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Assembly

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Contents

Assembly Business

Committee Business

Committee Membership 1

Ministerial Statements

COVID-19: Department for Communities Response 1

COVID-19: Update on the Financial Position 18

Executive Committee Business

The Health Protection (Coronavirus, Restrictions) (Amendment) Regulations (Northern Ireland) 2020 30

The Direct Payments to Farmers (Crop Diversification Derogation) Regulations (Northern Ireland) 2020 52

Private International Law (Implementation of Agreements) Bill: Legislative Consent Motion 57

Assembly Members

Aiken, Steve (South Antrim)
Allen, Andy (East Belfast)
Allister, Jim (North Antrim)
Anderson, Ms Martina (Foyle)
Archibald, Dr Caoimhe (East Londonderry)
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Bradley, Ms Sinéad (South Down)
Bradshaw, Ms Paula (South Belfast)
Buchanan, Keith (Mid Ulster)
Buchanan, Thomas (West Tyrone)
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Carroll, Gerry (West Belfast)
Catney, Pat (Lagan Valley)
Chambers, Alan (North Down)
Clarke, Trevor (South Antrim)
Dickson, Stewart (East Antrim)
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Hilditch, David (East Antrim)
Humphrey, William (North Belfast)
Hunter, Ms Cara (East Londonderry)
Irwin, William (Newry and Armagh)
Kearney, Declan (South Antrim)
Kelly, Ms Catherine (West Tyrone)
Kelly, Mrs Dolores (Upper Bann)
Kelly, Gerry (North Belfast)
Kimmins, Ms Liz (Newry and Armagh)
Long, Mrs Naomi (East Belfast)
Lunn, Trevor (Lagan Valley)
Lynch, Seán (Fermanagh and South Tyrone)
Lyons, Gordon (East Antrim)
Lyttle, Chris (East Belfast)
McAleer, Declan (West Tyrone)
McCann, Fra (West Belfast)
McCrossan, Daniel (West Tyrone)
McGlone, Patsy (Mid Ulster)
McGrath, Colin (South Down)
McGuigan, Philip (North Antrim)
McHugh, Maolíosa (West Tyrone)
McIlveen, Miss Michelle (Strangford)
McLaughlin, Ms Sinead (Foyle)
McNulty, Justin (Newry and Armagh)
Mallon, Ms Nichola (North Belfast)
Maskey, Alex (Speaker)
Middleton, Gary (Foyle)
Muir, Andrew (North Down)
Mullan, Ms Karen (Foyle)
Murphy, Conor (Newry and Armagh)
Nesbitt, Mike (Strangford)
Newton, Robin (East Belfast)
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O'Dowd, John (Upper Bann)
O'Neill, Mrs Michelle (Mid Ulster)
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Robinson, George (East Londonderry)
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Sugden, Ms Claire (East Londonderry)
Swann, Robin (North Antrim)
Weir, Peter (Strangford)
Wells, Jim (South Down)
Woods, Miss Rachel (North Down)

Northern Ireland Assembly

Tuesday 19 May 2020

The Assembly met at 10.30 am (Mr Deputy Speaker [Mr Beggs] in the Chair).

Members observed two minutes' silence.

Assembly Business

Mr Deputy Speaker (Mr Beggs): It is my duty report that the Speaker has notified the Chief Electoral Officer, in accordance with the Northern Ireland Act 1998, that a vacancy exists in the East Londonderry constituency, following the death of our friend and colleague, Mr John Dallat.

Committee Business

Committee Membership

Mr Deputy Speaker (Mr Beggs): The first item of business on the Order Paper is a motion regarding Committee membership. As with other similar motions, it will be treated a business motion, and there will be no debate.

Mrs D Kelly: I beg to move

That Mr Matthew O'Toole be appointed as a member of the Public Accounts Committee.

Question put and agreed to.

Resolved:

That Mr Matthew O'Toole be appointed as a member of the Public Accounts Committee.

Ministerial Statements

COVID-19: Department for Communities Response

Mr Deputy Speaker (Mr Beggs): I have received notice from the Minister for Communities that she wishes to make a statement. Before I call the Minister, I remind Members that, in the light of social distancing being observed by parties, I have relaxed the Speaker's ruling that Members must be in the Chamber to hear a statement if they wish to ask a question. Members do still have to make sure that their name is on the speaking list if they wish to be called, preferably by notifying the Speaker's Office so that we do catch that there is an interest to ask a question, but they can also do so by rising in their place. I remind Members to be concise as they ask their question. There will be a period of one hour for questions to the Minister, and, if time permits, there may be an opportunity for a second question.

Ms Hargey (The Minister for Communities):

Thanks very much, and thank you to all Members. If you see me looking at my phone, it is because my sister has been taken in at 10.30 to have her baby. I am waiting on news of the arrival.

I am pleased to have this opportunity to provide a further update to the Assembly on the work being taken forward across my Department and with multiple partner organisations to support and protect those most in need during this public health emergency. To begin with, I wish to place on record my sincere thanks and appreciation to all those who have gone the extra mile to help strangers, their families, their neighbours and their communities during the crisis. It has been truly humbling to witness the extraordinary efforts and selfless actions of so many, including my staff in the Department for Communities, our partner organisations, local councils, the voluntary and community sector, local sporting bodies, faith organisations, and the many, many community activists who have

all played their part in protecting those most in need at this time.

In a statement to the COVID-19 Ad Hoc Committee on 9 April, I advised that one of my key priorities was to ensure that our services were reconfigured in a way that maintained delivery of our suite of social security supports for those most in need. Officials in the Department have faced a dual challenge to adapt quickly to social-distancing measures to protect our staff whilst responding to the unprecedented demand for our services.

During this period, I have widened the eligibility criteria for some of our support in order to provide further help and to direct the support to people who find themselves in a crisis situation as a result of COVID-19. That has been possible only by the swift introduction of significant changes in how we operate, including removing some processes, such as suspending reviews and reassessments for health and disability benefits for three months and introducing necessary changes to the discretionary support scheme.

Since the onset of the COVID-19 crisis, on 16 March, there has been an increase of 294% in claims to universal credit and a 110% increase in claims to jobseeker's allowance (JSA). That equates to about 71,000 applicants for universal credit, with an average of 7,900 claims a week. Staff have been working extremely hard. According to data from 16 March to 14 May, we have made 140,294 payments on time, representing about 99.3% of all payments due by then. Members will be aware that the universal credit standard allowance has been increased for everyone by £86.67 a month. In addition, everyone making a new claim to universal credit can apply for a non-repayable universal credit contingency fund grant that is available through the discretionary support. This is publicised through nidirect, the main citizen-facing information portal, as well as through the Department's social media channels, and through a network of grassroots independent advice and community organisations.

A number of steps has been taken to improve our ability to respond to the increased demand for discretionary support. We have amended the regulations to widen the grant eligibility criteria in order to provide a grant for short-term living expenses to assist claimants who are affected by COVID-19. For applications, we have increased the income threshold to £20,405 and have changed the debt threshold from £1,000 to £1,500. That will ensure that more people on low incomes can access

emergency financial support. An online living expenses grant application form is also now available on nidirect. Staff have been redeployed to this area to ensure that we can manage the increase in applications. The form can be completed and submitted online without the need to download or email.

From 16 March to 15 May, my Department delivered more than £2.3 million in discretionary support payments through 13,278 awards to people in need, including just over £1 million due to more than 6,863 new COVID-19 living expenses awards made to people directly impacted by coronavirus. That was one of the legislative changes that I introduced, with the approval of the Assembly, in April. I know that those payments have been a lifeline to many and have enabled them to provide for their families and to keep them safe, in line with Government guidelines.

We have also suspended face-to-face appointments across our jobs and benefits network, as well as medical assessments for personal independence payment (PIP) and employment and support allowance (ESA). Access to telephony channels will continue to be available for anyone who is claiming universal credit, PIP, ESA, JSA and discretionary support.

However, given the significant staff absences being experienced across all benefit operational areas, it is taking longer for some calls to be answered. To help, new online application forms for ESA and JSA have been introduced and are available on nidirect. The forms can be downloaded, completed and emailed directly to the relevant benefit area for processing.

The minimum income floor in universal credit has also been suspended for the duration of the outbreak, meaning that every self-employed person can now access universal credit in full. It ensures that the self-employed are fully supported by the benefit and social security system so that they can follow the Government's guidelines on social distancing and self-isolation.

I will make further amendments to assist the self-employed by ensuring that the treatment of payments, made under the job retention scheme to fund payments to the self-employed person's employee, are applied appropriately and not taken into account in the self-employed person's universal credit award. In addition, any other loan or grant to meet the losses of their expenses of the claimant's business, in relation to the coronavirus outbreak, is to be

disregarded in the calculations of the person's capital.

Changes have also been made to ensure that if a person loses entitlement to universal credit on account of their income, the Department will treat the person as reclaiming universal credit for up to five assessment periods, rather than closing their claim, meaning that a person does not need to make a new claim if earnings reduce.

As well as delivering on our priority to get money into families and households to alleviate hardship, I have taken the decision to suspend, for a period of three months, the recovery of benefit overpayments and loan repayments from a number of social security benefits. The measure will provide some financial easement to people with benefit overpayment-related debt or an outstanding loan balance. The change will mean that many people will see an increase in the amount of money that they receive in benefits during these three months.

Recovery of all social fund and discretionary support loans will be suspended and customers who are currently making repayments through a bank standing order may wish to contact their bank to cancel their arrangement. However, that will need to be set up again following this pause period. For people who are repaying through other means, the Department has already written to employers asking them to stop deductions from salaries, and all recoveries by direct debit will also be suspended for three months. I remain committed to doing everything that I can to ensure that those most in need, and the most vulnerable, receive the maximum amount of financial assistance and support during this difficult time.

We have also progressed a range of other interventions to ensure that support is made available to all those who are in need. One of the Department's early interventions, in partnership with Advice NI, was the establishment of the freephone COVID-19 community helpline. The service is available seven days a week from 9.00 am to 5.00 pm to ensure that the most vulnerable and those at risk of COVID-19 have access to practical support services and emotional support at this most difficult time.

Working collaboratively across Departments, health and social care trusts, local councils, community and voluntary organisations and the private sector, we put in place a programme to distribute food to vulnerable people across communities, and also to those who are self-

isolating. My Department is investing £10 million in the service over the next three months, and over 70,000 food boxes have been delivered to those who need them. The food parcel service has been hugely successful in getting immediate food and essential supplies to those in need. The vital service will ensure that those most in need in our society, who do not have a support network or family and friends to help them through the emergency, will have access to basic food supplies. It will also allow those who are at risk of social isolation to see a friendly face and to know that we, as a society, have not forgotten about them. There is a tremendous amount of goodwill and generosity in the action across our society, which is very welcome at this challenging time.

The access to food offer of support is broader than online shopping slots and food parcels for those in most critical need. Council coordinated volunteers can also assist with shopping for those who need it.

Hundreds of community organisations have availed themselves of funding to assist with food support to vulnerable people. Over 200 Spar, Eurospar and Vivo stores, as well as a large variety of independent retailers at local community level, are now also offering home delivery services to help those who are unable to get their own groceries. If anyone is in need of food or other advice or support, they should contact the COVID-19 community helpline in the first instance.

10.45 am

My Department has also been working with the Department of Health, the Health and Social Care Board and the four major supermarket retailers to put in place a registration process for those who have been advised by their GPs to shield for 12 weeks and who may need to avail themselves of priority online shopping delivery slots. That is a welcome development, and I hope that it will address the very real concerns and frustrations expressed by people in getting access to regular food supplies.

One of the other priorities is to ensure the safe delivery of medication to vulnerable people and those who are isolating and cannot arrange for anyone to collect their prescriptions. We have been working closely with the Health and Social Care Board and other health partners to ensure that the necessary arrangements are put in place to allow that to happen.

My Department has taken the lead in responding to the challenges that community and voluntary sector organisations face by introducing a range of flexibilities in terms and conditions around grant funding, including upfront payment and reduced bureaucracy. To enable that to happen, my Department has prepared the necessary contracts for funding and paid out over £9.5 million in grant payments to over 300 organisations since 1 April.

I have also ensured the protection of the management and delivery of three programmes under the People and Place strategy. The strategy supports over 300 projects across 62 geographical areas of deprivation. Those important community projects have now received six months' advance funding, totalling £7.6 million, to enable them to continue delivering vital services to those most vulnerable in our communities.

In addition, we have introduced the COVID-19 community support fund, releasing £1.5 million initially through local government's existing community support programme. The funding has enabled our local councils to directly support grassroots organisations in tackling poverty and helping those in greatest need, and I hope to make a further announcement on the next step of that funding soon.

Following the recent announcement regarding financial support for charities and the allocation of £15.5 million in the Barnett consequential to support charities here, I have been developing plans to launch an Executive scheme to support charities impacted by COVID-19. Many local charities are at the front line in responding to the emergency and in supporting our most vulnerable citizens both now and as we plan the recovery phase.

I recognise the impact that the COVID-19 emergency has had on traditional fundraising activities and that this is a worrying time for many charities. The charities sector is made up of a diverse group doing fantastic work in our local communities. Given that this is a limited fund and it will not reach everything, it is important that any scheme to support charities is carefully considered and ensures that the best possible use of our resources is available to support and prioritise the needs within the sector. I am having discussions with Executive colleagues and hope to be in a position to make an announcement on that programme later this week.

I am conscious that other sectors are facing significant challenges at this time. I have

announced a new £1 million COVID-19 creative support fund, which will be a mechanism to support individual artists and institutions in finding innovative ways to combat social isolation and address well-being challenges. The arts sector has such an important role to play in keeping spirits high but also, importantly, in promoting creativity in these difficult times and as we move into a recovery period.

