinn Féin as a party to tell us what it knows. Mr Kelly, a colleague across the way —

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

**Mr Frew:** — asked a number of questions. Who pulled the strings? Who ordered the killings? Who knew what and when? If only Sinn Féin would open up and tell us the truth.

**Ms Mallon:** I thank those Members from across the parties, including my party colleague Dolores Kelly, for tabling this important motion. I will begin by paying tribute to the family of Pat Finucane, which, led with such dignity by his wife, Geraldine, has been campaigning in the face of obstruction for truth following the brutal murder of Pat in 1989.

Pat Finucane was having Sunday lunch with his family in North Belfast when he was murdered in front of his children. His wife was left without her soulmate, and his children were left without their father. That family has not only had to struggle with the pain and trauma of that horrific act, which it was forced to witness, but has had to battle for the truth, and it continues to battle for the truth. The murder and the ongoing failure by the British Government to honour the commitment that it made to the Finucane family is shameful.

Yesterday, I stood in this spot speaking about the Ballymurphy families. Today, I stand speaking about the Finucane family.

**Mrs D Kelly:** I thank the Member for giving way. Will the Member address Mr Frew's point about how it should never be about one family over another?

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

**Ms Mallon:** I absolutely will. While yesterday I stood speaking about the Ballymurphy families and today I am speaking about the Finucane family, the truth is that I could stand here every day talking about the many, many families who have been denied and continue to be denied truth and justice for the lives of their loved ones, which were stolen by state or paramilitary violence.

Last year, the SDLP leader, Colum Eastwood, stood in the House of Commons and pressed the British Government to act in the case of Pat Finucane. In calling them out, Colum Eastwood said:

*"It means that a previous British Government murdered a human rights lawyer in Belfast in front of his family and that they have denied every single opportunity to give the family what they absolutely deserve, which is the full truth in the matter."*

In the words of the former British Prime Minister David Cameron, there were "shocking levels of ... collusion" involved in what happened to Pat Finucane: shocking levels of collusion.

The truth is that the British state murdered Pat Finucane, a loving husband and father from North Belfast. The British state murdered a human rights lawyer in Belfast and, by extension, attacked the justice system in Northern Ireland. The British state murdered him in front of his young family, and consecutive British Governments have denied Geraldine Finucane and her family access to the truth and justice that they deserve. The question today is this: what are the British Government going to do about it? When are they going to honour the commitments and agreements they have made? For all our differences in this place, we all know that victims across our society have been shamefully treated.

We know that the British Government would prefer that it was all swept under the carpet. However, there can be no amnesty for perpetrators of violence, from wherever they come. All victims deserve legacy to be dealt with once and for all, and that means getting at the truth. If we do not deal with that properly and establish the mechanisms to access the truth, we will deny current and future generations a way forward. The only way forward is through access to truth, justice and accountability. Therefore, today, we must unite and send a clear message that no one can be denied the truth. We in this place have a responsibility to seek and expose the truth. We have a responsibility to all victims to support them to get that truth and justice.

For the Finucane family, that means ensuring that they get the full public inquiry that they were promised back in 2001. The British Government cannot and must not be allowed to cover up that murder. The British Government cannot and must not be allowed to treat the Finucane family, or any family, with such

contempt, as they have done for many years. Without the truth, we simply cannot heal. Anyone who has met and listened to victims will know that pain and grief are compounded by the trauma and hardship of being denied access to the truth.

In closing, I make this very clear to the British Government: if they take the same approach to legacy as they have taken to Pat Finucane's case, which is to lie, deny and cover up the truth, they will not have the SDLP's support in making their legislation. We want to get to the truth. While we will always work to access the truth, we will not accept less than what victims deserve. We need to get back to the Stormont House Agreement and deal with the past with full judicial power. If we do not, not only will victims of our past be failed but future generations will be infected by the hurt and pain of our conflict.

**Mr Beattie:** I reflect on Mr Kelly's words at the start, which were that the debate should be dignified because we are talking about victims. I will attempt to be dignified. However, I must say that I am disappointed with the motion, which was an opportunity to say that many people out there are suffering and deserve justice in exactly the same way.

Without a shadow of doubt, Mr Finucane deserves justice. However, the moment that we start to categorise and say that, because he was a lawyer, he deserves something extra, we forget about the rest. What about members of the judiciary? Resident Magistrate William Staunton was murdered in 1973 outside a secondary school. Resident Magistrate Martin McBirney was murdered in 1974. Judge Rory Conaghan was murdered in 1974. Judge William Doyle was murdered in 1983 as he left midnight mass. Elected UUP member Edgar Graham was murdered outside Queen's University in 1983. Judge Maurice Gibson, who was in his seventies, and his wife were murdered in 1987. All those murders were wrong. All those victims deserve justice. However, the opportunity that is missed by the wording of the motion absolutely belittles those very people. We need only have put in the motion that we reflect on those murders, because they were an assault on our judiciary.

**Mr Frew:** I thank the Member for giving way and for the positive way in which he has conducted himself, as has everyone, in the debate. Does he agree that those attacks were not only on the individuals but on justice itself and that it was to undermine justice that those people were slain?

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

**Mr Beattie:** I thank the Member for his intervention. Absolutely, and that categorises why people try to get rid of those who are from the justice community, including Mr Finucane, who — I will say it again and will always say it — absolutely deserves truth and justice, as does his family. However, let us not forget the likes of magistrate Thomas Travers, whose whole family they tried to exterminate. They tried to murder him. They tried to murder his wife. They murdered his daughter Mary, a 22-year-old teacher, as she was coming out of mass. That was an assault on the judiciary.

The motion includes not even a passing comment on any of those murders.

That is why I say that it is an opportunity lost. I can stand up and say that it is an opportunity lost, so I would not support the motion because I do want to see justice for Pat Finucane. However, I cannot support the motion because I do not support the Stormont House Agreement. It is an amnesty for perpetrators, and you have all signed up to it. The Ulster Unionist Party may well be the outliers, but we have not signed up to the Stormont House Agreement, because, under it, if you lost your legs, if you were burned, if you were blind, if you were psychologically damaged, if you were left in a wheelchair and nobody was killed, you would not get an investigation. Under that agreement, if you are kidnapped in Northern Ireland, taken across the border into the Irish Republic, tortured and murdered, you do not get an investigation because the agreement is geographically fixed. If you had a HET desktop review, you would not get an investigation. That is the reality of it.

**3.45 pm**

People have said to me multiple times that the Stormont House Agreement is not perfect. Of course it is not perfect, but, under that agreement, it is an amnesty for those people because there were no fatalities. That is why we cannot support it. That is the reality. That is what you are saying. In one breath, you are saying to everybody, "We do not support amnesties", and, in the second breath, you are saying, "As long as there was no fatality, I am happy enough to support that guy not being brought up". In case anybody thinks that I am extrapolating something that is not there, the first thing that I did when I became the justice spokesperson for the Ulster Unionist Party was to write to the PSNI and ask, "What happens to

the injured? Do they get an investigation?". The police replied that they had no obligation to investigate when there was no fatality.

We cannot support the Stormont House Agreement. That is what is in the motion, and that is why we cannot support it. I know that we are the only ones. Some Members may agree with me and others may not, but I am being truthful and factual, and we cannot support the motion for that very reason.

**Mr Muir:** As other Members referenced, I hope that this is a respectful debate. The brutal murder of Pat Finucane 31 years ago in front of his wife and three young children was a despicable crime. Since the day of the murder, the Finucane family has campaigned with great dignity for the full independent public inquiry that it was promised by the UK Government in 2004.

The Supreme Court's 2019 ruling that none of the previous investigations had been compliant with article 2 of the European Convention on Human Rights was unambiguous. On behalf of the Alliance Party, my colleague Stephen Farry MP strongly opposed the Secretary of State's decision earlier this year not to announce a full independent public inquiry into the murder of Pat Finucane.

Where there is clear evidence of state collusion, as the UK Government have recognised in this case and as Nichola Mallon outlined, there are serious public interest issues at stake. That is why a full independent public inquiry into the murder of Pat Finucane, with the power to compel documents and witnesses, is necessary. Nothing short of that will suffice. The reason for that is that the state has a fundamental duty to protect its citizens from harm.

The state did that in many instances, courtesy of the numerous brave men and women who served in our security forces, too many of whom were killed and injured. That is a fact that I know all too well from people whom I know who were injured or left bereaved as a result of serving or having family members murdered.

Today, however, we are talking about the state failing in its duty to protect its citizens from harm and the extent to which it was found to be involved in collusion, resulting in the death of a citizen. For such a thing to occur is a grave matter of serious concern. On those occasions, a full, complete, thorough and open public inquiry is essential to give a comprehensive, open and transparent understanding of what happened.