I also recognise that sporting organisations at every level, from grassroots to those who compete at an international level, are facing serious financial challenges as a result of the COVID-19 restrictions. I have worked with Sport NI and the Sports Forum to take immediate practical steps to support sporting organisations. That has involved an early release of the 2020-21 grant awards and the launch of a hardship fund for sport.

The £750,000 hardship fund, managed by Sport NI, has provided financial assistance through a grant of up to £2,000 to sports clubs and organisations to assist with essential overheads and the costs of maintaining their facilities during the COVID-19 lockdown period.

The level of demand for financial relief through the hardship fund for sport has been exceptional, with over 350 applications received since it opened on 14 April. I regret that, for now, the scheme has had to be suspended pending assessment of those applications that have already been submitted. The suspension of the scheme will continue to be kept under review, and I hope, subject to additional funding becoming available, to reopen the scheme in the future.

I am very conscious that the impact of this crisis on construction and on tourism has created very significant challenges for the heritage sector. My Department owns 190 state care monuments. Access to those is restricted in line with public health guidance, but I am pleased that we are able to keep them accessible to pedestrians.

It is important that other priority work in the Department is able to continue. I can advise that officials in the Public Record Office (PRONI) have been liaising with the Executive Office, the Department of Justice and the Historical Institutional Abuse Redress Board to process requests from vulnerable victims and survivors who gave evidence to the Historical Institutional Abuse inquiry. PRONI's work has been critical in allowing the Redress Board to begin compensating victims and survivors.

During this crisis, I have been very conscious of the need to provide assurance to households facing difficulties in paying their rent. Whilst we received initial commitments from the Housing Executive and all our housing associations to treat such cases with extreme sensitivity, I have followed that up with legislative cover to strengthen protection for private renters during the COVID-19 crisis.

The Private Tenancies (Coronavirus Modifications) Bill was approved by the Assembly on 28 April, and it ensures that landlords will now be required to give tenants a 12-week notice-to-quit period. That legislation will protect private renters by securing their accommodation, allowing them to protect their health and reducing the movement of people. It will also enable vulnerable people to shield, self-isolate and socially distance themselves.

A document providing housing-related advice to assist tenants and landlords to remain safe and secure, and comply with obligations while observing social-distancing guidelines, was published on 16 April 2020. A further update was provided on 6 May to reflect the extended notice-to-quit period contained in the Private Tenancies (Coronavirus Modifications) Act 2020. The guidance is hosted on the DFC website, nirect and linked to the websites of partner organisations, including the Housing Rights Service, councils and housing providers.

In my statement to the COVID-19 Ad Hoc Committee, I outlined the importance of protecting the homeless during this crisis. The Housing Executive has set up a dedicated team to manage its response to the crisis and has put in place a number of interventions to support homeless individuals or those threatened with homelessness. We will continue to take all possible measures to prevent vulnerable people from sleeping on our streets, and I commend all those who have worked with us to make sure that that has happened and to keep people safe.

I am extremely grateful to my Executive colleagues for yesterday prioritising a further £10 million in funding for the Supporting People programme. That money will maintain the delivery of housing support services across a wide spectrum of organisations doing vital work with older people, people with disabilities, those with mental health and well-being issues, those who find themselves homeless or threatened with homelessness, and vulnerable young people. The funds will be used to address the significant staff shortages in the immediate term and mounting pressure in this area if the number of COVID-19 cases in the Supporting

People schemes continues to increase. This funding allocation represents our commitment to the vulnerable people in Supporting People schemes, and the staff providing support to them. We support them and we are working hard to ensure their safety and well-being.

I also want to recognise the important role being played by local councils in helping to support and protect people in need during this public health emergency. I am aware that councils are facing significant financial pressures, mainly due to the closure of their facilities and the resultant loss of expected income. The losses sustained to date are of such magnitude that councils will soon be unable to meet their financial liabilities. I am therefore delighted that I received Executive approval to make an immediate intervention to avoid a cliff-edge financial crisis developing in local government. Yesterday, the Executive agreed to make available to my Department funding of £20.3 million to alleviate the financial pressures on councils. That intervention will provide relief to our councils, protect the delivery of vital front-line services during this crisis and ensure that councils are ready to play their role in our post-pandemic recovery plans.

I have also introduced legislation to relax some requirements for local government meetings, enabling them to hold meetings by remote means, including via telephone conferencing, video conferencing, live web chat and live streaming. Provision has also been made for remote access to council meetings by members of the public. In addition, information that generally has to be made available at council offices will now be made available on council websites. These measures will enable councils to continue the effective delivery of local services while being mindful of the health and safety of their members, officers and the public.

It is vital that we facilitate the continuation of council business whilst adhering to public health guidance and that we enable our councillors to continue to participate in democratic local government. Following discussions with the Department of Finance, I am pleased to confirm that councils are eligible to apply to the furloughed staff scheme through the job retention scheme. My priority has been to ensure that the rights of workers are respected and to protect jobs.

As Minister for Communities, I have endeavoured to put in place a range of highly responsive and targeted interventions to help and support families and those who make up the very fabric of our society, including charities, voluntary organisations, sporting

bodies and the arts. Now that the Executive have published their road map for recovery, I will continue to monitor the adverse impacts of this pandemic on these target groups, and I will engage across government with our partners in the voluntary and community sector and the private sector to address issues as they arise.

We are all focused on moving out of the current crisis while, of course, ensuring that we protect people in the midst of this pandemic and looking at a phased approach to recovery. However, it is clear that we will be in a very different place as a society at the end of the process. I want to ensure that we retain the very best elements of our response to the COVID-19 pandemic by embracing a new sense of community spirit and togetherness, by acknowledging and recognising the efforts of key workers, and by protecting the most vulnerable and addressing the systemic inequalities that exist. I trust that you will find this update helpful, and, of course, I look forward to engaging with you.

Mr Deputy Speaker (Mr Beggs): We now have a maximum one-hour period of questions to the Minister. I remind Members that this is not an opportunity for debate or long introductory comments. There might be an opportunity at the end, when everyone has asked a question, to afford Members a second question, if time remains. Some latitude will be shown to the Chair or Deputy Chair of the Committee.

Ms Armstrong (The Deputy Chairperson of the Committee for Communities): Thank you, Minister. I will speak today as the Deputy Chair of the Communities Committee. Our Chair is not available, and we wish her well with a private matter.

Minister, I put on record our absolute appreciation for you and your Department. Anybody reading that statement will see the amount of work that has been going on in the Department. Everyone recognises the key health workers, but the hard work put in to help people on benefits, including those who are being introduced to benefits and have no idea how they work, has shown that, although not stress-free, the process can work quite smoothly. Today, we heard about a 90% increase in the number of people who have become unemployed during the pandemic. The fact that we are not having public outcries being reported every day in the media about the benefit system and access to benefits says a lot about your Department.

11.00 am

Just moving on to the detail of the statement today, I absolutely welcome your announcement that there will be some movement forward on the charity sector. That has been causing a lot of concern, given that the Department of the Economy has been announcing a number of business support grants, but the charity sector has been left out. I urge the Minister to do all that she can to ensure that that payment can go out quickly.

The Minister said that we would be in a different place as a society moving forward, and I am delighted to welcome the £20.3 million of council funding that has been announced today. We met as a Committee last week and heard from the Society of Local Authority Chief Executives (SOLACE), who outlined the financial difficulties that councils were having, so we are absolutely delighted that that is the amount of money that has come forward from the Executive to help councils that have lost out on income not generated through, for instance, leisure centres and so on. Can you confirm, Minister, whether that £20.3 million is to cover this period of three months or whether there will be more to come if there are further extensions to rates? Will the councils be asked to help prepare for this different society by working within the community to identify where personal protective equipment (PPE) and other protections should be in place for the community? I just want to find out if the £20.3 million for councils is just for these first three months and whether councils will be asked to use part of that money to advise businesses, charities and so on about PPE, going forward.

Ms Hargey: Those are two important areas. I will just start on the charity stuff. Obviously, we got the announcement of the Barnett consequential a few weeks ago. The Finance Minister made the announcement about the hospices, so we have £15.5 million remaining. It has taken a bit of time to analyse the impact on our charity sector. We have a wide-ranging charity sector, some of which includes social enterprises. There is no legal definition of what a social enterprise is, but, obviously, a lot of them have charitable outputs, and they will be included. I will outline plans for what this will look like, and, obviously, my announcement will include the quickest delivery that we can get in terms of actually getting money out onto the ground. The important thing is that we have over 9,000 registered charities that meet the legal definition in the North and £15.5 million will not meet all of the need. At this point, we have to analyse what the critical overheads are that we need to meet at this time as we deal with the pandemic. That is what I am assessing. However, I am, obviously, thankful that the

funding was agreed by the Executive yesterday, and I will announce the roll-out of that this week.

On councils, the funding is initially to meet costs between now and the end of June, so it is for the immediate costs and impact of the pandemic at this point. Obviously, my Department has been working with SOLACE. It sits on the emergency leadership group at Executive level as well, and it feeds in on a daily basis. We know that there have been critical issues for councils. We have had information from councillors coming through from across all the parties, and, obviously, we needed to respond. We will work with them on the allocation in the next day or two, again to get the money released as quickly as possible. The Finance Minister will make a statement after this one, and that will include the issue for councils around waste management, which does not fall within my Department. There will be other announcements there too.

Mr Buckley: I thank the Minister for her detailed statement and, as a member of the Communities Committee, welcome most of the content. One point that gives me considerable concern is the hardship fund for sport. As has been mentioned, the fund was closed within two days due to demand surpassing the funding allocated. In correspondence with my colleague Sammy Wilson MP, the Minister said that 40% of the funding awarded had been allocated to the Gaelic Athletic Association (GAA). That is grossly weighted, and I would like the Minister to outline what engagement she or her Department had with the relevant sporting organisations prior to the scheme's launch and, secondly, in the design of the scheme, what consultation her Department had giving consideration to equality impact across the sporting sectors in Northern Ireland. We know, as has been mentioned —

Mr Deputy Speaker (Mr Beggs): The Member has asked his question.

Mr Buckley: — the severe —.

Mr Deputy Speaker (Mr Beggs): The Member has asked his question.

Ms Hargey: The first thing to say is that it was an emergency fund to respond to the crisis. It is not enough money to meet the need, and we do not have enough money to meet all the need that is out there. We did move quickly, however, working with Sport NI and the Sports Forum, which represents a variety of sporting organisations and codes, on the delivery of the

fund, and I know that it has been welcomed by all of them, notwithstanding the fact that it is not enough money.

The scheme was launched. Everyone got the same information and was updated at the same time about the launch. The demand was unprecedented, so we had to suspend the scheme. It is not closed but suspended at this point, because we need to assess the applications that are in. From those applications, we will see what money can be made available and whether any money will be left over. I am working with officials, and we continue to engage with the Sports Forum and Sport NI on whether we can open the process again to allow other organisations to come in.

I take no role in the assessment of applications; that is done by trained staff who work in the sports branch. I did not have the breakdown figure right away. The detail is very much done by officials, adhering to rules on how public funds are issued.

I want to get as much resource and support as I can to all the sporting organisations. I have worked regularly over past weeks and months along with the two junior Ministers with Ulster Rugby, the Irish Football Association (IFA) and Ulster GAA to respond to the pandemic but also to look at what implications the pandemic has for sports. We have worked closely with the Sports Forum and Sport NI, which represent all sports at all levels. I want to continue to do all that I can to address needs, but that is with tight finances, when we are trying to deal with the immediacy of the pandemic by addressing homelessness issues and trying to make sure that people are safe. Those are some of the balances that we have to get right.

I continue to look at whether I can make greater flexibilities to increase the money available, allowing more sporting clubs to get the grant. I will continue to look at all avenues to ensure that I can do that.

Ms Ennis: I thank the Minister for again coming to the Assembly to outline her interventions, which, to date, have been entirely citizen-focused and entirely based on ensuring the collective well-being of our communities.

It is absolutely right that the Minister has outlined her protections for councils.

Mr Deputy Speaker (Mr Beggs): Can we come to a question, please?

Ms Ennis: Yes, I will. We need to ensure that our councils are adequately resourced. On that, can the Minister give us any more detail on how the money for councils will be divvied up? We need to ensure that there is a fair distribution across council districts, as some councils are impacted on more than others. Members of our Committee have mentioned certain reserves that councils may have. We need to ensure that there is an adequate and fair distribution of the money that the Minister has announced, so I wonder whether she can give us some more detail on that, please.

Ms Hargey: There has been a big investment by the Executive to provide the funding. We have been working with SOLACE and the councils to look at where there is need. It is not that an even calculation will be made across all the councils, because that is not how it works. Councils have different issues and difficulties that they have to deal with, so funding will be tailored to the needs of each of the councils. We will continue to work with them over the next few days, so I do not have a table that shows a breakdown of that finance just yet. We were dealing with furlough issues, which have more than halved the amount of finances requested by councils. We continue to work through some additional issues, with the goal of getting the money released and out as soon as possible. Once that has been done and the table has been agreed and signed off, I will make sure that Members and Committee members have that information.

Mr Durkan: I thank the Minister for her statement. I have been very complimentary of most aspects of her Department's response to the crisis. While I have been critical of some aspects, I do not for one second underestimate the difficulty of addressing a wide range of issues as they emerge.

There has been reference this morning to the startling statistic that there has been a 90% increase in unemployment here, and the sad likelihood, if not reality, is that we will see more and, perhaps, even more dramatic increases in the number of people seeking that support. Is the Minister confident of the capacity in her Department to deal with further such increases, and does she have plans to increase capacity in that aspect of her Department's work and, indeed, in advice services?

Ms Hargey: That is an important issue and one that I discuss with Department officials on a weekly basis. At the outset of the pandemic, I wanted to ensure that payments were made to people as quickly as possible, particularly those

who were in financial crisis. The unprecedented demand in universal credit claims is no secret, and I have spoken about it on a regular basis in the Chamber and outside it. The fact that we have had over 71,000 new claims shows the impact that the pandemic is having. Thousands of people all of a sudden — overnight — no longer have a job or have been let go on a temporary basis, and that could get worse depending on the outworking of the pandemic, if we get a second spike, and depending on the furlough scheme, which has been extended. That is to be welcomed. We do not know what this will look like further down the line.

There has been the additional pressure, which I have not shied away from, in that we are working with just over 30% of our staff. Part of that is due to people self-isolating, and the other part is to ensure that we adhere to social-distancing measures. I visited one of the offices in Strabane on Friday. It is an office of over 45 people, and they work on a rota basis over a three-week period and have around eight or nine people in the office at any one time. Obviously, that reduces the personnel that we have, but that is to ensure that our staff are safe. We have to do that, but I have to ensure that the service is not impacted by it.

I commend the work of staff, in that 99.3% of payments have been made on time, even in a period of an unprecedented increase in claims. That has been down to those critical front-line essential workers who have gone above and beyond in coming into work and working from home. We have had to change our practices and make more technology available for those who are working from home to ensure that payments can be processed. It has also been done through working on a shift basis and bringing people in throughout the day and over the weekend, if needed. We needed that during the initial spike in the pandemic.

I am confident, going forward, that we have the capacity. We are starting to plan to mitigate any eventuality that we may have in the future in responding to the virus. It has to be said that all that is being done because we have stood down some other procedures in the Department, such as suspending face-to-face engagement. If, as we move through the pandemic, there are easements and we start to open up our public buildings again, all of that will have to be assessed while keeping staff and members of the public protected. That has to be the number-one priority.

We are looking at unemployment benefits in terms of our employability programmes. We are starting to look at the recovery period and what

we will need to do to respond to those who find themselves in the social security system, including how we get people back into the workforce and what we can do to support them. I will meet officials over the coming weeks to start to plan that. That will have to sit with what the Department for the Economy does on recovery and, indeed, what the Executive as a whole do, but I am confident that our staff have been excellent throughout this whole period. They have been really committed to helping those most in need, and I am confident that we will be able to manage that in the time ahead.

Mr Allen: I thank the Minister for her statement. Minister, a recent survey by Chief Officers Third Sector (CO3) and the Institute of Fundraising — it surveyed 206 chief executives — highlighted that the majority of them have indicated that cash flow is a major problem, and 92% further highlighted that they were ineligible for other grants. The Minister indicated that the charity fund of £15.5 million that is allocated as Barnett consequential will be limited, so can she outline what additional support her Department is considering to supplement that fund?

11.15 am

Ms Hargey: It is a limited pot of funding, and there are pressures. I know that CO3 has been doing an analysis and has engaged over 200. We have more than 9,000 charities that are impacted, and they are impacted in different ways. We have charities in three brackets: those that have an income of less than £10,000; those between £10,000 and £1 million, and, from the analysis that we have done, we know that they will be most severely impacted by lost income and fundraising due to the pandemic. We want to make sure that the £15.5 million funding that we have from the Barnett consequentials gets to as many of those charities as possible. We want to make sure that this is not about meeting the longer-term costs of those charities; this is about meeting the critical short-term costs. That is why the proposal that I will bring forward this week will start to look at charities individually and their needs. We are also looking at other measures. Can they furlough their workers, for example? Are there other supports that can be brought in? I have written to the Minister for the Economy, and I know that she is looking at the £40 million grant that is available, to ensure that social enterprises and charities can also avail themselves of that. That said, you can avail yourself of only one funding stream from government; you cannot be double-funded. Many charities are government-funded. In my Department, any organisation that gets funding

has been paid that up front. We have given advanced payments to them.

We will continue to look at this. We are meeting NICVA and others who have done surveys to look at the impact on the community and voluntary sector. Some of their initial analysis says that over £350 million would be needed for that sector going forward. I do not have that finance, obviously. We want to continue to work with the sector. We want to work with the grassroots organisations that have been responding to this public health emergency in defending essential services at this time to look at what additional supports we can bring in.

As was touched on in one of the other questions, society will change here. I think that questions need to be asked about what we finance and how we finance, as an Assembly and Executive going forward. That has to be around having an inclusive growth approach and looking at issues such as community wealth-building to ensure that we can retain wealth and focus, wealth and growth within communities and to target people who need it the most. I hope that, in any economic recovery, we start to look at those measures in looking at issues of, I suppose, institutional inequality and what we can do to remove them. I will bring forward a proposal, soon, on developing the anti-poverty strategy and the child poverty strategy. There will be opportunities there to start to change how this institution and Assembly respond to those most in need. Again, I will welcome Members' input and engagement on those issues.

I will update Members. It is good that we will get the £15.5 million out. An announcement will be made this week to give an assurance to charities that the process is starting. The Economy Minister is looking at the £40 million scheme. There will be further discussions on support for the social economy sector, as well. It seems to fall between two stools because there is no definition of a social economy. We are looking at that.

Mr Deputy Speaker (Mr Beggs): So far, a further 14 Members have indicated that they wish to ask a question. I need your cooperation so that I will be able to afford the opportunity to as many as possible.

Mr Humphrey: I thank the Minister for her statement and for the support that the Executive and Belfast City Council have given to the elderly and vulnerable in north Belfast.

Minister, sporting and recreational clubs are a key part of the fabric of our society. Many of

them have missed out on the £10,000 and £25,000 grants that have come from the Department for the Economy. Many of them are unable to get any assistance from your Department. What further measures can you take? There are gaps for some of the clubs in the funding that they need to survive. They have low reserves; they do not have a regular income; many of them are staffed by volunteers. What more can you do — I implore you to do more — so that those clubs are there to assist our community when we move at the other side of this dreadful virus?

Ms Hargey: There are a couple of things. They do play a vital role in our communities. They will be key, even in the impact of the lockdown and the impact on children and young people who are missing their sports. Sporting organisations will play a vital role in the health and well-being of those people as we move into the next steps of our approach out of the coronavirus pandemic.

I am looking to see whether I can extend the existing hardship fund — the sports COVID fund that I launched. I have also written to the Minister for the Economy about the other grants. I believe that sports organisations should have been able to avail themselves of those funds where they have a business element. I was keen to do that and I am waiting to hear what the Minister has to say. I know that she is proactively looking at that at the moment. I am continuing to engage with the sports forum and Sport NI to look at what additional measures we can take. I also want to bring forward the development of our regional and subregional stadia programmes to ensure that we can get things moving on those key infrastructure pieces. We are looking at all of that at the moment and I will update Members as I start to bring forward more programmes and proposals.

Ms Dillon: I thank the Minister for her statement. I concur with Kellie Armstrong's remarks about the phenomenal work that the Minister and her staff have done so far. On the back of the last question, what she has done for self-employed people highlights the failures of the Economy Minister. Moving forward, what recovery plan do we have to help self-employed people and ensure that the Economy Minister picks up the responsibilities? Those matters should not fall to the Department for Communities; they should fall to the Department for the Economy. Those people should not be left behind.

Ms Hargey: The Executive are looking at a recovery plan and I know that the Economy Minister is going to bring forward an economic recovery plan. My role is to ensure, in any of that, that we have a different type of economic outlook that looks after the most vulnerable, that tries to lift as many up as possible and looks at a fair distribution of the wealth in our communities. There needs to be a focus on small-to-medium enterprises as the bedrock of our economy. There has been good collaboration across the Departments as well but it is not for me to answer questions for another Minister.

Mr Stalford: In her statement, the Minister mentions the fact that there has been a huge rise in unemployment. In a previous answer, she mentioned key infrastructure pieces. One of the most significant arm's-length bodies relating to her Department is, of course, the Housing Executive, which is working in conjunction with housing associations to deliver significant build projects. I am referring specifically to Hope Street in our constituency. Will the Minister give the House and me an assurance that no action by her Department will delay further the development of Hope Street and the associated development of additional housing in Sandy Row?

Ms Hargey: I thank the Member for his question. We have been meeting and a lot of work over the last three months has been focused on the pandemic. There has been a slowing-down in other parts of the Department but we are focused on the issue of housing and new housing builds. That was a priority for me when I came into post as Minister in January. I have been in meetings over the last couple of weeks with the Department and there has been a change in personnel of one of our leads in housing and regeneration. Nevertheless, we are committed to developing the housing programme. It has been affected by the pandemic and construction has stopped, as have Land and Property Services (LPS), building control and planning. However, as we move through with councils up and running with planning, and as building control starts to get back to work, I am hopeful that we will move forward.

The big thing for me is to try to protect the capital budget and ensure that none of that is lost so that we meet our housing targets as we move forward. I will outline plans for my vision around housing and increasing the housing stock. I know about the issues in Sandy Row and I know that the community that I live in, in the Market, has engaged with community activists in Sandy Row. Going forward, the

Hope Street development will be a vital one. In taking that forward, I am committed to addressing the connectivity needs of that community and to ensuring that they feel the benefit, and to ensuring that those physical, social and economic connections are felt in the city as a whole. I am committed to doing that, and I am happy to talk to you further after this session.

Mr McAleer: I thank the Minister for her statement. I am glad that she referred to the important role that the community sector has played throughout the pandemic. One of the schemes in which the community sector has played a huge role is the delivery of food parcels. They have been a lifeline for people in isolated rural areas. Has the Minister an opinion on the effectiveness of the food parcel schemes? What are the plans for the scheme for the future?

Ms Hargey: Access to food was one of the critical areas as we entered the pandemic. The scheme was an emergency response to ensure that we got essential food to people who needed it, be they people who were self-isolating and shielding, people who did not have a support network to bring them essential food or people in financial crisis who, perhaps, had lost their job, had reduced incomes or increased expenditure because they were at home. From the start, I said that I wanted to build in a review. The food programme cost £10 million for the initial 12 weeks, which covered the three-month shielding period. I built in a six-week review to the programme, and I am looking at that at the moment. We were responding to an emergency, and it is not a perfect programme — albeit, it is meeting need — so I wanted to review it halfway through to ensure that we could make necessary changes, if needed. We are making changes. We have, obviously, been liaising. Some 18,000 people across the North receive food parcels every week. Councils have had a role, as have DAERA personnel, and the Department for Infrastructure has had a role through its public transport being involved in getting the food parcels out to those who need them. We will review the programme and see whether there are other things that we can do.

We stopped at 18,000 people because the three wholesale suppliers that we use cannot go beyond 18,000. They cannot pack more food parcels than that because they have to adhere to social distancing, and that is the capacity and contract that was signed up to. We are looking at that to see whether there are other ways that it can be done, because I know that there are issues. An older person living on their own, for

example, will not need some items in the food box every week, and we do not want food to be wasted. I want to ensure that people get the food that they need. We are liaising with councils. All 11 councils have a key food lead within their council, and there are daily calls with my Department to look at the issue. We are looking to see whether the products can be delivered to the council distribution points and councils can tailor the food boxes to the constituents and lists that they know to ensure that the people get the type of food that they want.

I also want to consider health and well-being and ensure that there is fresh fruit and vegetables in the boxes. A review of that is being done. I am meeting with officials this week, and we will communicate that with councils and the wider public.

As I said in my statement, as well as launching the food boxes and parcels, I released £1.5 million in a community COVID fund, which was disseminated through the 11 councils. I am looking at replenishing that fund, because I know that it is delivering critical need and services through the 11 councils. I will make an announcement on that in due course.

Mr Deputy Speaker (Mr Beggs): I encourage Members to address the Chair so that the microphones can pick up what is being said.

Mr McCrossan: Minister, I put on record my appreciation to you for visiting Strabane, in my constituency, on Friday. It was greatly appreciated. You witnessed the great work that goes on by the local Strabane community project, the Fountain Street community project and the jobs and benefits office. Minister, I know that my colleague across the Chamber will probably not have had notice. I received notice of your meeting at 9.55 am — only five minutes before you arrived.

11.30 am

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

Mr McCrossan: I am just making a point, Mr Speaker.

Mr Deputy Speaker (Mr Beggs): I said, will the Member come to a question, please.

Mr McCrossan: It is important that we have prior notice, but I appreciate the Minister's visit.

The Minister has acknowledged and witnessed at first hand the great efforts that have been made in communities and the life-changing work that has gone on there, particularly through this pandemic. What other funding will be available to sustain this work beyond COVID-19? The Strabane Community Project, in particular, is a lifeline to so many people, particularly the elderly and vulnerable. It has faced some cuts, as you know Minister, in recent times.

Ms Hargey: I thank the Member very much. I was delighted to visit Strabane. I will look at the issue of notice. Obviously, all Members should get appropriate notice when I, or any Minister, visits their constituency. I am glad that you, and representatives of other parties, were able to be there.

One of the first things that struck me is that St Pat's church hall is a real community hub. You can see the food operation and food boxes going out. There was obvious engagement and collaboration with the Fire and Rescue Service, which gave out essential fire and rescue information because a lot more people are at home. I commend their work.

I also visited the Grass Roots Cafe, which my Department supports as a social supermarket. Indeed, it is part of a pilot across the North that I want to expand. We are developing a business case for expanding the number of social supermarkets.