In speaking in support of today's motion, I know that there will be a view from some on why there is not also a motion regarding their loved ones who were brutally murdered during the Troubles. The pain of those families is no less important or less great than anyone else's. Far too many crimes occurred during our Troubles, all of which I condemn. The failure to deliver comprehensively for all victims continues to inhibit efforts to build reconciliation in Northern Ireland.

**Mr Humphrey:** I am grateful to the Member for giving way. I am pleased to hear him say that he condemns all violence and murders in Northern Ireland. Is the problem not that the party proposing the motion simply does not and will not do that? The other difficulty is that it continues to glorify terrorists and terrorism. On many occasions, key members of that party in this House have done just that.

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

**Mr Muir:** Thank you very much, Mr Speaker. I thank the Member for his intervention.

In order to build reconciliation and a shared future, we need to address our past adequately. That requires some people to come to the debate and discussion with a degree of honesty and grace and a degree of understanding of the hurt that was caused and to have the ability to bring themselves to apologise for some of that. Thus far, that has been lacking in many instances in Northern Ireland.

It is the responsibility of all parties in the Chamber, along with the British and Irish Governments, to find a way forward to deliver for all victims. Legacy issues cannot continue to be dealt with in a piecemeal fashion, which is unfair to those who should be at the forefront of our mind in all such matters: the victims. The Alliance Party continues to support the provisions of the Stormont House Agreement. In cases in which there is evidence of collusion, wherever that collusion may come from and whoever is behind it, it must be fully exposed. The Alliance Party fully acknowledges the pain and suffering of all victims and survivors of Troubles-related murders. We continue to champion an approach that is victim-centred and that facilitates the pursuit of truth and justice and the promotion of reconciliation.

The recent actions of the UK Government, including the failure to launch a public inquiry into the Pat Finucane murder and the proposals

to introduce an amnesty for Troubles-related cases and how that was announced, show a deeply concerning, callous and cavalier attitude to victims and survivors. The actions of the UK Government reflect an abandonment of the Stormont House Agreement, which, although imperfect, remains the most viable way in which to deal with legacy issues in Northern Ireland.

I conclude by paying tribute to all victims and survivors of the Troubles and their families, including the Finucane family, as they continue to seek truth and justice. It is imperative that everyone in the Assembly work together to honour our commitments to them.

**Ms Ennis:** I support the motion. Following on from what my colleague Gerry Kelly said earlier, I, too, am aware that so many families across our community live with the consequences of the death or injury of a loved one during the conflict. For the record, all those families deserve answers and as much information as possible. Today, however, we are speaking about the state-sponsored murder of human rights lawyer Pat Finucane in 1989.

Commitments were made 20 years ago at Weston Park to hold an inquiry into the state killing of Pat Finucane. Twenty years on, there is still no inquiry. People may ask why. The simple answer is that it is to deny truth to the Finucane family about the British state's role in the planning, orchestration and, ultimately, cover-up of the killing. It is also about continuing the practice of impunity for those in the upper echelons of the British establishment who developed the policy of collusion, gave the orders and pulled the strings of those involved.

During the Stormont House Agreement negotiations in 2014, it was very clear to us from engagements at the time that the families wanted choices when seeking answers about the loss of a loved one. Some families wanted information. Others wanted a storytelling option, while others wanted investigations. What was most clear was that they wanted to make the choice. Despite widespread public support for key elements of the Stormont House Agreement and strong opposition to any form of amnesty, statements by the British Government represent a clear and cynical departure from the policy intent and the mechanisms outlined in that agreement.

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

**Ms Ennis:** No, I will not. Thank you.

The British Government's real intent to legacy was laid bare in a Westminster statement on 18 March 2020 from Brandon Lewis. That represents a significant, considered and calculated breach of trust. What we are now witnessing is the outworking of the same approach to the Finucane family: the lack of progress on implementing the Stormont House Agreement. Yet again, the British Government enter into agreements and then simply refuse to implement them. In a brazen manner, they stonewall and drag their feet. They care little for the delay and frustration caused to families. Just look at how they treated the Ballymurphy families last week. Despite having 50 years to prepare, they could not deliver a meaningful apology, because they just do not care enough about Irish lives.

I set all that out to make the point that, when it comes to legacy, the British Government's primary focus above all else is to protect their own narrative of the conflict, to protect their own forces and to shut down any investigation of their role in the conflict. Where else would you get a Prime Minister acknowledging "shocking levels of collusion" in the killing but then refusing to direct an investigation?

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

**Ms Ennis:** No, thank you.

They do not want any investigation of the killing of Pat Finucane, because they know what happened. They wrote the script, and, to this day, they continue with the cover-up. In refusing to direct a public inquiry, the British Government are covering up state — state — murder. That should concern everybody in the House, and that must be exposed and challenged.

I urge Members to support the motion and to support a public inquiry into the British state killing of Pat Finucane.

**Ms Dillon:** I thank the Members who have contributed to the debate so far. I support the motion. At the outset, I would like to acknowledge what we are talking about. We are talking about the murder of a loving father, a husband, a brother and a son. My thoughts as we speak to the motion are with the Finucane family and all the families that lost loved ones during the conflict.

This is a family that has been fighting now for over 30 years for the basic right of an article 2 compliant investigation of the killing, and we are 20 years after a commitment from the British

Government themselves to hold a public inquiry. The family deserves to have closure. They deserve to be able to grieve and finally lay Pat to rest in the knowledge that an inquiry has been carried out and that the truth has been laid bare about the events of that day. In the words of a previous British Conservative Prime Minister, as has been outlined by other Members, there were "shocking levels of collusion" in the killing of human rights lawyer Pat Finucane.

This is not an ask of me, Linda Dillon. It is not an ask of Sinn Féin or the SDLP. Indeed, three separate reviews — by Judge Cory, Lord Stevens and Sir Desmond de Silva — found that there was state collusion in the killing. Yet here we are, 17 years after Judge Cory's findings and recommendation that there be a public inquiry, and this family is still waiting, still campaigning and still fighting for the basic right of an article 2 compliant, independent investigation of the killing of Pat Finucane, which, the Supreme Court has ruled, has not yet been carried out.

I was elected to the Assembly in 2016. I was part of the team that negotiated with the two Governments and all the other parties, including the Ulster Unionists, to get the Stormont House mechanisms that had been agreed in 2014 implemented. I accept that those mechanisms are not perfect, but I can categorically state that they do not provide an amnesty for anyone, and there is nothing to prevent further investigation of any issue. It may not be provided for in the agreement, but there is nothing there to prevent it, so it is an amnesty of no type, shape or fashion.

I would also like to acknowledge that those were the mechanisms that were consulted on. There was an overwhelming response to the consultation of over 17,500 people. Earlier, the Health Minister said that there were, I think, 468 responses to his mental health consultation. That is a massive issue, which we all have an interest in, here in the North at this very time. A total of 17,500 people, many of whom were victims or had lost loved ones, responded to that consultation. They acknowledged that it was not perfect.

It does not give them everything that they want, but it gives them the best opportunity to have, at the very minimum, an article 2 compliant independent investigation, and then an opportunity for truth and justice. It is not a certainty — I accept that — but at least an opportunity.

**4.00 pm**

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

**Ms Dillon:** No.

At what point will the British Government stand by the agreements that they made in relation to a full public inquiry into the killing of human rights lawyer Pat Finucane and to implement the agreed mechanisms so that all families, right across our community, can access the truth? Everyone has a right to an article 2 investigation into the death of their loved ones. Everyone is entitled to have timely access to due process. Everyone has a right to have access to agreed processes to obtain information recovery. Those rights and entitlements are for all of our citizens, irrespective of their background or political persuasion. That is the right of the Finucane family, and I ask all of you in the House to support the motion and make it clear that you are supportive of all victims of the conflict getting access to those rights.

**Mr Storey:** I had not intended to speak, but having listened to contributions from the party opposite, I want to make a public plea in the Assembly today. When are we going to get the truth about the IRA? The murder of Pat Finucane — and that is what it was. Let us not try to equivocate; that is what it was. But there are families in Northern Ireland today who know who pulled the trigger and who committed the crime but, because of deals that have been done, whether for on-the-runs (OTRs), letters of comfort or royal pardons — let us think about the magnitude of this. Republicans who claim to be the real champions of the cause get a royal pardon from Her Majesty The Queen. That is how brave members of the IRA were.

Let us talk about truth. I mentioned it in the debate earlier today. The iconic figure in republicanism was Bobby Sands. We now know that a letter was sent from prison, and I am sure that the Member opposite, Mr Kelly, who was in prison, could tell us more about that. What did that letter tell us? That Bobby Sands's dying wish was that he not be buried in Milltown. Yet the republican agenda was more important.