All of this, including the distribution of food parcels, is to address the immediate concerns in response to COVID-19. The public guidance from the Assembly asked people to stay at home, particularly those who had to self-isolate. We have a duty and responsibility to respond to that. We also have a responsibility to manage this, as we start to move through the different periods. That is why I built in a six-week review of the programme. We also need to look at this beyond 12 weeks, and consider what is going to happen after that. It will have to dovetail with the anti-poverty strategy. What this pandemic really exposes is the inequalities that existed beforehand. There are structural inequalities that we need to remove. The pandemic has also shown that, if the will is there, we can remove them, notwithstanding the financial stuff, because we still rely on a block grant from Westminster rather than our own economic levers.

We need to look at all those issues and, when I was in Strabane, I gave a commitment to work with communities. I give the same commitment to any community that I visit. I want to give the

power to communities so that they will be part of the decisions. All policies and strategies will be codesigned, and I will work with local organisations.

Strabane has a neighbourhood renewal partnership. Before the pandemic, I wanted to give assurance to neighbourhood renewal partnerships that are based in our most socially deprived communities as identified by the Noble index of deprivation. I have already given the commitment to extend their funding for two years, to allow time to design a new anti-poverty programme. I also gave them a commitment that that will be done in a codesigned fashion. It will not be done to them, but done with them — in partnership and working with them. We will look at this going forward.

I will outline other interventions that I am going to make. It will be a broader conversation on how we allocate budgets and funding. It is important that we have our own financial levers so that we can make our own decisions in the Assembly. I encourage society and communities to stay involved in those conversations. I want to bring forward pilots to look at community wealth building that considers the wealth within a community or council area, and work with local government and others to support small-to-medium enterprises. Also, I hope to support communities to come up with projects, so I want to look at developing cooperatives and have a culture of cooperatives within our communities and economy.

As I start to move through those initiatives, working with the sector, I will keep the Assembly and Committee updated. I am always open to suggestions. I do not have all the answers. I am more than willing to work with Members.

Ms Dolan: I thank the Minister for her statement and commend her and her Department on its ongoing work. Reports suggest that measures that have been taken to address homelessness during the pandemic have been effective. Can the Minister outline what steps were taken to achieve that? More importantly, what can be done to address that issue in the future?

Ms Hargey: It is a critical issue. As somebody who was a housing rights campaigner for many years in my community, I really wanted to look at that issue when I took on the role of Minister. Christopher touched on the impact in places like Sandy Row. With regard to homelessness, there was, obviously, an immediate health issue

for those who sleep rough on the streets. That is not the only type of homelessness that exists in communities and society: thousands more people — up to 30,000 — are known as "sofa surfers". They do not have a home to call their own. While it is important that there is a focus on street-based homelessness, it is important that we recognise that it is not the only type of homelessness out there.

Obviously, there was concern about the impact of the virus on street-based homeless people; that they would be more vulnerable to contracting the virus and to its spread, and the impact that that would have on the health and social care system. There was an immediate response to that and immediate interventions, such as upfront funding that I released to the Supporting People programme in order to ensure that contracts and funding were paid in advance. I quickly engaged with the Housing Executive, which is my Department's arm's-length body that has responsibility for the issue. It set up a team immediately to look at that and to ensure that no one was rough sleeping. It is important that that also included people who had no recourse to public funds in the midst of the pandemic.

From that, we worked with the Health Department and the Health and Social Care Board. A nurse-led team was established to deal with people who have higher vulnerabilities and people who are homeless. That nurse-led team has worked really well. There has been that collaboration between housing and Health.

Today, there has been the announcement of an additional £10 million for the Supporting People programme. That will go to providers on the ground who work with people who find themselves on the street, people who are homeless in other forms, people with underlying addiction issues or mental health and well-being issues, and, particularly, young people, who are even more vulnerable being on the street or homeless. Excellent work has been done. Again, it goes back to the point that if the will is there to do those things, they can be done. The pandemic has shown that they can be done. I am committed to continuing that in the time ahead. I just want to end by thanking all those in the Department, the Housing Executive, Supporting People providers, and community activists on the ground who have worked on the issue over many years and who I will work with in the time ahead to ensure that we improve the quality of life of those people.

With regard to the broader issue of homelessness, more social housing needs to

be built. There needs to be an increased programme and availability of the kind of housing that is needed going forward. That is one issue that I am looking at. I will outline my vision for going forward in the time ahead.

Mr Lyttle: Is a £2,000 grant, which is yet to be accessed by many sports organisations, actually enough for sports clubs to survive the COVID-19 crisis? Have the Northern Ireland Executive established a return-to-sport expert group to work with the Irish and UK Governments' return-to-sport groups to support sports clubs in Northern Ireland to return to practice?

Ms Hargey: There is never enough money for the need that is there. We released the £750,000 quickly. That is suspended at the moment, but I would like to get it started again as soon as possible if I can get the money made available to me.

We will not meet all needs. It is a bit like it is with the charities fund or any funding that comes forward: we have to look at the critical overheads and costs that need to be funded in order to keep organisations going through the midst of the pandemic. That is what we are trying to do. We are doing that assessment at the moment. It will not be to meet all of the costs and, indeed, there will be some organisations that will need it more than others depending on their output, make-up or their overheads. Therefore, we are looking at that at the moment.

As I said, I have written to the Economy Minister about the business support grants that are available to say that they should be available to sporting organisations that have a business element to them. We know that the furloughing scheme has assisted many sports organisations and sporting codes to furlough their workers. In turn, they have been out on the streets on a daily basis responding to the pandemic. They have not just gone home and put their feet up — they have been working tirelessly responding to the pandemic.

My officials are engaging with officials in England, Scotland, Wales and, indeed, in the South about looking at a programme as we start to move into a period of opening up again and how we do that. Obviously, the North/South issue is going to be critical, because a lot of sports are played across the island on an all-Ireland basis. We need to make sure that there is synergy there, and we will continue to do that.

As we move through this, we will update the Executive. We are working with the Chief Medical Officer and the Chief Scientific Officer to look at easements, so that, if we are trying to get people back onto pitches and playing sports, it is done in the safest way. The main thing is that coronavirus is still here. People are still losing their lives. Any return to these activities has to be done in a managed way that ensures that public health and safety is number one. However, we will continue to liaise with them all in the time ahead. Indeed, as I have more announcements, I will make them in due course.

Mr O'Toole: As many others have said, the amount of work the Department for Communities has done to get money out the door to people who have lost their jobs, or otherwise been affected by COVID-19, is admirable.

COVID-19 is clearly a health crisis that disproportionately affects older people, but the employment and economic crisis disproportionately affects younger people. A report out today from the Resolution Foundation shows that up to a third of people in the UK who have been made redundant, lost their jobs or furloughed have been young people. We face a real possible long-term crisis for this generation who are entering —.

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

Mr O'Toole: Yes, I understand that Mr Deputy Speaker, but it is an important question. Is the Minister's Department doing serious work on the effect on a generation that could be lost to this crisis and who are entering the benefit system? We need her Department to be joined-up with the Department of the economy: is that happening?

Mr Allister: On a point of order, Mr Deputy Speaker.

Mr Deputy Speaker (Mr Beggs): We do not normally have points of order during questions to the Minister. Perhaps, after this period of questions.

Ms Hargey: Thank you very much for your question. It is an important one. Of course there is an impact on older people and younger people, but also on poor people. We know that viruses like this, or any economic downturn, impacts most on poor people. When you look at issues of imposed austerity, again that impacts on poor people. We have seen studies, for

example in Spain recently, that show that it is the most deprived communities that are being impacted by coronavirus death rates.

Obviously, I want to look at protections. That is why I said earlier that we need to have a new conversation about what our economic and social outlook will be in the future. It is not good enough just to build an economy that grows and looks at those who are doing well. We have to look at those who are not doing well and who are deprived, and, where structural inequalities exist, we need to remove them. We need to have a serious conversation in the time ahead. If we do not remove those inequalities, then we are not dealing with them and we are forgetting about that 30% and moving on, so it is critical.

My Department is looking at this. We know the impact of the virus on health and well-being and on children and young people who are unable to see their friends or sports, and that is after a decade of cuts and austerity and the impact that has had. It has also come after decades of conflict and the impact that had on the mental health and well-being of our people. There are, therefore, layers of challenges that we need to work through and to remove. What this pandemic has shown is that some of the red tape and bureaucracy can be removed very quickly if the will is there to do it.

Notwithstanding that, there needs to be prudence, and we need to look at finance but, if the will is there to do things quickly, it can be done. I moved legislation a couple of weeks ago in two weeks. If the will is there to do it, it can be done. We need to have a bold vision of what our society will look like, going forward.

11.45 am

I will engage with the departments. I had met the Economy Minister even before the pandemic, because, obviously, there are clear linkages. We need to look at an economy that works for all the people and not just for a few. There are issues that I want to look at. I want to look at community wealth-building models, cooperative development models, and I have been working with organisations out in the community. I am looking to engage the Nevin Economic Research Institute and others in an economic rethink that protects the most vulnerable in our society. I will continue to do that. Again, any suggestions that people may have I am more than willing to listen to. Obviously, I will bring forward plans for an anti-poverty strategy, the children's poverty strategy, the gender equality strategy, the disability strategy and others, so all of those issues will

feed in. That has to be cross-cutting across government; it will not work if it is only within my Department. All departments need to buy into that in a serious way. I will outline my plans for that and will work with those communities, with older people and with younger people. It will be a co-design approach so young people will be involved, along with the Children's Commissioner and others, in the time ahead. Older people will also be involved in co-designing that.

I totally get your point. It is a critical point that, sometimes, is missed when looking at economic recovery with regard to those who are more impacted than others. There is engagement at an official level in the two Departments on what the recovery will look like and how we deal with increased unemployment. We have to deal with the systemic inequalities and the structural inequalities that exist, and I am committed to doing that.

Mr Deputy Speaker (Mr Beggs): The Minister having answered the question from the Member, I invite Mr Allister to raise his point of order.

Mr Allister: Mr Deputy Speaker, several times during the statement and questions, you have upbraided Members for not being brief. Yet, surely, it is clear to anyone that the problem here is not the verbosity of the Members but the verbosity of the Minister, who has gone unchallenged for taking endless time — three and four minutes — to reply to questions. Can you apply a little parity of esteem on the issue, please?

Mr Deputy Speaker (Mr Beggs): The Member has made his point. We are still just about on schedule so that everyone will be able to ask their question and get a full answer. Everyone needs to be careful with their time so that everyone will be afforded that opportunity. I will take another point of order.

Mr Buckley: In conjunction with what Mr Allister has said, I think that it would be appropriate for you to talk to the Speaker's Office about reviewing how the functions of this place work. During the COVID-19 pandemic, there are many questions — potent questions — that Members would like to ask. They are being harangued by the Chair and told to speed up and are not having an opportunity to question the Minister. During the COVID-19 pandemic, we are given limited space and time in the House to ask questions. I ask that you

review the mechanism to enable Members to ask questions of Ministers and gain responses.

Mr Deputy Speaker (Mr Beggs): Again, the Member has made his point, but I will highlight to him the Standing Orders on which I am asked to govern the statement and questions to the Minister. I am endeavouring to do my best to do so, and I believe that everyone will be afforded an opportunity to ask a question, if we are allowed to move on.

The Speaker's Office will certainly have taken note of this, and I ask the parties to reflect on how we are governed. We are governed by the Standing Orders. Everyone needs to carefully assess whether they wish to change that.

Mr Butler: I thank the Minister for her statement today. The Minister mentioned that the PIP and ESA period had been suspended for medical assessments. Will she give us an update on that today and indicate whether there is any backlog or problem with that system?

Ms Hargey: I have made the decision to suspend for three months, and we have been moving to telephony. That does not suit everyone, and the important thing is that payments continue. This is in line with public health guidance on social distancing, isolating and staying at home and going out only when necessary. We will continue to review that as we approach the three months to see whether there is a need to extend it. We will do that in liaison with the Chief Medical Officer and the scientific officer.

Mr McNulty: I thank the Minister for her statement. Minister, whilst I welcome the many positive announcements in your statement about supports, I am surprised that there is still no mention of cross-border workers, many of whom have fallen on very hard times as a consequence on COVID-19. You are the competent Minister, along with your colleague the Finance Minister, so can you tell me what supports you are bringing forward to help cross-border workers, given that you have already said in your letter to me that self-employed and PAYE cross-border workers should access unemployment support in the country where they reside?

Ms Hargey: Firstly, this is an issue that you need to take up with the Irish Government, and we have continually raised with them the payments that they have made —.

Mr McNulty: That is not what you said in your letter.

Ms Hargey: Let me finish, and do not interrupt.

Mr Deputy Speaker (Mr Beggs): Order, Members.

Ms Hargey: The other thing is that we have social security benefits that are open and accessible to people who need them. The issue has been raised with the Economy Minister, the Finance Minister and others to look at additional supports, but it has to be an engagement with the Irish Government as well.

There is social security that people can apply for, if they are based here. There are complex issues, and it is something that we need to look at, going forward. I am committed to trying to find a solution, but this does not rest just in my Department. There are issues with the Irish Government as well that we need to continue to raise. Indeed, if you have solutions or ideas, come and speak to me directly. I am more than willing to hear them, and my door is open.

Ms Bailey: I welcome the announcement from the Minister. It will provide some relief to many of our councils, because, as we know, they are not legally protected from insolvency. While this financial assistance may stave off bankruptcy for a few months, can I ask the Minister, who has told us today that she is able to legislate within weeks if the will is there to do so, whether her Department is taking legislative steps to avoid councils being forced to cut services or facing closure? Have any of those steps, either in planning or already announced, been determined with NILGA or, indeed, the councils themselves?

Ms Hargey: I continue to work with councils, and we have been engaging over the last couple of months and weeks. I intervened with a council that was going to let workers go and advised that it should explore all other options first before letting workers go at this time, because we need to retain our workforce as we move through the pandemic. I am glad that the furlough scheme was used. It was utilised in that council area to ensure that those 70-odd staff were not let go. I want to continue to work with councils in the time ahead on the financial pressures that they have, on future investments, on regeneration and, I suppose, on capital investments that can be made in their areas. If legislative changes are needed to do that — I am looking at all options at the moment; nothing is closed — it will be done in consultation with councils to look at their unique circumstances and their pressures. It is, obviously, a good announcement that we have managed to get the £20.5 million for the first

couple of months, and we will start to move through the next phase of that in collaboration with councils, NILGA and SOLACE as we go forward.

Mr Allister: The scale of the distribution of Her Majesty's Treasury funds through the Minister's Department is impressive and generous, but it cannot go on for ever on that scale. The reminder today of a 90% increase in unemployment in April is a sobering thought. Yesterday, we supposedly moved to step 1 of the easement. On employment, step 1 says:

"Encouragement to those unable to work from home to return to workplace on phased basis subject to legal requirements and best practice".

What encouragements have been issued on foot of step one that would ease the burden on her Department? Will she expand on what those encouragements are for people to get back into work?

Ms Hargey: I am glad that the Member got to ask his question. First, I make no apologies for implementing measures that protect the most vulnerable and those who need support at this time. I will continue to do that unapologetically in the time ahead and engage with citizens. The take-up of the schemes that have been implemented through my Department shows that people really need them at this point, and they will need them going forward.

In step one, we did not include dates; indeed, each step will have a different approach. The virus is very much still here, and people are very much still losing their lives. As we move through each of the steps, it is important that we have the most recent medical advice. It is important that the scientific advice and analysis is accurate; it is also important that we see the impact on the virus of any easements. It will take a week or two to know how the R number — the rate of transmission — is affected. We cannot jump in and do all of these things at once, because, if that sends the rate of transmission above 1, it puts increased pressure on our public health service. That would be the wrong thing to do, and many Members would rightly get up in the Chamber to condemn it.

Through the Economy Department, a forum has been established that works with trade unions, business representative bodies and employers. They provided guidance a few weeks ago on essential workers and others. The forum continues its business. It will be critical,

because it is not a case of just opening the economy again and getting people back to work; it has to be done safely. There have to be measures in place to ensure that there is social distancing and that screens etc can be put up, if they are needed. There are also other issues with buildings. There might only be one toilet, so how do you clean it? How do you ensure that clean surfaces are maintained? We know from the recent medical advice that indoors still carries the highest risk. We could not move this week to allow families to meet indoors because of the issue of shared surfaces and the transmission of the virus via those surfaces.

I will continue to be guided by the medical and scientific advice. I will continue to protect workers and the public with regard to accessing buildings, whether it is a local shop or a social security office, because people are still nervous. As I said, I was in Strabane on Friday, and staff are comfortable with the measures that are there at the moment, but, if there is any easing, they want assurance that their safety is still the priority. Notwithstanding the economic and social challenges that that poses, we have to step through this to ensure that we keep the R rate as flat as possible to ensure that our health system can cope. I will continue to work on this in the time ahead, but, again, I will be led by the medical advice and engagement with the trade unions and employers.

Mr Deputy Speaker (Mr Beggs): There are two further Members who have indicated that they wish to ask a question. I ask for everyone's cooperation so that they are able to do so.

Mr Carroll: I thank the Minister for her statement and extend my good wishes to her sister.

I note the almost 300% rise in people accessing universal credit. People are spending more on electricity, gas and other utilities due to the fact that they are staying at home. That really brings into focus the fact that the welfare reform measures that were implemented by the House are not fit for purpose. There has been a lot of talk about a "new normal" at the end of the crisis: if that is the case, we cannot return to a situation where people who are in work or out of work are forced to go to food banks.

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

Mr Carroll: To move to my question, I want to ask the Minister about private renters. Since her Department proposed the Private Tenancies

(Coronavirus Modifications) Bill, scores of people have been issued with threatening letters from landlords to pay their rent. That disgraceful situation is happening. As we know, students, in particular, are living with families that are practising social distancing etc.

What is the Minister's view on this? What measures do the Executive intend to take to protect and support private renters who are being pursued by landlords who are trying to maximise profit at this time?

12.00 noon

Ms Hargey: Thanks very much for your questions. I am more than willing to engage on social security; it is a critical issue that needs to be looked at. However, we do not have all the economic levers to make the decisions that we want to make. We are reliant on a block grant from Westminster. I think that, if we can get into a process of the transfer of those levers, we will be able to make all the decisions that we want to make and have the resources to do it. That said, I am looking at other resource options such as financial transactions capital and whether there are other things that we could be doing in the time ahead.

On the issue of private renters, the Evictions Bill was brought in. It was done very quickly and there were reasons for that. I have seen correspondence from landlords who have blatantly stepped outside the guidance that my Department has given. I encourage anyone who knows about that to contact my Department or Housing Rights, which my Department funds. It provides an excellent service for those in the private rented sector, and I encourage people to go and get legal advice from it. I will be meeting our housing division tomorrow. One of the issues that I want to look at is what further interventions I, as a Minister, can make in respect of unscrupulous landlords who are using the pandemic in a way that, to be honest with you, is disgraceful. If I can take forward further protections or measures in the time ahead, I am more than willing to do that.

Mr Deputy Speaker (Mr Beggs): That concludes the one-hour period for questions to the Minister.

Ms Sugden: On a point of order, Mr Deputy Speaker. I am quite disappointed that I, as the only Member left to ask a question, was not able to get in within that hour. You gave the Minister discretion in being able to finish her answer past the hour, so it is disappointing that

you would not allow me the opportunity to ask a question in less than two minutes. It is also disappointing given that many Members in the House can be represented by colleagues in asking their questions, but I, as the only independent Member, do not have that luxury. I would appreciate the Speaker's discretion to try to enable Back-Bench Members, who are not members of the governing parties, to ask questions.

Mr Deputy Speaker (Mr Beggs): The Member has put her view on the record. It is something that we will all have to reflect on. I did endeavor to get everyone in. Unfortunately, I missed it by one on this occasion. I will reflect on how I manage business in future.

Mr Stalford: Further to that point of order, Mr Deputy Speaker. To come to the aid of a fellow Deputy Speaker, this is a plenary sitting of the House; it is not the Ad Hoc Committee on COVID-19. The time period for questions to a Minister is established in Standing Orders: it shall not exceed one hour. The Ad Hoc Committee on COVID-19 has a greater flexibility, and that is why you have more scope to play about with it in that area.

Mr Deputy Speaker (Mr Beggs): You, too, have put your view on the record. Thank you for expanding on my reasoning.

Mr Allister: Further to that point of order, Mr Deputy Speaker. In an effort to be helpful to the House — *[Laughter.]* Ms Sugden makes a very valid point. In your discretion, you could call her at a very early stage after the next Minister makes his statement.

Mr Deputy Speaker (Mr Beggs): The Member has put his view on the record for everyone to consider.

I ask Members to take their ease for a few moments while the Minister of Finance takes his place.

COVID-19: Update on the Financial Position

Mr Deputy Speaker (Mr Beggs): Members, please take your seats again. We have also received notice from the Minister of Finance that he wishes to make a statement.

Mr Murphy (The Minister of Finance): I am happy to take the first question from Ms Sugden, if the discretion of the Chair allows it.

I wish to provide an update on the Executive's financial response to the coronavirus crisis. On 9 April, I advised that the Executive had received Barnett consequentials of some £1 billion, and we agreed allocations to Departments of £733 million. In addition, the following funding was held centrally: £150 million for personal protective equipment (PPE), £40 million for business support and £10 million for vulnerable people. A further £101 million was set aside for consideration at a later date. Since then, the Executive have received additional Barnett consequentials of £213 million, bringing the total to some £1.2 billion. The Executive have also agreed that £30 million of resource DEL that has been freed up by the reinstatement of confidence-and-supply funding will be used for COVID-19 response. This response is continuously evolving, and the Executive have been reacting at speed.

Further allocations were set out in the 2020-21 Budget document that was laid before the Assembly on 30 April. Those included setting aside some £95 million for support to the transport sector, £22 million for support for charities and £49 million for support for NHS workforce costs. The hardship fund for microbusinesses has used the £40 million held centrally for business support. Using funding from the £22 million that was set aside for charities, £6.75 million of support has gone to hospices, and £15.5 million has been allocated to the Department for Communities for a scheme targeted at charities.

Using the £95 million set aside for transport, a support package has been agreed in conjunction with Treasury and the Department for Transport in London to help airports and ferry operators maintain connectivity and key supply routes. The Executive's contribution is currently estimated at £3.3 million and £2.2 million respectively. The Department for Infrastructure has been allocated £30 million towards funding pressures relating to loss of income, in particular those faced by Translink. That builds on an extra £20 million that was allocated to Translink in the 2020-21 Budget.

There remains some £59.5 million available for transport, which will be allocated at a future date.

The £10 million held centrally for support for vulnerable people has been allocated to the Department for Communities for the Supporting People programme. The total estimated cost of this support is some £14 million, and the Communities Minister is to be commended for the measures that she has taken to fund almost £4 million of this. This is an important programme that supports approximately 19,000 vulnerable individuals living independently.

Of the £150 million held for PPE, £61.3 million has been allocated to the Department of Health and £4.9 million to the Department of Justice to ensure that our front-line staff have the equipment that they need. There remains almost £84 million for future requirements. The £49 million consequential received in respect of NHS workforce costs has been allocated to the Department of Health in full.

A number of additional allocations were agreed by the Executive yesterday. These include £25 million to support farmers and the horticulture industry. Further detail on that scheme will be announced by the Minister of Agriculture in due course. A further £3.8 million has been provided to DAERA for waste management, treatment and disposal. I am also pleased that we have been able to provide £20.3 million to the Department for Communities to support local councils, which have delivered vital services during the COVID-19 crisis.

Members may also be aware of the difficult situation facing substitute teachers who are unable to be furloughed and face considerable loss of income. The Minister of Education and I wrote to the Treasury asking for substitute teachers here to be furloughed, as happened with our counterparts in England. That request was rejected, so the Executive have stepped up, and, to his credit, the Minister of Education has found £8 million from his own budget, and I am pleased to provide an additional £4 million, bringing the total fund for substitute teachers to £12 million. The Executive also agreed to provide £1.4 million to the Department for the Economy to support students who are facing hardship. It is hoped that the Department for the Economy will be able to consider topping that up from its own budget.

We are very grateful for the exceptional dedication shown by health workers during the pandemic, and that is why the deputy First Minister gave a commitment that health staff would not suffer a financial loss as a result of

the strike action that they took earlier this year. I am pleased to make £1.6 million available to the Department of Health to honour that commitment.

Taking all of that into account, the Executive have £119.9 million available for allocation. It has been agreed that that sum will be used to extend the support currently provided to businesses through the business rates system. In March, I announced a £99 million scheme involving a three-month rates holiday for all businesses. Had we adopted the English model, 60% of business premises would be paying rates today. I said at the time that that time would be used to develop a new scheme to be targeted at the hardest-hit business sectors. Ulster University's economic policy centre was commissioned to assist my Department in developing that scheme. I would like to thank Gareth Hetherington, who produced such a helpful report in a very short space of time.

With the Executive only now emerging from lockdown, the economy is still in the early stage of recovery. Business and trade unions are still in the process of ensuring that the economy can operate in a way that is safe for workers and the general public. I have therefore decided to extend the rates holiday for all businesses for another month, until 31 July. The rates holiday will then move into its targeted phase, supporting sectors hardest hit by the pandemic for the rest of the financial year. That includes the hospitality, tourism and leisure sectors. All pubs, hotels, eating-out venues, guesthouses, campsites, sports facilities, tourist venues, cinemas and entertainment venues will pay no rates this financial year. Retail businesses, small local shops, large department stores, high-street and out-of-town retail will pay no rates this financial year. The exceptions are medium to large food stores and off-licences, which have continued to trade, albeit with higher costs. Those food retailers have really stepped up during this period by opening their stores and making adjustments to ensure safety for customers and staff. We owe them a huge debt of gratitude. I also want to thank the workers in those food stores for continuing to provide a vital service during this difficult time.

The availability of childcare providers is severely impacted by the difficulty in maintaining social distancing. Therefore, they too will receive 100% rate relief until 31 March 2021. Our airports will continue to be adversely impacted for a considerable time to come, and it is vital that they be maintained through the crisis and can function after the pandemic passes. That is why Belfast City, Belfast

International and the City of Derry airports will also receive 100% rate relief until 31 March 2021.

Together, that represents a £213 million rate support package for business. It brings the total support for businesses from rate relief and grants to more than £700 million, demonstrating the Executive's determination to protect livelihoods and jobs.

The cost for business rate support exceeds the funding currently available. There is a number of potential sources of additional funding, and I am confident that that overcommitment will be met. However, we can no longer wait; businesses need certainty now. For that reason, I am today announcing the rate relief for the rest of the financial year. I would like to thank my staff across the Department who have worked so hard on a number of fronts, including developing the support package. I appreciate that I have presented a lot of information for Assembly colleagues to consider. To assist with that, I have attached a table to the written version of this statement that summarises the agreed allocations. I trust that Members will find it to be helpful.

Mr Deputy Speaker (Mr Beggs): I now invite Members to ask concise questions to the Minister for a period of one hour. Some additional latitude will be given to the Chair of the Finance Committee.

Dr Aiken (The Chairperson of the Committee for Finance): Thank you very much indeed, Mr Deputy Speaker. I thank the Minister for his statement and for the discussion that we had earlier today.