**Mr Humphrey:** I am grateful to the Member for giving way. The Members across the way talk about information being withheld — I have absolute sympathy around that; the House has condemned the murder of Mr Finucane and has called for justice for his family — but they may well have, and their organisation certainly does have, information about Jean McConville, who was abducted, murdered and disappeared by D

company of the IRA in 1972. Her body was not found until 2003, and her 10 children were left for all that time knowing nothing about their murdered mother.

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

**Mr Storey:** Thank you.

Sadly, we could go down a list. There is a call today for a public inquiry. Let us remind the House of the most expensive public inquiry that we have had in these islands — the Bloody Sunday inquiry. Let us remember that when that inquiry was held and people wanted to get to the truth, what did the late Martin McGuinness do when he went to the inquiry? He invoked the IRA code, the code of an illegal terrorist organisation that has created orphans and widows and destruction. They were no freedom fighters.

The party opposite wants to sanitise the past. Some of them, sadly, go to commemorations and eulogise, and then they come to the House and give a bland, "We're sorry". They do not do that when they put on paramilitary garb and commemorate the IRA, which was a terrorist organisation.

If we are going to get the truth, and if we want to know the truth, why did Martin McGuinness not tell the truth to the Bloody Sunday inquiry? Why do we not know the truth about Stakeknife, Fisherman and all the secret agents who were in the republican community? Let us have the truth — not part of the truth, not some of the truth — so that Northern Ireland can move on. I want this country and its people, from wherever they come, to live in peace, but we will not be able to achieve what we want to achieve when there are those who want to continue the dirty war in which our people were massacred by terrorist organisations. Let us have the truth; let us have it all.

**Mr Blair:** I will return, if I may, to the matters of the motion and address my remarks within its confines. I repeat, because it is worth repeating, that, 31 years on, questions remain unanswered about the killing of Pat Finucane, and only a public inquiry can now assist the Finucane family in getting truth about the scope and extent of state collusion in Pat Finucane's killing.

The UK Government have already accepted that collusion occurred in the case, and it has been almost 20 years since they committed to a full and independent public inquiry into the

circumstances surrounding the murder. The constant foot-dragging about an article 2 compliant investigation suggests an institutional resistance to the full discovery of the facts. Complete disclosure of the context around the murder is critical for the accountability and integrity of the rule of law.

The anger and frustration felt by many at the Government's approach and the decision not to hold a public inquiry are warranted and understandable. Holding a public inquiry is the only opportunity for the UK Government to restore wider confidence in the rule of law and the administration of justice. The failure of the UK Government to establish a public inquiry into the murder falls short of a Supreme Court ruling, which required an article 2 compliant investigation. That failure, of course, brings further delay to the Finucane family, who have shown great dignity in their pursuit of an outcome.

To Geraldine Finucane and the family, we can only say today that we share the frustration, and we offer our sympathy. Their story, like those of many others, is a stark reminder of the darker days, to which we as a people must never return. Those of us who, as local representatives, stood with victims and families across north Belfast and Newtownabbey in so many instances in the 1980s and 1990s, which I did and which, I know, Members did in other places, know only too well the story to which I refer.

We are reminded that the Government approach is falling far short of the needs of victims. There are thousands of Troubles' victims who continue to seek truth and deserve justice. In the case that we are discussing today, a public inquiry is necessary and is due. Like my colleague Andrew Muir, who spoke earlier, I, with Alliance colleagues, support the motion.

**Mr Allister:** Of course the murder of Pat Finucane was foul and wrong, like every terrorist murder in the Province. Yes, there are things that set the Pat Finucane case apart, particularly when compared with the hundreds, nay thousands, of unsolved cases in the Province.

Here are some of the things that distinguish the Pat Finucane case. The family got a criminal trial. How many can say that? The family got international inquiries and the involvement of international judicial figures. How many can say that? The family got a prime ministerial apology. How many can say that? The family were offered a public inquiry under the Inquiries Act

2005. How many can say that? When they were offered a public inquiry, in which a judge would have had powers to compel witnesses and command the production of papers, what did they do? They rejected it.

What did Mrs Geraldine Finucane do on 14 April 2005? She wrote to every senior judge in England, Scotland and Wales and urged them to not accept the appointment if they were asked to chair the public inquiry under the Inquiries Act. Those are the facts.

**Mrs D Kelly:** I thank the Member for giving way. Will the Member also state the fact that the Secretary of State holds the power to invoke national security by withdrawing and refusing the disclosure of information to any inquiry that is established under that Inquiries Act?

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

**Mr Allister:** The Inquiries Act applies universally and equally to everyone. If the Member is saying that we need some sort of special treatment for this member of republican royalty and that the law of the land needs to be changed specially for them, let us hear it. Just like the Tribunals of Inquiry (Evidence) Act 1921, the 2005 Act contains those necessary protections. That is what anyone else in this country has to operate under.

Mr Beattie rightly referred to many legal figures who were murdered. I would like to remember some of them. I knew some of them. He mentioned the very first one who was murdered in Northern Ireland: Resident Magistrate William Staunton, a Catholic who had the courage to serve. Next was Judge Rory Conaghan. Both of them were shot in front of their primary-school children. Robert McBirney, another magistrate, was murdered on the same morning as Magistrate Conaghan. What did the IRA say about the two murders that morning? It said that they were murdered because they were:

*"willing agents of a most corrupt, rotten and evil judicial system".*

That was the deference shown to legal judicial figures, and now we hear talk about some special treatment for the misnomer of a human rights lawyer. You are either a lawyer or you are not.

Then, of course, we come to the murder in early 1983 of a man I knew, Judge William Doyle. What was he doing? He was at Mass. He was

giving a 72-year-old woman a lift in his car after Mass, and they were both shot. He was killed, and she was seriously injured. Sixteen months later, we had the attempt to wipe out the entire Travers family. Young Mary Travers was shot, again coming out of Mass. Her father was filled with bullets, and her mother survived only because the gun jammed. What was the Sinn Féin response? It was to make one of her murderers a special adviser in the House.

Then we had the murder of Lord Justice Maurice Gibson and his wife, Cecily. They were murdered at the border by a massive bomb. The couple were identifiable only by their dental records. Then there was an attempt to do the same with Judge Eoin Higgins, but they got the wrong family.

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

**Mr Allister:** They murdered the Hanna family —

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

**Mr Allister:** — from Hillsborough. So, when we consider the hypocrisy —

4.15 pm

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

**Mr Allister:** — of Sinn Féin in constantly demanding special treatment and special status for Finucane —

**Mr Speaker:** Mr Allister, resume your seat.

**Mr Allister:** — let us remember those who were murdered by its organisation.

**Mr Speaker:** Mr Allister, resume your seat, please. You are subject to the same rules and regulations of the House as every Member who has respectfully adhered to them.

**Mr Carroll:** In this past week, we all witnessed the importance of getting the truth and, finally, getting an acknowledgement that what happened to people's loved ones during the Troubles was wrong and deserves justice. The Ballymurphy families had to wait for five decades for the truth. Now, they begin a new battle for justice on the basis that their relatives, who were gunned down, were unarmed and innocent, which they knew all along.

It is unconscionable that the Finucane family should have to wait any longer for the inquiry

that they were promised. It is an inquiry that they deserve. Not only do they deserve answers, they deserve justice. When the state is involved in killing citizens, there is an onus on all of us to demand such justice, and we know that the state was involved in the untimely and merciless murder of Pat Finucane by loyalist gunmen. It is in the interests of everyone that the state is held to account. Everybody — people in Belfast, people in Derry and people in between, people of all religions and none, and the people in England, such as the people of Grenfell and the family of Jean Charles de Menezes — has a right to truth and justice.

I offer my solidarity to Pat Finucane's family. They should never have had to experience what they did. That they were forced to fight for the truth for decades after watching their father die is a damning indictment of the British Government's attempt to cover up their role in the Troubles to this day. Of course, that is what is behind Boris Johnson's proposed amnesty. It would keep high-ranking figures out of courtrooms lest that further expose their rotten legacy to the world. Protecting the top brass at all costs is what Boris Johnson is up to, and he needs to be resisted.

Cover-ups have never brought reconciliation. Denying justice is the antithesis of reconciliation. We have seen the hardship and the generational trauma that it inflicts. Johnson's call for truth and reconciliation has nothing to with reconciling the past, and that does not even touch on the man's relationship with the truth, which no one should trust him to deliver. His response to the Ballymurphy inquiry verdict demonstrated his true motives and intent. If we want to see truth, reconciliation and justice, we will find it in the campaigns and the fight by communities, families and their supporters. That has ever been the case.

We support the motion, and we support the Finucane family. We hope that they get what they are fighting for. Mr Beattie referenced the Stormont House Agreement. Some families fear that its implementation might mean an amnesty for generals and troops. My party was not involved in that agreement. We had no MLAs at the time. My party and I will vigorously oppose any attempts, through any agreements, to issue an amnesty, especially for state forces.

**Mr Speaker:** I call Dolores Kelly to conclude the debate and make a winding-up speech on the motion.

**Mrs D Kelly:** Thank you, Mr Speaker. I am very mindful of the many families affected, as many contributors across all Benches said at the

outset of their contributions to the debate. I recall that, when I was first elected as an MLA, one of the first constituents to visit was an elderly lady who sought my help to access the victims' fund for help with household furniture. She told me about the last day on which she saw her son. Her son, an innocent young man, was going to work when he was murdered by loyalist paramilitaries. On that morning, as he left for work, he turned at the end of the drive to wave goodbye to his mother. She said that, every morning, that was the first thing that she saw when she got up. For her, and for the many hundreds and thousands of bereaved families across Northern Ireland and beyond, there is no drawing a line in the sand. Every day is the same. All of us in the House recognise that. All grief transcends.

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

**Mrs D Kelly:** I will.

**Mr Muir:** Does the Member agree that saying, "We just need to move on", as some do, is one of the most callous and wicked things to say to people? I know one individual whose dad, who was serving in the forces, was brutally gunned down and murdered by the IRA. He still lives with the fact that he has no father. His mother, a widow, is still alive. Saying to people that they should just move on is not befitting, and it is not the victim-centred approach that we need.

**Mrs D Kelly:** I thank the Member for his intervention. I have not heard too many in the House talk about drawing a line in the sand and moving on.

I have heard elements in the British establishment talk about drawing a line. I have also heard it from other people outside here who may be well intentioned but perhaps have not had the level of engagement with victims that some of us have been privileged to have in getting to know them. For the Finucane family, like the Ballymurphy families, time stood still, and they still want answers.

I will address the concerns that Mr Beattie raised, as did some others, including Mr Carroll, about the Stormont House Agreement. Let us be very clear: the Stormont House Agreement is not an amnesty for anyone. That is why the British Government are looking at ways of drawing up an amnesty. Mr Beattie's point, which I understand completely, was about those who were severely injured. The Stormont House Agreement deals with those who were killed and murdered during the Troubles, not those who were heinously injured and still live



with the consequences of that. Let us not muddy the waters: it never was, nor should it ever be, about an amnesty.

The case of Pat Finucane is of profound importance for society in Northern Ireland and those who believe in the rule of law. All the Members whom I heard contribute to the debate condemned the murder of Pat Finucane, and many condemned the refusal of the UK Government to hold a proper independent inquiry into the murder. The statement by the Secretary of State, Brandon Lewis, which referred to a police review of papers and a Police Ombudsman investigation, was simply a smokescreen and, as such, a further insult to the Finucane family and those who have supported them in their 30-year fight for truth and justice in the case.

Twenty years ago — many Members referred to this — the European Court of Human Rights delivered a damning judgement in *Finucane v UK*. The court found that the UK had breached the right to life, as protected by article 2 of the European Convention on Human Rights, through the flawed investigations, including those of the RUC, into Pat Finucane's murder. The Secretary of State has failed to honour a commitment to hold an independent public inquiry into the murder following the UK and Ireland's Weston Park Agreement in 2001. Many Members highlighted the fact that, over two years ago, the UK Supreme Court found that previous reviews carried out by Lord Stevens, Justice Cory and Sir Desmond de Silva failed to meet the requisite investigative standards of article 2 of the European Convention on Human Rights even when they were considered cumulatively.

There are questions, and one that many people pose is: what are the British Government trying to hide? We know that Pat Finucane was murdered in front of his family — Ms Mallon laid that out very clearly — and that there were shocking levels of state collusion in the murder because David Cameron apologised for it. We do not know, as Mr Kelly said in his opening remarks, the details and how far up the chain of command the collusion went. We need to know which state agent was involved, who authorised the murder and their level and who was complicit in the 30-year cover-up. A narrowly focused police investigation will not find that out, and nor will an even more narrowly focused Police Ombudsman process. Only a fully effective public inquiry, with wide-reaching terms of reference and, importantly, the powers to compel, can discover the truth. We have seen the resources that the Police Ombudsman and the legacy bodies such as the HET require,

yet their work has been severely hampered and cut back over the past few years. Some argue that not giving sufficient resources to those agencies is in itself a breach of article 2.

Mr Frew talked about other murders and a hierarchy of investigations. As I said at the beginning, no one here wants a hierarchy of victims. I have not heard that from any of the Benches, although some might suggest that it is the case. There is an obligation, as Mr Muir said, to get reconciliation. In moving Northern Ireland forward, Mr Storey, we need to get to the truth of the past, and people need reconciliation.

**Mr Storey:** I thank the Member for giving way. Will she accept that one of the things that have created such a problem is that, every time the party opposite is involved in negotiations, the first thing is not deprivation in west Belfast or education but what dirty deal it can do to get letters of comfort and have no ballistics from decommissioning so that no one can be taken to court. That is what we are dealing with, and that is the problem that has corrupted the process of truth and justice in Northern Ireland. They come to the House today and want everyone to open their cupboards and tell everyone else's secrets apart from theirs.

**Mrs D Kelly:** I co-signed the motion, and, in my winding-up speech, I am not going to answer on behalf —

**Mr O'Dowd:** Will the Member give way?

**Mrs D Kelly:** I will.

**Mr O'Dowd:** The tone of the debate thus far has been largely respectful, apart from a number of contributions. In particular, I ask Mr Storey, who may be destined for high office, to reflect on his contribution, especially his latest contribution. There are strong differences in the Chamber about the past, but, if we are to work together in the future, we will have to learn to respect one another in the Chamber and outside of it.

**Mrs D Kelly:** I will return to the debate and Members' contributions. In trying to heal the divisions of the past, it is important that we get to the full truth. Surely we should all hold the power of the British Government to a greater standard than that for paramilitary organisations. As others have said, the current investigation being conducted by Mr Boutcher noted that extensive records are held by the Ministry of Defence, and, if some parties do not want to cough up, I am sure that the British

Government could open their filing cabinets and fill in the gaps. As some Members have said, there was heavy infiltration, but it begs the question —.

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

**Mrs D Kelly:** I am sorry, but I do not have much time left.

As I was saying, it begs the question of who did what, when and why it is being covered up.

If we are to move forward, however, a strong message of support for the Finucane family's call for justice has to go out. Promises have been made to the Finucane family in agreements between Governments over various negotiations, and we should hold the state to a higher standard than paramilitary or any other types of organisations across these islands. I commend the motion to the House.

*Question put.*

*The Assembly divided:*

*Ayes 48; Noes 38.*

## **AYES**

*Ms Anderson, Dr Archibald, Ms Armstrong, Ms Bailey, Mr Blair, Mr Boylan, Ms S Bradley, Ms Bradshaw, Ms Brogan, Mr Carroll, Mr Catney, Mr Dickson, Ms Dillon, Ms Dolan, Mr Durkan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Ms Hunter, Mr Kearney, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Muir, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Ms Rogan, Mr Sheehan, Ms Sheerin, Miss Woods.*

*Tellers for the Ayes: Ms Dillon and Ms Ennis*

## **NOES**

*Dr Aiken, Mr Allen, Mr Allister, Mrs Barton, Mr Beattie, Mr Beggs, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Butler, Mrs Cameron, Mr Chambers, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Middleton, Mr Nesbitt, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford, Mr Stewart, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mr Frew and Mr Nesbitt*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly notes that it is 31 years since the murder of human rights lawyer Pat Finucane, and almost 20 years since the British Government committed to a full and independent public inquiry into the circumstances surrounding the murder; further notes the Supreme Court ruling that there has not been an article 2 compliant inquiry into the murder; is concerned at the refusal of the British Government to hold the public inquiry that they promised; is further concerned that the British Government's approach risks undermining wider confidence in the rule of law and the administration of justice; reiterates that a public inquiry is the most effective means to get the truth about the scope and extent of state collusion in this murder; urges the British Government, in the public interest, to reconsider their response to the Supreme Court ruling; recognises, on 12 March 2021, the reopening of supervision by the Council of Europe Committee of Ministers into the murder of Pat Finucane; further recognises the significance of this unusual step by the Council of Europe Committee of Ministers, which acknowledged, with profound concern, the delay in ongoing legacy cases generally whilst resuming supervision of measures by the UK Government in order to ensure they are adequate, sufficient and timely; calls on the British Government to establish the Historical Investigations Unit and the other Stormont House Agreement legacy mechanisms so that families of all victims have access to human rights-compliant investigations; and further calls on the British Government to initiate the independent, public inquiry they promised to the family of Pat Finucane in 2001.*

**Mr Speaker:** I thank all Members for their contributions this afternoon. I ask you to take your ease for a moment or two.