Speaking as Chair of the Finance Committee, I welcome the allocation of £1.2 billion over the past six weeks from our Government. It is great to see the real benefits of being part of our United Kingdom. I particularly thank the Department and the Minister for listening to the concerns of our Northern Ireland businesses, for the continued rate relief, and for its extension to key sectors, such as our vital hospitality, tourism and leisure sectors until the end of the financial year.

We also welcome the extension of rate relief to our airports until March 2021. I also note the £60 million that is available centrally for further support to our transport sector. It may indeed be needed to restore and maintain vital air and sea routes. Yes, Mr Deputy Speaker, I am coming to my questions.

As we have already heard, additional support for our councils is also very welcome. However, as the year progresses, our councils will face additional increasing pressures. In particular, will the Minister commit, with other Departments, to provide clarity to all the businesses that are affected by the changes in rate relief, indicating clearly those that will benefit and those that will not?

Minister, if you have the opportunity, will you also comment on whether local newspapers are likely to get some additional support?

12.15 pm

Finally, speaking as our party's finance spokesperson, we welcome the support for businesses, for the vulnerable and the continued support to our vital NHS and our transport sector. There is clearly a willingness to recognise that the crisis that we are in, but, last week, we heard from the First Minister that we would see an economic recovery plan —

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

Dr Aiken: — and we have not seen that yet. Our party has asked repeatedly for a COVID-19 recovery plan to be the main Programme for Government focus. When are we likely to see a recovery plan that meets all those needs for the people of Northern Ireland?

Mr Murphy: I thank the Chairperson for his comments. Of course, there is such an enormous variety of businesses, and we are making a distinction in retail between the medium-to-large food sector and other retail. There is clarity for all businesses in that we are including all businesses up to 31 July, but I will ask the Department to be more definitive on which businesses are included beyond that date to the end of the financial year and which are not. It is impossible to go into the huge variety of businesses that we have here, and that includes newspapers. I know that local newspapers have been lobbying us all about the precarious position that they find themselves in, and I will make some enquiries in the Department on whether they become part of that ongoing package beyond 31 July. Of course, if they are paying rates, they are included and they will effectively have had a four-month holiday up to that point.

On the recovery plan, it is the responsibility of the Department for the Economy, and the Economy Minister has signalled to the Executive that she is moving towards being a

position to share some thoughts and some material with the Executive on a recovery plan. The study that we commissioned with Ulster University on the impact on businesses is available on the Department's website. I have recommended that study to Executive colleagues as well, because I think that that will inform any recovery plan that the Executive will develop.

Mr Frew: I welcome the decision today. I have been calling for it for so long and I think that it is a no-brainer. It is the difference between businesses existing and not existing. One business in my constituency is due to make a loss of £200,000; its rate burden is £170,000, so this is the difference between existing and not.

The Minister has been pretty good at spending Barnett consequential money. The cost of the business rate support exceeds the funding that is available. Will the Minister tell us by how much it exceeds the funding and what work is being conducted to see what needs to be changed, or stopped, with regards to normal Budget functions. Households have made sacrifices on a daily basis, so when will they see the Executive make difficult decisions and make sacrifices themselves?

Mr Murphy: The Executive are making difficult decisions. The decision to overcommit is a difficult decision, but nonetheless, it is a vital decision to support businesses. People seem to think that the only difficult decisions that the Executive face are whether to charge households for additional services, and that if you do not make those decisions, somehow you are not stepping-up to the mark. Difficult decisions are to try to provide support to vulnerable people and communities at this time and to overcommit in relation to that. I am confident that the level of overcommitment is manageable. It is significant for the Executive and it is less than £100 million, but the business grants, which are due to close tomorrow, are forecast to cost less than the original estimate. That will go a considerable way to addressing that shortfall.

We have also commissioned a reprioritisation exercise across all Departments and that will allow the Executive to target money where it is needed most. It will be a combination of some of the money that we allocated to Departments that is unlikely to be spent. Departments have additional costs in responding to COVID-19, but there are other areas in which they will not spend money. We need to ensure that the Executive's priorities — supporting business and ensuring that business gets through the

pandemic and out the other side is a significant priority — are met by the collective effort of all the Executive's Ministers.

Ms Mullan: I thank the Minister for his statement, which will be very welcome across many sectors. In particular, the childcare sector, which is struggling very much at this time, will greatly welcome the rate holiday. Sub teachers will also be very relieved today. They have waited for a long time, with bills piling up. I, therefore, welcome the Minister's intervention to provide funds to ensure that those teachers will receive financial assistance. Does he have any idea when those teachers are likely to receive the payments?

Mr Murphy: I am very much aware of the hardship that sub teachers were facing. The Education Minister and I wrote jointly to the Treasury on 29 April to request access to the coronavirus job retention scheme. The Member will probably know that sub teachers in England are provided, in the main, through agencies, which meant that they were able to access the furloughing scheme through the coronavirus job retention scheme. Sub teachers here operate on a more ad hoc basis. They are basically on a list and are contacted in a less structured way and are not part of agencies. As a consequence, they were unable to access that scheme. So we pressed Treasury for a number of weeks to try and get some degree of support for sub teachers. The Education Minister and I have been pushing that case with Treasury. We only really got final word in the latter part of last week that Treasury was refusing to support our sub teachers in that fashion. That presented an inequality in how sub teachers were dealt with in Britain.

Nonetheless, we decided that if that effort was not successful, we would attempt to fund the scheme that the Department of Education had identified through our own resources. In fairness, the Department of Education came up with £8 million of that from its budget, and the Executive agreed on my proposition to add a further £4 million to that budget. That means that there is £12 million to support sub teachers until the end of June. The speed with which that money can be allocated is now a matter for the Department of Education because, as I said, it is a mixture of the funding that it has provided and the funding that we have provided. The scheme has been approved by the Executive, so it will be up to the Department of Education to get that out to the sub teachers as quickly as it can.

Mr O'Toole: I welcome all the allocations that have been made today, particularly money that has gone to Translink. I am sure that my colleague to my right will welcome the announcement on substitute teachers. In relation to the overcommitment made on business rates, while business rates are completely critical, the reason why they are critical is that they are the only politically acceptable revenue-raising tool that the Executive have. Will the Minister agree with me that we need a proper, joined-up, fiscal and economic response to this crisis? We need it from his Department and the Department for the Economy. It needs to be joined up and it needs to avoid hare-brained schemes like the one that is seeing his Department return £2 million this year thanks to a decision made by Sammy Wilson nearly a decade ago to subsidise —

Mr Deputy Speaker (Mr Beggs): Can we have a question?

Mr O'Toole: — non-existent flights to North America. Will he come up with a joined-up fiscal and economic response to this crisis?

Mr Murphy: I am happy to do that and will make every effort to do that. A joined-up response is the responsibility of the Executive as a whole, although I have a responsibility for making propositions. I know that he has raised the issue of air passenger duty (APD). That money is removed from the block grant. It is not something that we pay out. That is there to ensure that, if it is possible — every effort will be made to attract long-haul flights back — it is an incentive to offer for long-haul flights. If it is not there, there is no incentive to offer them. Previous Executives concluded that it was worth maintaining that particular arrangement in the hope that long-haul flights could be returned.

There is much greater traffic through Dublin now for most people on the island. The Executive could decide to change their approach to that or, perhaps, the Department for Infrastructure could have an influence there, but that was the purpose for which APD was held. In overall Executive spend, it is not the biggest amount of money, although, by anybody's reckoning, over £2 million is significant.

Mr Muir: I thank the Minister for his statement. It is vital that this place and the Executive do all that they can to support people and businesses to get through the current crisis and the impending recession. The rates actions are to

be welcomed. Obviously, there are concerns about the overcommitment around that, and I think that further reassurances will need to be given on how we will manage that.

My question touches on some of the other issues that have been raised. There is a need not just for rates actions but for that to be coupled with actions by the Department for the Economy to support businesses to get through this. Does the Minister have any idea of the scale of the financial commitment that will be required? Will we be able to assist businesses through further grant schemes to get through this because rates actions will not be the only thing that will be required to assist businesses to survive a recession?

Mr Murphy: Today's announcement, coupled with the grants scheme of, I think, over £300 million from the Department for the Economy, and the £40 million that we set aside for business hardship schemes, all come to in excess of £700 million worth of support that the Executive have provided for business. It is a significant injection in trying to keep our businesses. At the same time, the primary responsibility of the Executive is to keep the public safe and alive, so we have invested very heavily in the Health response to coronavirus. We have responded in three broad areas in our COVID spend: Health; supporting business; and supporting the most vulnerable in society. We have tried to spread the money across those areas to try and ensure that that would be effective.

Clearly, in relation to rates, the projection of the cost of that is based on the full intake of those rates. It is not money that we are spending; it is money that we are not collecting. I think that we can safely assume that not all businesses will be in a position to pay rates during the rest of this financial year. The estimate is based on all businesses continuing to pay rates. Clearly, businesses will struggle to come out of this, even those where restrictions are lifted, and that is why we targeted the support. Whilst we have given all businesses a four months' rates holiday, we targeted this support on those businesses that, on the analysis provided to us, have suffered and may well continue to suffer beyond the end of the financial year, particularly the hospitality sector. We are not going to see packed pubs, packed restaurants and filled hotels for some time to come, I would imagine. I do not doubt that those sectors will need continued support, but we can only do what we can with what we have at this time, and we also want to give businesses some certainty on what they are facing.

I think that the announcement today of a rates relief extension to the end of the financial year will be welcomed by those businesses, but we are absolutely certain, as he is, that this is not people being out of the woods yet, by any stretch, even with this support.

Mr Deputy Speaker (Mr Beggs): A further 13 Members wish to ask a question. I ask for everyone's cooperation so that they may ask their question and receive an answer.

Mr Middleton: I thank the Minister for his statement and welcome the funding measures that he has put in place.

Going forward, like many Members, we are concerned about the recovery phase and ensuring that we can get our job creation and our economy back to where they were they were. What conversations have you had, Minister, with the Chancellor to discuss an economic stimulus package?

Mr Murphy: We are continuing to engage with the Treasury. Later today, along with the Finance Ministers from Scotland and Wales, I will have a conversation with the Chief Secretary to the Treasury. As part of those conversations, we talk about some of the packages that the Treasury has offered to date, such as the job retention scheme and the self-employed scheme, and about some of the questions and anomalies that arise, including identification issues with the self-employed scheme. We have been pressing on that matter with HMRC, as well. We continue to raise issues with some of the schemes and some of the challenges that they present, but we also discuss how we attempt to get the economy back on a stable footing on the other side of that. Nobody is underestimating the challenge that that is going to be for all of us. We will continue to discuss that, and I hope that there will be further support, but we have had no indications, as yet, of what that might amount to.

Mr McAleer: As Chair of the Agriculture, Environment and Rural Affairs Committee, and as a representative of a mainly rural constituency, I welcome the £25 million in the Minister's announcement for farmers and the horticulture industry. Does the Minister agree that that funding should be directed towards primary producers who are most in need, particularly those whose annual incomes are so low that they will not be able to gain any benefit from the self-employed income support scheme and the other schemes that have been announced?

Mr Murphy: I am very much aware, as a rural representative, of the impact that this has had on the farming community, with restricted access to markets and a drop in market price that could result in many in the industry going out of business as the market value drops below the production costs.

That is very much a feature across sectors. There are, of course, particular issues for those in the horticultural sector at this time of year, given that this is when they normally make most of their income. The £25 million that we have given to DAERA is to try to deal with that situation across sectors. We look forward to seeing the details of the announcement of the Minister's scheme. As Chair of the Committee, you and the Committee will, I am sure, analyse the scheme and interrogate officials and the Minister on how it will roll out. There is no doubt that the farming community is suffering, as are all businesses that have been unable to access the other support measures available. Hopefully, this money will go some way to address that, but I have no doubt that businesses will continue to struggle in the time ahead.

12.30 pm

Mr Buckley: I broadly welcome the statement, particularly the funding allocated to key businesses through the extension of rate relief. That is vital and an essential lifeline for those businesses. On the back of what has been said about farming, I am delighted that farmers, the backbone of our community, have received a financial package of £25 million, which is to be welcomed. Has there been any detailed discussion on whether a further financial package is needed for farmers at this time? Also, have any specific sectors been mentioned in conversation with the Minister of Agriculture?

Mr Murphy: There has not been a discussion on a further package. We will get this one on the ground first to see what impact it has. Coming from a farming background, I have no doubt that farmers will never say no to any further support that might be available to them.

There have been conversations about the horticultural and dairy sectors, but the Minister of Agriculture has, on a number of occasions, advised the Executive about the challenges facing all farming sectors and the need for support measures. He has been in touch with my Department and engaged on the type of scheme that he wants to be brought forward. We have provided the funding for it; he will, in

the near future, I think, announce the details of where he wants that to go and who is eligible to apply.

The defining factor in many of the measures that we have introduced as part of what we call "COVID spend" is to try to get people through the near to medium term. This is not about the long haul. We do not have the resources to act for businesses in the long term. The further extension is until the end of the financial year, and that is for only some businesses. For others, we have given out support in the form of £10,000 or £25,000 grants. All of that is to try to get people through the immediate phase. Similarly, this scheme for farmers is, I am sure, predicated on trying to get them through the immediate challenges that they face, in the hope that the economy and activity will pick up in the near term, when we will be able to determine what ongoing support is needed.

Dr Archibald: I thank the Minister for his statement. I very much welcome the £1.4 million towards the student hardship fund. He will know that I have been highlighting that issue for many weeks. I hope that the Economy Minister will top that up.

The rate relief extension will be very welcome news for businesses. Over £700million, including grants, has now been directed at supporting businesses. That is hugely important.

The criteria for the hardship fund were published at the weekend.