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

*Motion made:*

*That the Assembly do now adjourn. — [Mr Deputy Speaker (Mr McGlone).]*

## Adjournment

### Opposition to a Waste Incinerator from the Residents of Hightown, Mallusk and South Antrim

**Mr Deputy Speaker (Mr McGlone):** In conjunction with the Business Committee, the Speaker has given leave to Dr Steve Aiken to raise the matter of opposition to a waste incinerator from the residents of Hightown, Mallusk and South Antrim. The proposer of the topic will have 15 minutes. I make Members aware that a maximum of one hour is available for the debate.

**Dr Aiken:** Thank you very much indeed, Mr Deputy Speaker. I will endeavour not to use my full 15 minutes. I think that you will be glad to hear me say that.

I will begin the debate on the opposition in my constituency to the proposed Hightown incinerator. At the beginning of the debate, as a declaration of interest, I make clear my opposition to this waste and subsidy scheme. I also make a declaration of interest, in full disclosure, that, in my previous employment with the British Irish Chamber of Commerce, I represented companies that were working on waste incineration schemes in the United Kingdom, Europe and elsewhere. Therefore, I have some detailed information on how properly managed waste energy schemes should work. I also have a broad understanding of their business and economic cases.

I am not against incineration per se as part of waste management and how we deal with the residual plastic cycle. Indeed, it is a matter of some interest to Members that a waste energy plant already exists in Northern Ireland — one that is already making a significant impact on our security of supply issues and on reducing waste going to landfill. That plant in the Belfast harbour estate, with established grid connections and good transportation links, is helping to reduce energy costs to Spirit AeroSystems and is making a cutting-edge business even more competitive. We should all welcome that.

As reported by the BBC, the Full Circle Generation facility at Belfast harbour, along with its sister company, could process up to 80% of our household waste, and, with recycling rates increasing across Northern Ireland, that plant alone could deal with the majority of our household waste. A spokesman for the company said that, if the current recycling rates

are maintained, it would, by 2025, even be running out of feedstock from black bin waste as recycling will have been such a success. That level of recycling should be seen as a matter of pride for Northern Ireland. Indeed, we will also have a legally binding requirement to recycle, which will help us get to our target of 65% of waste being recycled by 2035. We are well on track to achieve that requirement or even exceed it.

Bearing in mind that our recycling rates are increasing and that we already have incineration for waste for power, which has the spare capacity to deal with 80% of our black bin waste — potentially more — what could be the economic, environmental or societal case for the Hightown incinerator?

When I was first elected to the House, one of my first meetings was with representatives from Arc21 and its lobbying firm. I said at the time that I was willing to listen and that, as somebody who understood the waste for power process, I was persuadable. All the arguments around jobs, an incinerator signalling investment opportunities in Northern Ireland infrastructure, the need to secure energy supply and the consequent reduction in landfill were rehearsed by the company and its lobbyists.

There was a strong implication that I should get behind the scheme as it had full support in my council and beyond.

Knowing from my previous experience that the costs of building the plant for a £240 million project would be significant, I thought it appropriate to ask what business case the company proposed. I asked that, because such plants require a considerable subsidy to run. They are not self-financing. They require a fixed long-term energy price, a gate fee per metric ton of waste processed, which has to be lower than any landfill or recycling tax, and a minimum value per tonnage delivered to the plant. If that is not forthcoming, a compensation package has to be available for the operator and the operating authority over the lifetime of the plant to ensure continued viability.

Many Members will be aware that there has been a catalogue of complaints by public authorities across the United Kingdom, in Europe and beyond about the costs of those schemes. The schemes resort to PFIs or novel forms of funding, which have left many public authorities to cross-subsidise the schemes and, in some cases, have led to near-bankruptcy or worse. The stories of the public-good schemes in Copenhagen, Brighton, Baltimore and elsewhere that have gone bad are,

unfortunately, the norm, even when the schemes have grid connections, agreed electricity prices and a contract agreement to pay for waste shortfalls.

Curiously, many of those projects' contracts have been limited to 25 years, because that is deemed to be the longest time possible for such an open-ended commitment to be made by ratepayers and regional taxpayers, and, in engineering terms, most power plants will need replacing or major refurbishment after a quarter of a century of operation. However, Arc21 seeks to tie Northern Ireland ratepayers to a contract for 35 years, which will potentially cost about £2 billion at 2020 prices, despite increasing waste recycling rates and environmental standards, and despite the fact that ample incineration capacity is already available. To be fair, a previous DUP Agriculture Minister had written to Arc21 to say that she would ask Executive colleagues to help to supply the delta between subsidy costs if there were a shortfall. That in 2016-17 such open-ended commitments were made, especially after the RHI debacle, which exposed the taxpayer to longer-term, open-ended commitments, should, I suppose, not come as any surprise to the Assembly.

I asked Arc21 what the business case was. I was told that I would be informed once planning approval had been given. I was surprised, to say the least, that a £240 million project did not have even an outline business case before planning approval was sought. Moreover, the company did not have a grid connection. Anyone with even a passing understanding of the Northern Ireland generating capacity auction knows that the market for supply is currently saturated. With new interconnections, increased peaking and demand-led units, unless someone is paid or legislated against to drop out of generating, there is no obvious market for the energy that could come from Hightown, even if the company had a grid connection.

I enquired what Arc21 planned to do about traffic amelioration around the site to reduce the already chronic infrastructure problems around Mallusk and Hightown. Members can imagine my further surprise and concern when I was informed that there were no plans to upgrade the roads from Sandyknowes roundabout as it would add too much to the cost of the project. Bear in mind that it was a £0.25 billion project that was planned to last for at least 35 years. By that stage, the lack of detail and the assumptions behind the company's case astounded me.

None of it makes any sense unless, of course, the project is simply a subsidy-mining effort, akin not only to the RHI debacle but, in fact, to an "RHI2" scheme for which we will all have to pay. I then discovered that my concerns were widely felt throughout the community, and every political party, although not every political representative within those parties, was against the scheme.

I pay tribute to Colin Buick, Charlie Thompson and all of the local community involved in No-ARC21, who took the very courageous decision to challenge Arc21 and the Department for Infrastructure in the courts. Although the odds were stacked against them, they won.

The sorry tale of how their heroic actions for the community have been thwarted by officialdom will no doubt be told by others today.

### 5.00 pm

Look at the timeline. Planning was applied for in March 2014. In 2015, the then SDLP Minister refused the project. During the interregnum after the Assembly fell in 2017, the Department for Infrastructure permanent secretary decided to approve it. The case was then judicially reviewed in the High Court in 2018, and the Department lost. Despite all of that, in 2019, Arc21 again attempted to achieve planning approval. Now, in 2021, we await due process to be gone through before the Minister, an MLA for our adjacent constituency, makes the decision.

I could say more on the environmental impacts of toxin release, the impact on the visual landscape of a 95-metre-high chimney dominating the Belfast hills, the increase in traffic on totally inadequate roads, the devastating impact on property values or just the purely ludicrous idea of putting a mechanical biological treatment (MBT) plant and energy-from-waste incinerator three quarters of the way up a mountain with no business plan. It is perhaps not coincidental that none of those plants has been approved in the UK over the past five years. I will leave it at that, however.

My questions to the Minister for Infrastructure are these: why are we continuing to inflict this environmental Ponzi scheme on the people of both my constituency and hers? Why are we, as an Assembly, continuing to authorise spending on exorbitant legal costs for a project that, by any proper analysis, is doomed to failure? Those are the key questions. It is well beyond time that the Hightown incinerator

project is finally refused and that the people of my constituency and beyond are saved from that monumental and colossal failure.

**Mr Deputy Speaker (Mr McGlone):** I know that others from outside the constituency want to speak, but all the constituency MLAs will be called first, in party sequence. Up to five minutes will be allocated to each Member who speaks. If an MLA who is representing the constituency takes an intervention, that Member will get an extra minute. That is the procedure for this evening.

**Mrs Cameron:** I commend my constituency colleague Dr Aiken on securing the debate. This is a matter on which we agree wholeheartedly; indeed, as the House will hear, there is a collective voice among those elected to this place to represent the people of Mallusk. The debate is very much an opportunity for us to represent the people of that area. It is their view that the waste monster is not needed and not wanted. I want to make that clear. I commend the work of the No-ARC21 campaign group under the capable and determined voice of Colin Buick. The group has very much put the issue on the agenda and expressed opposition in a constructive and coherent way, one that is not about NIMBYism but is based on fact and the overall well-being of our society.