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

Dr Archibald: There was an expectation that social enterprises and sole traders would be included. They are facing real financial difficulties and are despondent at not being included. Does the Minister agree that that should be addressed and that those businesses should also get support?

Mr Murphy: There is a real issue with social enterprises, some of which are charities and others are not. There has been some exchange between the Economy Department and the Department for Communities on where that responsibility lies. I would like clarity for those in the social enterprise sector on where they can access support. Not only are they legitimate and genuine businesses in their own right but they perform a very important social function of assisting people who might not otherwise gain employment or receive some of the services

that they provide. They are a shining example of what can be done by not-for-profit businesses interacting with the community. I sincerely hope that the two Departments will reach a point of clarity on where this sector fits. We will continue to engage with those in the sector to try to make sure that they do not feel excluded from any of these packages.

Mr McCrossan: I welcome the Minister's statement and thank him for bringing it to the House. Minister, there is much in the statement that will be welcomed by many. In particular, we have led a strong campaign on the plight of sub-teachers over the last eight or nine weeks. Uncertain whether they could pay bills or put food on the table, it has been a very stressful time. I am just wondering, Minister, what conversations you have had with the Minister of Education as to how the scheme will be rolled out. Were criteria discussed in reaching the overall figure of £12 million, and how quickly will it be allocated to these people who are suffering at this time?

Mr Murphy: I think we were all very much aware of the plight of sub teachers; I am sure there is not a Member here, myself included, who was not lobbied in relation to that. In the first instance, our responsibility is to try and ensure fairness in how they are treated. If sub teachers could be furloughed in England, then quite clearly the first approach — and I appreciate that the length of time it took us to get a proper response from Treasury added to the stress faced by sub teachers — was to seek an opportunity to get equality of treatment through the Treasury. Both the Education Minister and I pursued that. Once we were quite clear, at the end of last week, that that was not going to happen, we quickly moved to agree between us the amount of money that was required. The detail of that scheme — how it is worked out and how quickly it will be paid — is a matter for the Education Department and the Education Minister. I am pleased, as I am sure he is, that we have the funding available, and we want to ensure that there is no more uncertainty or stress for those who are in that category and that we quickly get the support to them.

Mr Deputy Speaker (Mr Beggs): I call Robbie Butler.

Mr Butler: Thank you, Mr Principal Deputy Speaker — Mr Deputy Speaker, sorry. I elevated you there. I thank the Minister for his statement, and there is much to be grateful for — in particular, the sub teacher payments. However, there does seem to be an omission,

Minister. You may be aware that it is Mental Health Awareness Week, and in 'New Decade, New Approach' there was a commitment by the Executive and the Assembly to deliver a mental health action plan by the end of April. Can the Minister detail any amounts of money that he has allocated to the Department of Health to action this, and, if not, can he make a commitment today? I think the money that is needed is in and around £2.5 million.

Mr Murphy: I would probably need to go back to the Budget statement to try and figure that out. This is COVID response money. Quite clearly, a lot of issues that the Executive had intended to be dealing with and set themselves time frames for dealing with, including mental health, the recommendations of the RHI inquiry and Brexit — remember that? — have been interrupted by the need to quickly respond to a very serious threat to life and society in the form of this pandemic, so some of that has gone on the back foot.

I realise that one of the consequences of dealing with the pandemic has probably been an increase in mental health stress. I will probably have to defer to your own colleague and my Executive colleague the Minister of Health to advise us. I know that there is a commitment across the Executive; that is why we agreed to have a cross-party team of Ministers to look at this. It was not just confined to the Department of Health. I do not know for certain about the allocation to it — it was not part of this series of allocations — but I am happy to get the Member some figures. Clearly, one of the big consequences of society's experience of this pandemic will be an increase in stress and mental ill-health, and we want to make sure that we can meet that as best we can.

Mr Lyttle: Childcare and education will play a vital role in the new society that we must build further to COVID-19, so I welcome the 100% rate relief for childcare providers up to March 2021 and, indeed, the long overdue payment for sub teachers announced today. Will the Minister tell us what explanation the UK Government gave for refusing the furlough of Northern Ireland's sub teachers, how much the sub teachers will receive and when they will receive it?

Mr Murphy: I appreciate that Treasury has a lot on its plate at the moment. The difference in approach is that they have been very reluctant to furlough public-sector workers unless there is a very clear demonstration of a loss of income to whatever sector they work in and they are

not able to be redeployed in other areas. The sub teachers in England come through an agency, so in effect they have a private employer which was able to access furlough money on their behalf. Sub teachers here, as the Member will know, come on a much more ad hoc basis whereby schools essentially have lists of people that they can call up as and when required.

It is an Education Department scheme. My understanding of it is that it was intended to have a record of, I suppose, the average days — some people might only work once a week; others might be working three or four days a week — to make some sort of assessment based on the frequency of employment that they have over a period of time and to try to make an allocation based on what their likely income would have been, from March right through to June. That is my basic understanding of the scheme. I am sure that the Education Minister will be able to assist you with more detail.

Ms Sugden: Thank you, Minister. This is a good statement, which will please many, including sub teachers, who have been fighting for it. The announcement of support for students facing hardship is important, as is the extension until the end of the financial year of the rates holiday for targeted businesses. The Minister listed a number of those targeted businesses, included guest houses and childcare providers. I ask the Minister to confirm whether those who operate from a property subject to domestic rates will be included. Will they be able to avail themselves of a domestic rates holiday? For example, a guest house tends to be its owner's home, so guest houses tend to pay the domestic rate, not the non-domestic rate. Will he extend the rates holiday to include all businesses? That is not quite clear from the Minister's statement.

Mr Murphy: If guest house owners were able to access the £10,000 or £25,000 scheme, they would have been considered commercial properties, or a commercial section of a residential property. If they were not able to, there would be a difficulty there, because they are not commercially rated and are therefore unable to avail themselves of a commercial rates holiday.

I know that there are business hardship funds. We have set aside £40 million for the Department for the Economy to provide business hardship funding for businesses that have not been able to avail themselves of any of the other relief or grants that have been available. I therefore advise people to find out

quickly whether they do not qualify. I am told that the eligibility criteria was made available at the weekend, but I think that the scheme will formally open this week at some stage. It is for the Minister for the Economy and her Department to state when that is likely to happen. I think that people not paying commercial rates would find it difficult to access a commercial rate relief. I suggest that those businesses consider looking to the business hardship fund, because that is for people who have missed out on the various other schemes.

Mr Boylan: Thank you, Minister, for the statement. I commend you on it.

I welcome the £30 million announcement for Translink, which is on top of the £20 million that was allocated to it in the recent Budget. As that money rolls out, I look forward to working with you, Mr Deputy Speaker, and the rest of the Committee for Infrastructure on scrutinising it.

My question relates to furloughed workers. Can the Minister update us on how public bodies have utilised the furlough scheme, and has it been done in consultation with the unions?

Mr Murphy: My Department's responsibility is really to seek a clearer understanding with Treasury. Initially, as I said, it was very reluctant to furlough public-sector workers. Treasury set a number of criteria to be met, with one being this: if there was a loss of income to whatever organisation employed them from public bodies not being engaged in the work that they are meant to be engaged in and there was no ability to redeploy staff elsewhere. Public bodies were therefore set criteria to be met.

Our role and responsibility was to provide advice to the various Departments and say, "If you feel that there is a section of workers in your Department or arm's-length body that may be able to avail itself of furloughing, and you are losing money as a consequence of paying out salaries that you may be able to acquire from elsewhere, by all means investigate the opportunity and, if needs be, come back to us for advice". It is therefore up to the Departments themselves, and I know that some have done that. The Department for Communities has done so with museum staff. I know that councils, as, if you like, arm's-length bodies of the Department for Communities, have furloughed a number of workers, and that has saved on their wage bill and their ongoing loss of revenue. As I said, it is really a matter for Departments themselves to assess whether they have staff who fall into the category and then to undertake the necessary consultation with those staff and their union representatives.

Mr McNulty: I thank the Minister for his statement and for his answers so far. It was good to see you out getting your daily exercise at the lake end at the weekend, Minister, socially distancing and keeping healthy.

Minister, I welcome the support for local authorities, many of which have seen a drop in income of up to £1 million a month. Local residents face a reduction in services and potentially face rates hikes. It is positive news that councils can now access the furlough scheme. Can the Minister update the House on plans to support local councils beyond what has been announced today? Will he be providing security for councils to ensure that no further jobs will be lost in local authorities as a consequence of COVID-19?

12.45 pm

Mr Murphy: I recognised the Member whizzing by as I was out exercising at the lake end, which will be unfamiliar to most of the rest of you. He had more hair at that stage, but I recognised him nonetheless *[Laughter.]* Yes, I am clear that I have conversations with councils. The Department for Communities has responsibility for local government. They put a proposition and a package to us, and we managed to give £20 million to that. The Department for Communities will have to bring forward the details of that scheme, including how it is spread among the 11 councils and on what basis and what it intends to do. Councils are clearly in stress and have been losing a lot of revenue. The ability to furlough some of their staff, particularly leisure staff and staff like that, has been a big assistance and has taken a significant chunk off the monthly loss that the councils were experiencing. Nonetheless, they continue to lose money. Of course, like Departments, councils will not be spending on things that they would otherwise have spent on. For instance, they will now not be investing in community festivals that would have taken place over the summer because they will not happen, so they will be able to make some savings. The council area that we both live in has been engaging with the community side to see what projects will and will not go ahead, and it will then see if it can save some money.

It will be a very difficult balancing exercise for councils. They already have their rates set. The purpose of a lot of the COVID allocations is to try to get people through the immediate period and into a more stable financial situation and reassess the situation then. I hope that this will give the councils some stability, going forward. It has been announced that furloughing will go on until October, so I hope that that gives them

some relief and that they can also make savings on schemes that they would otherwise have spent money on in the first half of this year.

Mr Durkan: There is some fantastic, positive news in the Minister's statement. That is very welcome, and my question should in no way be construed as a criticism of the response thus far.

There has been reference to businesses that have fallen through the holes in just about every safety net that has been put out there, and the Minister mentioned the hardship fund in his answer to Ms Sugden. However, that funding has criteria that are quite prohibitive. I can think of a couple of examples in my constituency of successful —

Mr Deputy Speaker (Mr Beggs): Can you come to a question?

Mr Durkan: — businesses that are significant employers and important service providers but have been unable to avail themselves of any assistance. I know of someone who had been renting premises off a charity — it was not readjusted for rates — whose employee numbers disqualify them from the hardship fund. Can the Minister give a commitment to work with the Department for the Economy to establish some type of mop-up fund or final safety net for such businesses to ensure that none of them go to the wall completely?

Mr Murphy: I absolutely assure the Member that I will continue to work with the Department for the Economy, as we did on the £10,000 scheme and the £25,000 scheme. We held £40 million in reserve, and the intent was that it would be for a mop-up scheme to get all the others.

I recognise what he said about some of the criteria for applications and how they seem to have made it difficult for certain sectors to access schemes. You only really get a sense of the sheer variety of circumstances in businesses when you create a scheme to support people. You find all these people who fall outside it for a variety of reasons. It is almost impossible, given the timescales that we are trying to do this in, to devise something to catch everyone. Nonetheless, I had hoped that the £40 million hardship scheme would be the one to capture all those who have fallen through the cracks, but it seems that some people have still been missed. I am willing to work with the Department for the Economy to ensure that we give support where we can. The

Department for the Economy has policy responsibility for that. All we can do is give advice and assistance in relation to that, but we do not want a situation in which, because of the criteria, people involved in businesses that genuinely provide a service to the community do not get any assistance.

Ms Bailey: I am looking at the figures in the statement and those given by the Communities Minister previously and hoping that I have got my sums wrong. There is a £99 million scheme to cover a three-month rates holiday for all businesses, which means that it costs about £33 million per month. As we extend that by another month, I assume that that will cost an average of £33 million again. The extension of a rate-free financial year to some businesses is a measure to try to save those businesses, and that, of course, is very welcome. However, I go back to the stress on councils. Given that this is largely an income loss for the councils, which collect the rates, and the fact that the Communities Minister announced a package of only £20.3 million for councils for the next few months, it does not add up. The Minister mentioned that councils could make savings, for example, by not funding community festivals that are not happening, but what is being done to prevent councils going out of business? Is any preparatory work happening in the Executive to plan for the loss of those local institutions?

Mr Murphy: I assure the Member that this is a loss of income rather than an award of money. It is a loss of income over the year. Hopefully, some of the businesses that benefit from this will be able to stay open. Clearly, were no initiative taken in relation to rates, there may well have been a loss of rates income to us anyway. We will absorb the cost of this. The Executive are absorbing the cost of the rate relief to the end of the year. The burden will not be placed on the councils.

Mr Carroll: I want the Minister to expand on the measures in place and those needed to protect and support workers at this time, particularly those who have not been furloughed and have to visit food banks. I have mentioned the pattern across the world where the ratio of businesses to workers being helped is 4:1, and it seems to be the case here, with the Minister announcing £700 million support for businesses through rates and grants but, from his Department, only £4 million for sub teachers. I note that there is no rate relief for workers. Support for the business community is clearly necessary at this time, but some feel that the measures with no strings attached do not

address the situation, with some businesses being able to receive government assistance at the same time as laying off staff. The Minister will know that workers are central to the economy, so can he comment on the lack of action to support workers and say what measures are in place to ensure that employers support workers at this time?