At the core of the issue is need: is the project needed? The answer to that is clear: it is not needed. Thankfully, we now live in a society in which recycling is the done thing. Recycling rates have increased to 55%, with the target of reaching 65% in 2035. I know that that is an issue that the AERA Minister has been keen to drive forward, with renewed focus on promoting recycling. The consequence of that trend is a substantial reduction in landfill. Rates have fallen to just over 20%, with a target of 10% by 2035. We need to use existing facilities, such as those in Belfast harbour, to manage the reducing amount of landfill that we produce. Having excess capacity will serve only to be counterproductive, reducing the onus on society to reuse and recycle. That is the outcome that none of us should desire if we really care about our environment.

This is an outdated project, outdated in the evidence of need and outdated in its very operation. Some of the proposed technology and processes date back to 2008. Things have moved on considerably since then. Arc21 proposes mechanical biological treatment alongside the incinerator, but that is now a process of the past. It represents neither best practice nor value for money.

In any scheme that requires such vast sums of public money, we must be absolutely certain that the benefit justifies the cost. To lumber hard-pressed households with a bill of around £2 billion over 35 years in gate fees to Arc21 to mechanically treat and incinerate their waste offers no such benefit in return. There are so many questions, relating to design, procurement and so on, about how we got to this stage that justifying the furtherance of the project is simply impossible.

The AERA Minister understands many of those points and has expressed his concerns about the proposal. I commend him for not bowing to the extensive campaign to progress the scheme. However, for the people living in the area, we need to bring the whole issue to a conclusion. My message to the AERA Minister and the Infrastructure Minister is to do just that. Refuse that planning proposal and find a new way forward on waste that is fit for 2021 and beyond.

**Mr Kearney:** Éirím i mo sheasamh chun cainte inniu chan mar Aire ach mar Chomhalta tofa don cheantar. I speak not as a Minister but alongside my colleagues as a constituency MLA. I am pleased to address the issue and thank Steve Aiken for securing the debate and putting a spotlight on this egregious issue. Gabhaim buíochas don Aire féin as ucht a haird a dhíriú ar an ábhar agus as a bheith anseo don díospóireacht tráthnóna.

I want to make three points. First, this is a highly controversial issue in South Antrim and neighbouring North Belfast. Since the outset of the project in 2014, popular opposition has grown. I echo the remarks of Steve Aiken and Pam Cameron by extending my appreciation to the No-ARC21 campaign group, which embarked upon and led a commendable community-led campaign of opposition to the proposal. The overwhelming view of local people is that they do not want the incinerator to be put on to the Belfast hills. That is the feeling of residents in Hollybrook, Mayfield, Alderley, Aylesbury, Blackrock, Dermont and Anna's Grove and of the farming families in the Belfast hills. They all feel the same. Last week, as I engaged with residents on their doorsteps — constituents in the immediate vicinity — the issue was raised. People asked where the incinerator situation was and what the outcome of the issue was going to be.

All of us — residents and I, as a local representative — fear for the health and well-being of the wider community and fear the ramifications that will flow from the proposal if it

is approved. Real safety and environmental concerns apply to the impact on the natural ecosystem of the Belfast hills and the natural habitat of the surrounding countryside. It is notable that the Planning Appeals Commission (PAC) has recorded significant concerns, including issues pertaining to visual impact. None of those fears has been allayed. Arc21 persists with that agenda. Worse still, seven years on, local people live with uncertainty about the project emerging, literally, in their backyards and back fields.

Secondly, as well as advocating for the interests of my constituents, I too harbour a deeper concern about the driving interests behind the project. It is the largest public-sector procurement project in the history of the region. No independent assessment of the business case has been considered. A lack of transparency has surrounded the procurement process. I am deeply concerned that aggressive commercial interests are driving the proposal, the only outcome of which is to give primacy to private profit over wider public good, with the cost to be carried by local ratepayers.

Finally, all the Sinn Féin MPs, alongside their SDLP and Alliance Party MP colleagues, have written to the Minister, asking to her refuse this application and urging the avoidance of a future costly error. Today, a LeasCheann Comhairle, agus a Aire, I make the same request on behalf of my local constituents. Impím ortsa, agus impím ar an Aire éisteacht le glór an phobail áitiúil. Minister, do not bow to the aggressive commercial interests behind this proposal. Listen to the people of South Antrim and North Belfast. Listen to our rural dwellers and the urban population of Hightown and Mallusk. Minister, finish your assessment of this application, alongside your officials, as is appropriate, and then refuse the planning application.

**Mr Blair:** I rise in support of the residents of Hightown and Mallusk and in total opposition to the proposed development of a waste incinerator facility by Arc21 at the site of the Hightown quarry. That is a position that I have held for some years. I will come to the reasons as to why I hold that position shortly, but, before I do, I want to reflect again, because I think that it was mentioned before, that, already, over 5,000 objections have been lodged against the current planning application. I remind Members that representatives for the area have stood together, politically united, and stood with the residents who are most impacted and concerned by this proposal in order to ensure that it is shown to be unnecessary and unwanted.

We urgently need a review of the current waste management structures in Northern Ireland, including an urgent review of existing residual waste capacity for landfill and incineration. My party has made it clear that we will oppose any new waste management infrastructure proposals prior to such a needed review. The Alliance Party's green new deal that was launched last month highlights the need to radically reduce emissions in waste management. Carbon emissions are a prime driver of climate change, which is why there has been a significant move away from coal-fired energy in Northern Ireland and elsewhere.

In Northern Ireland, Kilroot power station is the only EU emissions trading system (EU ETS) electricity generator that continues to use coal as fuel. Kilroot will be converted to a gas-powered station in 2023, which will mean that the use of coal as fuel will be reduced to zero. A move towards energy-generating incinerators would mean producing more CO<sub>2</sub>. That is the reality. Figures for 2019, for example, show that, across the UK, the 48 incinerators emitted a total of 12.6 million tons of CO<sub>2</sub>. In comparison, the dwindling coal sector produced 11.7 million tons of CO<sub>2</sub>. There are serious concerns around the impacts of incineration emissions — concentrations of nitrogen dioxide and particulate matter — and the associated health effects, which include respiratory and cardiovascular conditions. As mentioned before, there are as many issues for DAERA here as there are for the Department for Infrastructure, though I am grateful that the Infrastructure Minister is here with us, and I readily accept that there are probably limitations on what she can say to us at this stage.

In addition to the environmental impact that I mentioned and the associated health implications, I have serious concerns around the cost of the incineration contracts. We have seen reports from England of councils locked into expensive contracts and facing legal challenges when they try to leave those contracts. The Arc21 councils could be tied into contracts for up to 35 years. Estimated gate fees charged to councils would generate revenue streams north of £2.3 billion for the site's private operators. The proposal creates a perverse incentive for the local councils and/or the incinerator operator, which, on the one hand, will have a duty to recycle, but, on the other, must fulfil a contract that they have entered into and have committed to for many years.

In conclusion, I stand in support, as I said, of the residents of South Antrim. I robustly refute

the need for an incinerator at the Mallusk site. I thank Dr Steve Aiken for bringing this topic, and I join South Antrim colleagues in paying tribute to those involved in the No-ARC21 opposition campaign, which has been both professional and thorough.

**Mr Clarke:** I declare an interest as a member of Antrim Borough Council, way back when this was first mooted, as one of the sponsors of the Arc21 project.

### 5.15 pm

I am taken back to what Declan said, and I agree with him; it has been controversial. No one can take that away. Albeit I am coming with a different opinion on the proposal — I do support it — I agree with what Declan said about its controversial nature. That controversial application has been in the whole government system for too long. There is no doubt about that.

I listened to what Dr Aiken said about business cases. As a way forward and solution for councils, those matters were put in the hands of a single operator at that time. Arc21 came forward with a proposal. At the time, each and every council supported bringing forward that solution, based on the technology, as the way in which to deal with waste. Whilst I accept that it was many years ago, that was the proposal at the time, and it has not changed.

Obviously, personalities change, people get nervous, and so on and so forth. However, they made that decision in the full understanding that location was not part of the consideration; it was based on technology. All of a sudden, today, I am hearing that the technology is outdated, and all those other things. When the decision was made, it was made on the basis that there was a 35-year contract. That is not to take away from what Mr Aiken said about the business case and everything else.

Reference has been made to private operators. I take exception to the proposer of the Adjournment topic, because he cannot say, on the one hand, that the beneficiary is a private company, and then, on the other hand, suggest that we take it to another private company on the Belfast harbour estate, when that has not gone through a procurement process or anything else. To be fair to the current proposal, it has gone through a lengthy process. The company put its money where its mouth was, brought forward a proposal, went through the processes and put in an application.

Much has been made of the court case. The court did not refuse it on the basis of the technology, location or anything else, but on the basis that the permanent secretary did not have the legal power to make that decision. Therefore, when the case was heard in 2018, there could have been a positive outcome that was based on the expert advice of planning officials, environmental officials and everyone else who fed into the planning system.

I have also heard about the residents of Mallusk. Not all the residents of Mallusk are against it; many are in favour. Many are also in fear of the rumoured extension of Cottonmount landfill site. Why, when we have all those other solutions, would we need to extend Cottonmount? In the past few weeks, we have heard in the press of the hundreds of thousands of tons of waste that is, allegedly, being recycled, but is actually being put on a boat and shipped to the other side of the world, to America, to be incinerated. How does that feed into the debate about CO<sub>2</sub>, or does CO<sub>2</sub> only matter when it is in Northern Ireland?

I am sure that Members are aware of residents' concerns about the stench at Mullaghglass landfill site. I would say that, if one went up around that area and canvassed those people, they would prefer to have an incinerator than to continue to smell methane gas and all the other toxins that come off the Mullaghglass site.

I suggest that the Minister makes a decision on the issue, ends that nonsense and gets us a solution. Indeed, the campaigners used another example of why it is not a good idea. A piece of research was done that followed recyclables in bins in the streets of London. These are the so-called recycling people. Where did the trackers track the waste? It was taken to an incinerator. That suggests to me that recycling is a fraud, it is a front, and it does not work. Why, if it is such a strong, valuable commodity, would it have finished at an incinerator as opposed to being recycled as a commodity, or, indeed, going on a boat to Europe? Forty per cent of our recyclables go across the world, where they are being found in hedges, on roads and in incinerators.

I suggest that we are fooling ourselves. There is a degree of protectionism. The incinerator would be in my constituency. I do not like the fact that it would be in my constituency. However, it is a solution to deal with waste rather than shipping it across the world.

I oppose the sentiment of the Adjournment topic.

**Mr G Kelly:** I have listened to the debate closely. I have been involved with and have supported No-ARC21 for some years, and I was at the case that we are talking about. Just because the case centred on whether the permanent secretary had the right to make the decision does not mean that you can extrapolate from that that it could have been passed on other grounds. He took the decision when he should not have, and he took it against massive opposition. There were a number of meetings with him, including with my party, about it.

A lot of what I was going to say has been said, and I thank Steve Aiken for securing the debate.

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

**Mr G Kelly:** Go ahead.

**Mr Clarke:** Is the Member suggesting that, if there is strong opposition to something, it should be refused? Would the Member have adopted the same position on Casement Park in Belfast?

**Mr G Kelly:** I am only starting, and that is one of the points that I was going to make. That is not the only reason.

I thank No-ARC21 for learning and for being very forensic about how it went at the issue over that period. I was interested in the points that Steve Aiken made — some maybe from No-ARC21 but also some from his own experience — and how the factual accounts coincided. That is really what I am standing over. No-ARC21 was very forensic. It looked at all the evidence and convinced us, as party members, that this was the way to go, and it did not give up. At the point when anybody else would have given up — for instance, when the decision was made by the permanent secretary — it moved on from that.

This is a bit repetitive, but there have been serious concerns. One of the reasons why I am speaking is that I am from North Belfast and the edge of North Belfast going into South Antrim is the Hightown Road. One side is North Belfast, and the other side is South Antrim. The effects of the incinerator — whether it is to do with transport, roads, toxins in the air or the water supply, with surface water and all of that — apply not just to South Antrim, because you can pass through that; it involves the Belfast basin, and, of course, the first place that you hit there is North Belfast. It is worth saying that there are cross-party objections to this from



representatives of the DUP — notwithstanding yourself, Trevor — and from Sinn Féin, the SDLP, UUP, Alliance and the Greens.

Recycling rates have been increased to 55%. Trevor said that that is a fraud, but saying that recycling and the idea of recycling is a fraud is a big statement to make. The evidence for it has been given time and time again. There are targets that bring it up to 65%, and, as Steve Aiken said, we are well on the way to reaching those. Landfill rates have fallen to just over 20%. That does not mean that there is not still landfill, but the rates are falling, and that is the main point. As Steve Aiken said, when you add in the site on the harbour, you find that it takes up a huge amount of that as well.

When you have overcapacity, you have, first of all, a financial issue where you are not making any money, as was pointed out, and the subsidies get bigger and bigger. People then try to fill that site, so they start looking for other things. You are talking about waste that is going from here, but what about the waste that will be brought here? If we have a capacity of over 300,000 tons per annum and are nowhere near putting that in, we will get the waste from many other places.

**Mr Clarke:** Will the Member give way on that point?

**Mr G Kelly:** I have already let you in, and I am running out of time.

**Mr Clarke:** You will get an extra minute.

**Mr G Kelly:** I do not think so; this is an Adjournment debate. That was a good try.

I thank the Minister for being here, but I accept that there is only a certain amount that she can say. However, she is from North Belfast, so she will not be surprised by what I say. First, we want the Minister to know the facts about the incinerator. We want this to be based on facts about the building of this waste monster, and, when you look at the size of it, you see that it is a monster. We have not even dealt with the visual effects of it. We want her to know the damage that it is causing financially, which has been covered, and environmentally, which will be covered later. There will be health risks to thousands not just in that area, which is the point that I am making; it goes way beyond that area.

**Mr Deputy Speaker (Mr McGlone):** I ask the Member to draw his remarks to a close.

**Mr G Kelly:** We want you, Minister, to finish the process, as many people have said, as you have to, in the right way, but we also want you to say no.

**Mr Durkan:** I thank the Member who secured a debate on this topic. I assure him and others, particularly Mr Clarke, that opposition to the project exists far beyond their constituency. When I took office as Environment Minister eight years ago, one of the first things to land on my desk was the Arc21 application. I approached it as I approached every application: with an open mind. I listened to arguments for and against, and, ultimately, I decided to refuse it. The refusal reasons cited were the irrefutable impact on local residents, which I will touch on further, and the lack of need. As Members have said, there is, if anything, much less need now. We have seen a huge increase in recycling and a reduction in the amount of waste being produced. We look at the capacity that exists elsewhere. Members mentioned the Full Circle Generation project at Bombardier. That needs to be maximised. I have had meetings recently with Fibright, which is an American company that specialises in recycling. It has a very exciting and environmentally friendly project and is very interested in investing here.

We all recall the collapse of the Assembly. It was at that time that the Planning Appeals Commission (PAC) decided that, basically, my decision was wrong. However, at that time, the Department did not even defend my decision because the then Minister, Chris Hazzard, had changed the Department's position from one of objection or opposition to one of neutrality. It is important to say that the position did not remain neutral; it became neutral. That enabled an approval to issue in the absence of Ministers.

I pay tribute to the local campaigners. They have been led brilliantly and bravely by Colin Buick and Charlie Thompson, who went to court and had that decision quashed. However, the celebrations have been short-lived, and here we go again, which is bound to have people asking what Arc21 is. It seems to be some sort of juggernaut that cannot or will not be stopped. It just keeps on coming. Councils seem to be petrified about the potential legal and financial ramifications of their withdrawal of support. Parties here that have, or have had, councillors on the board of Arc21 will have seen how hamstrung they are. The community is completely opposed, as are all parties. I sincerely hope that the AERA Minister listens to his MLAs, maybe with the exception of Mr Clarke, rather than his MPs on this issue. My SDLP colleagues Noreen McClelland, Heather

Wilson and, going back, Alban Maginness have always sided with the campaigners. We agree with the campaign.

The application — the whole project — is environmentally unsound and economically illogical. I would love to know what the spend to date has been. I would describe it as a vanity project, but it may be a bit more sinister than that. The drive behind it is not to improve the environment; it is about generating cash, not just energy. Members will have received a detailed document that has been provided by No-ARC21. Although I do not have time to go through it verbatim, I will hit the headlines and summarise its concerns: lack of need; odour pollution; a redundant technology mix; health impact; undesirable location; visual impact; traffic impact; a failed procurement process; and a financial disaster in the making.

I commend the Infrastructure Minister for being here today. As the Minister responsible for planning, and the ultimate decision-maker, she will be limited in what she can say, but I am sure that she will give due regard to all information and carefully consider the way forward in light of her statutory duties. I would like to hear from the AERA Minister on the issue. I know that his early utterances on the project were that he was not convinced by the incinerator. I think that he described it as a waste monster. Has he been convinced yet, or can we see who is trying to convince him and how?

As a former Environment Minister, I was responsible for planning —

**5.30 pm**

**Mr Deputy Speaker (Mr McGlone):** I ask the Member to draw his remarks to a close, please.

**Mr Durkan:** — and the environment, and I cannot recall a case for an incinerator being compelling at all then. It will be less so now.

We do not need or want this. Let us get it stopped, but experience tells us that it will require more than a planning refusal —

**Mr Deputy Speaker (Mr McGlone):** Time is up.

**Mr Durkan:** — to do that.

**Ms Bailey:** I am well aware that this is an Adjournment debate and I am not a constituency MLA, but, as Mark Durkan said, this issue goes much further. I thank Steve Aiken for securing the debate.

I have only a short time to speak and do not want to go over what has been said already. I agree with what Trevor Clarke said about our recycling figures and where waste ends up. We hear stories of our recycling being shipped off and being washed up on American beaches, for example. No consideration has been given to that.

When we look at recycling, we see that there is a wider message. It is reduce, reuse and recycle, but nowhere in the conversation do we talk about reducing our waste, and that is key. This incinerator will need to be fed constantly, so we could be continually asking people to keep consuming so that we can feed an incinerator that will keep polluting, and that is the answer.

Let us not forget that the incinerator is not part of a waste strategy, because, to the best of my knowledge, Northern Ireland does not even have a waste strategy. That is where the AERA Minister comes in. Northern Ireland has neither a waste strategy nor a clean air strategy, so we are poisoning, and we will put more pollutants into the air while we do not have those strategies.

The Department's figures already tell us that the level of ammonia — it is just one of the pollutants in our air — is a factor in up to 600 premature deaths in Northern Ireland year-on-year. That is just one pollutant, and we have no clean air strategy and no waste strategy. We then look at the planning system. We know that this incinerator has been in the planning system for eight years since a previous Environment Minister, Mark Durkan, said that he received the application on his desk.

What has happened in those eight years? It has been left to people and to residents to mobilise, lobby and take court cases in order to have themselves heard and have the application overturned. This is an issue not only for the Infrastructure Minister but for the AERA Minister. Minister, when you address us, will you let us know what conversations have been had? What has been taken into consideration when looking at the issue? Are we looking at a waste strategy? Are we looking at the "polluter pays" principle?

I receive emails from big fast-food outlets, which I will not name, telling me about their environmental credentials because they pick up the litter that they produce, which will go to an incinerator or be put on a recycling boat to be shipped overseas and washed up on a beach in the United States of America.

The place is a mess. The planning system is a mess. The onus that we put on people to do what we should be doing is a mess. The lack of strategies and legislation is an absolute mess. For all those reasons, the Greens will not support the incinerator until we have a strategy that puts people's health and well-being first.

**Mr Carroll:** Thanks to the Member for securing the debate. I absolutely support the campaign against the Hightown incinerator and Arc21 and for the incinerator not to be developed. I give my support once again to the No-ARC21 campaign, the residents, the environmentalists and everybody who has campaigned against the incinerator for many years.

Many years ago, when I was a councillor, I was on the Arc21 committee. I opposed the incinerator then, as I do now, alongside my councillor colleagues. I return to something that Mr Durkan said. The approach has been to make councillors petrified about a decision. My recollection is that significant pressure was put on me and many other councillors to go along with the decision or there would be massive ramifications for ratepayers and councils. That is not an open or democratic process. That is being strong-armed, to put it kindly.

The issue did not have a direct impact on my constituents, but it did have immediate implications for neighbouring constituencies. As far as I understand it, however, the company has expanded its needs case to include all of the North, so it will directly affect my constituents now, although it is worthwhile and important to be here regardless of that.

It seems to me and to many others that, at a time when recycling, as Members said, is thankfully on the up, it would be not only unwise but potentially environmentally destructive, leading to more emissions, to give the incinerator the go-ahead. Feeding the incinerator and producing waste to keep it functioning will be the order of the day, never mind the fact that, in order to address waste, as Clare Bailey mentioned, we need to tackle the source of the problem, which is production. We need to tackle the economic and political system under which we live, which is addicted to plastic and profit. That is how to stop it being shipped across to America or being burnt. I suspect that Mr Clarke probably does not agree with that approach.

Other people have already touched on the question of the technological mix of the incinerator. It was developed over 15 years ago and is not being built anywhere else in the UK.

Parity of esteem, anybody? There are, of course, questions around finance and public money, as Members raised. The ratepayers will have to pay billions of pounds for it for over 30 years. Many people do not even know that Arc21 exists or what it even means. If there are billions for the incinerator, where is the money for green jobs, for home insulation, for reforestation etc? It is, indeed, a waste of money.

Mr Clarke mentioned the Mullaghglass site in my constituency, which is causing massive issues for residents. There are complaints about the odour and nuisance and that it is possibly causing health issues. I repeat that Mr Clarke's Minister should act quickly to shut it down. The site for the Hightown Arc21 incinerator, if it is built on, will be right next to residential properties — it is 1 kilometre away — and will likely have issues similar to those that we are seeing at Mullaghglass. There are questions around farmland, air-quality impact, disturbance of drinking water and many other issues.

I appreciate that the Minister for Infrastructure may not be able to comment on this, but how absurd would it be if every single party in the House, bar one Member, were opposed to the application but it could still go ahead? That puts a focus on the massive problems and lack of democracy in our planning system. I hope that that is not the situation and that the Minister will deny the application planning permission. It is opposed not only by parties here but by thousands of people right across her constituency and across the North more generally.

**Mr Deputy Speaker (Mr McGlone):** I call the Minister for Infrastructure to respond to the debate. She has up to 10 minutes.

**Ms Mallon (The Minister for Infrastructure):** First, I thank Dr Aiken for securing the debate on opposition to a waste incinerator from the residents of Hightown, Mallusk and South Antrim.

I have listened carefully and with interest to all the comments made and issues raised by Members representing North Belfast, South Antrim and West Belfast, as well as former Environment Minister Mark Durkan and the leader of the Green Party. It is clear that the proposed development at Hightown is an important issue for Members and their constituents.

At the outset, however, I advise Members that, as Mr Blair, Mr Kelly and Mr Durkan rightly

pointed out, my participation in and contribution to this debate may be somewhat limited in comparison with what is normally expected. That is because the debate is focused around a live planning application for the proposed incinerator, and I will be the Minister who ultimately takes the decision on the application. As such, in the interests of transparency, and so that no prejudice is caused to any party that is involved in the process by what I say in the Chamber, it would not be appropriate for me to make specific comments on the planning merits or otherwise of the application at this time.

I do, however, understand the frustrations —.

**Dr Aiken:** Thank you very much indeed for giving way, Minister, and for your remarks as well. This is an issue that we have heard a lot about from the Agriculture Minister as well. Could this not be seen as a cross-cutting issue and therefore an issue for the Northern Ireland Executive? Perhaps it is a decision that the Northern Ireland Executive, as well as you, should be pushing for in order to get a speedy resolution to where we are at at the moment?

**Ms Mallon:** I thank the Member for his intervention. He will be aware of the legislation enacted in this mandate that clarifies the roles, responsibilities and powers that I have as the Minister responsible for planning.

I return to the comments in the debate. I appreciate the frustration that Members have expressed on behalf of their constituents about the length of time that the application has been under process, and I assure them that I am keen to bring a resolution to that long-standing application for all involved. However, as a number of Members rightly identified, if a sound decision is to be reached, it is important that the planning process be completed correctly.

I am very aware of the large number of objections to the planning application and the opposition that exists locally. I fully appreciate the concerns that people have about such development. It is an important aspect of our planning system that everyone can have a say on proposals that may affect them. In considering representations and applications, due process must be followed by my Department.

One of the main issues associated with the proposal, which has been raised by several Members in the past and again here today, is the need for such a facility and whether we should focus on reducing waste and improving recycling rates rather than the incineration of waste. The question of the need for the facility

is, as Mark Durkan highlighted, a matter for the applicant and the Department of Agriculture, Environment and Rural Affairs. In response to the question posed by the Green Party leader, Clare Bailey, I say that my Department has asked DAERA for an update on a statement of need.

Members will know that I have set out my priorities for the remainder of this mandate: to improve lives; to connect communities; to grow a balanced economy; and to tackle the climate emergency. In respect of the last named, I am committed to climate action, and promoting recycling is an important aspect in that regard. As previously mentioned, however, it would not be appropriate for me to comment further on the particular merits of the planning application.

It is important to me, as Infrastructure Minister, that any planning decision taken is robust and sustainable and that it is taken in an open and transparent manner on its planning merits. That approach applies to this application as it does to any other. I will not come to any conclusions on the processing of the application until I have fully considered the report and the recommendation from my planning officials. It is important that I take an objective view of applications. It is also important that any decision be balanced, fair, impartial and robust in all the processes followed. In the meantime, I assure Members that my officials continue to process the application at pace and in line with the planning policy to a point where a recommendation can be made for my consideration.

*Adjourned at 5.43 pm.*

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