Mr Murphy: The employee retention scheme is based on people holding on to their staff, and they apply for it on that basis. It sounds almost as if business is a separate section and it is all fat cats who are getting the money in their back pocket: the vast bulk of the £700 million to business is going out to small and medium enterprises, which are the backbone of the economy here. They earn a wage from their business and, in turn, employ huge numbers of local people. Any support to business is not simply about somebody's profit margin; it is about keeping business alive, keeping the economy alive and keeping workers in jobs. Rate relief and things like that for the commercial sector are about keeping the doors open and keeping employees in place. That is the primary intention of all this. It is not about gifts to individual business owners but about keeping the doors open. As I said, the intention of the furlough scheme is to keep employees in place, and that is the basis on which people apply. That is important in the time ahead.

We recognise that the economy will suffer as a consequence of this. Of course, workers in public-sector employment are getting their wages. We recognise that the economy will suffer as a consequence and more interventions will be required. As it stands, we have a limited ability to make those interventions. If further interventions come from London, we will try to use them as wisely as we can to sustain the economy here and to have the maximum effect from that. When we focus on business, it is about keeping businesses and workers in place and keeping people in jobs. That is the primary effort.

Mr Deputy Speaker (Mr Beggs): There is only one more Member to ask a question on this occasion. I invite other Members who wish to ask a further question to rise in their place for a short period, if they have a burning question. I hope, with your cooperation, to finish this side of the lunch break at 1.00 pm.

Mr Allister: I very much welcome the relief that has been secured for the substitute teachers. That was an inequity long needing to be addressed, and that is good. I was hoping, though it is not the Minister's responsibility, that,

in liaison with the Department for the Economy, there might have been some good news for the haulage sector. What I really wanted to ask the Minister was this: I want to better understand the Treasury rules and the departmental approach to furloughing in the public sector. He has already said that the Treasury frowns on it, to put it at its mildest. Yet, we have councils who have had authority to furlough. Will he explain how that works and what are the rules about that?

Mr Murphy: First, I know that there was significant work or discussions between the Department for Infrastructure, the Department for the Economy and, I think, the Department for Transport in London about the haulage sector and it was concluded that an intervention was not necessary at this time. I do not have the detail as to why, but I know that part of the transportation money that we had been holding back was in anticipation of a request in that area. That did not emerge, and we went ahead, then, with the allocation to Translink.

As far as I understand it — the Member will forgive me if repeat the information incorrectly; I will get the advice that we have from Treasury to him — the Treasury was initially very reluctant to furlough public sector workers on the grounds, I suppose, that it would end up paying for them twice. However, it conceded with regard to cases where workers could not be redeployed elsewhere and there was a loss of income to that public sector area associated with them not doing their jobs. There was a third rule that escapes me at the moment, but they had to satisfy those criteria.

Our responsibility in relation to that is to provide advice to other Departments and to say, "This is the broad view of Treasury. If you have a sector or an arm's-length body in your Department and you think you might be able to avail yourselves of this, it will save you in terms of ongoing losses". Councils are a particular example of that, and museums might be another sector that has furloughed workers. I am sure that I can get information to the Member on what sectors have been furloughed to date. Councils came forward, particularly in relation to leisure centre workers who could not be redeployed elsewhere and where the council was losing revenue as a consequence of those people not being able to work. They were not able to work because of the restrictions as a consequence of the pandemic. There are guidelines and rules and regulations in relation to that. We gave advice to the various Departments and said, "This is what Treasury tells us. If you think that you have a sector or an arm's-length body in your Department that might fit that approach,

come back to us or go directly to the Treasury to make your application". Obviously, in some cases, some councils have met the criteria and have been able to furlough workers and save a cost to the council as a consequence. In a number of areas, Departments have been able to do the same. I am happy to provide that detail to the Member and the rules that the Treasury have given us in relation to that.

Mr Boylan: Thanks for letting me in again. I appreciate what the Minister has put out today in his statement. I know that a lot of the schemes cover a lot of groups, but I am still being lobbied from the infrastructure side in relation to the taxis industry, which feels that it has been left short. What discussions have there been at Executive level and which Ministers have made an approach for support for the taxis industry?

Mr Murphy: No specific proposition has been put to me in relation to taxi drivers. I am not aware of any being put forward in an Executive context. I know that there was some suggestion that taxi drivers might meet the criteria for some of the self-employed schemes, but I am not certain how that has played out because that sector does not fall under my departmental remit. I occasionally hear remarks from people in relation to taxi drivers, but no specific scheme has been put to me to seek support for them. Perhaps, they have been able to avail themselves of the self-employed scheme.

Mr Durkan: In response to my previous question, the Minister mentioned some of the convoluted situations that had arisen and had prevented businesses from getting assistance. Some of the rates-based assistance has been very welcome, but a number of people still have not been able to access it. The deadline is looming — it is imminent, in fact — and there seems to have been an issue with a lot of those people's payment details, with Land and Property Services (LPS) denying having their account details —

Mr Deputy Speaker (Mr Beggs): And the question?

Mr Durkan: — when, in fact, they have been given to them, in some cases, four or five times. Will the Minister look at extending the deadline for people in that situation?

Mr Murphy: My belief is that, once the application is in the system, it has met the deadline. The deadline does not mean that, if you have not received your money by this week, you are not getting it. There have been

all sorts of anomalies in relation to it. I have had people come to me directly, as, I am sure, you have had. I pass them on to LPS to get a response. LPS has been proactive in responding. I have heard that outside the Department: people have been praising LPS for the quickness of response on some of these matters. Some of them are complex and difficult to resolve. If information is missing, it is, sometimes, hard to get it. If there are particular instances, contact LPS directly as an elected representative, and you will get a response.

1.00 pm

Mr Muir: I am concerned about the response in relation to the logistics package, because a lot of local hauliers were holding out for that support. Is that money still being held as match funding to go with the Department for Transport, or has that hope evaporated? If that is the case, a lot of businesses will be worried about their future, because it will mean potential closure.

Mr Murphy: I can report only what was reported to me. With the agreement of the Executive, I was holding £95 million for transportation issues. We allocated some of that to the airports and the ports. The Infrastructure Minister had a bid in for Translink, and I understand that there were discussions between Infrastructure, Economy and the Department for Transport in London in relation to the requirement for that sector. I have been told that no case was being put forward in relation to that. I do not have the detail as to why that was the case. However, I assure the Member that, if that arises, as I said in my statement, £60 million is still being held in relation to transportation.

Mr Deputy Speaker (Mr Beggs): That is the end of questions to the Minister of Finance on his statement.

The Business Committee has arranged to meet after 1.00 pm today. 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 the Health Protection (Coronavirus, Restrictions) (Amendment) Regulations (Northern Ireland) 2020.

The sitting was suspended at 1.02 pm.

On resuming —

2.00 pm

Executive Committee Business

The Health Protection (Coronavirus, Restrictions) (Amendment) Regulations (Northern Ireland) 2020

Mr Deputy Speaker (Mr Beggs): The next item of business is a motion to approve a statutory rule. I call junior Minister Declan Kearney to formally move the motion.

Mr Kearney (Junior Minister, The Executive Office): Go raibh maith agat, a LeasCheann Comhairle. Iarraim cead an rún seo a thabhairt chun cinn. Thank you, Mr Deputy Speaker.

Mr Deputy Speaker (Mr Beggs): Order. I have some advice to give to Members; then you will be allowed to take the Floor. Do you wish to move the motion?

Mr Kearney: That is basically what I was in the process of doing, Mr Deputy Speaker. I beg to move

That the Health Protection (Coronavirus, Restrictions) (Amendment) Regulations (Northern Ireland) 2020 be approved.

Mr Deputy Speaker (Mr Beggs): Thank you. The Business Committee has agreed that there should be no time limit to this debate. I remind Members that the Business Committee has agreed that, under current circumstances, Members may rise in their place if they wish to be called to speak during debates or on any other occasion. That is the usual way of the getting your name onto the Speaker's list. Members may also inform the Business Committee or approach the Top Table. Those remain valid alternative options.

I now call the junior Minister to open the debate on the motion.

Mr Kearney: A LeasCheann Comhairle, agus a Chomhaltaí, it is now some eight weeks since it became necessary for the Executive and Assembly to introduce the extraordinary measures which have so drastically affected the way we live our lives and go about our business. No other legislation in living memory has caused so much disruption. Life as we

know it has been turned on its head. It has separated people from family and loved ones who happen to live in different households. Businesses have been closed and economic activity paused. The regulations have stopped us from going beyond our homes, except for limited purposes.

A short piece of legislation that, like the tiny microbe whose name is in the title of our regulations, has had serious and far-reaching consequences, beyond which any of us could ever have imagined. However, that is where any comparison ends because, unlike coronavirus itself, the Health Protection (Coronavirus, Restrictions) Regulations have saved lives.

Beidh cuimhne ag cach go raibh muid ag dúil le scéala ní ba mheasa roinnt seachtainí ó shin. Only weeks ago, we were preparing for the prospect of 15,000 deaths in the North, and then for a reasonable worst-case scenario of 1,500 fatalities. These regulations have protected our health and care services and they helped preserve societal well-being. They are a key to help us lift the lockdown. COVID-19 has wreaked a terrible havoc upon us and, very sadly, for many people that has meant the loss of a loved one.

My heart goes out to all of those who have lost family and friends. Currently, up to 482 people have died in the North, as well as in excess of 2,029 souls on our island and tens of thousands of lost lives in both Britain and Ireland.

I am sure that I speak for everyone in the Chamber in saying that our thoughts and sincere sympathies go out to all who have been bereaved and who are suffering the pain of loss at this time.

I send good wishes to those lucky enough to be out of danger and have begun recovery, including personal and family friends. I extend solidarity to all our health and social care heroes, and many other key workers, who have been on the front line in the fight back against COVID-19.

Is cúis díomá domhsa nach bhfuil aon réiteach cuimsitheach éifeachtach ar an ghalar seo ar fáil dúinn láithreach. It is an unfortunate reality that we face. We are in the midst of a major pandemic health emergency for which, at this time, there are no quick fixes or ready-made solutions. We can be sure of this: we will be managing the emergency for some considerable time to come. We are unlikely to see a return to a new normal way of living in the short to medium term. That means that we have

to accept the fact that we will be living with the threat of the virus in our midst for some time, and we will need to keep managing our behaviours to minimise the risks of spreading the infection. These are extraordinary times and getting through them will necessitate the continuation of extraordinary measures, to some extent at least.

On Tuesday last week, the Executive published a document that seeks to strategically chart a way through the crisis. That is a route with passing points, which we will only cross when the science says that it is safe and right to do so. I will say a bit more about the Executive's plan in a moment.

First, I want to return to the motion that is before us. I would like to remind Members of proceedings on 21 April, when the Assembly considered and approved the original regulations, which of course were made using emergency provisions in the primary legislation. Those were made and came into operation on 28 March, in the knowledge that democratic scrutiny by the Assembly would have to follow afterwards. That approach was brought about solely because of the urgent prevailing circumstances.

The content of the regulations is, of course, something that we are all now quite familiar with. There are three main aspects. First, they impose restrictions on business, and many have had to close altogether. Secondly, there are restrictions on gatherings of more than two people, other than in certain, exceptional circumstances. Thirdly, there are restrictions on movement, with no one allowed to leave home without a reasonable excuse. There are also provisions for enforcement, and penalties that range from fixed penalty notices to fines of up to £5,000 on summary conviction.

Gan amhras, is rialacháin tromchúiseacha iad seo agus fíor-dhúshlánach dúinn go léir. The regulations contain very serious measures which have far-reaching implications for every single person. We, as elected representatives, bear a heavy responsibility for ensuring that they are kept under constant review so that they are not retained for one day longer than is absolutely necessary. The importance of that was recognised from the outset, and the regulations have built-in protections to ensure that there are frequent and robust reviews of all the measures.

Regulation 2(2) requires that the "restrictions and requirements" are reviewed:

"at least once every 21 days".

Regulation 2(3) requires that "any restrictions or requirements" must be terminated as soon as the Department of Health considers that they are "no longer necessary". Those are powerful legislative protections.

Since the regulations were first introduced on 28 March, they have provided the basis for several reviews that have been conducted by the Executive. A first review, completed on 15 April 2020, resulted in no changes. Then, on 24 April, it was agreed that the requirement to close burial grounds to members of the public should be lifted. It was also agreed that it would be helpful, when doing so, to clarify the circumstances in which a person may leave the place where they live to take exercise. Following a further review on 7 May, it was decided to continue to maintain all the remaining restrictions and requirements for the time being.

Last Thursday, following the publication of the Executive's approach document, the Executive announced the easing of other restrictions in the context of taking another cautious step towards the new normal. As a result, garden centres and ornamental plant nurseries may be opened to customers; marriage ceremonies can take place if one of the partners, or an immediate family member, is terminally ill; and household recycling centres can reopen.

Yesterday, on the basis of the latest scientific evidence and expert advice, a number of other easements were agreed. For instance, up to six people who are not from the same household may, now, meet outdoors. Churches may open for private prayer. Some sports, such as golf and tennis, can recommence. Drive-in church services, cinemas and concerts are also to be permitted. Those changes will be reflected in further amending regulations that, it is hoped, will be made later. They demonstrate the Executive's commitment to reviewing the regulations, and signal our determination to act decisively when the evidence and advice show that the time is right.

It was, however, the changes that were made following the review on 24 April that have led to the amendment regulations that are the subject of the debate. Those changes — the easing of restrictions on access to burial grounds and additional clarity on travelling to take exercise — were arrived at through sound, proportionate and careful judgements by the Executive, all of which was governed by the expert advice of the Chief Medical Officer and Chief Scientific Adviser.

Those judgements were based on striking the right balance between citizens' mental health and well-being and ensuring that people were not put at risk of transmission of coronavirus. They take into consideration the very real comfort that being able to visit the graveside of a loved one brings to people. They also recognised that further clarification was needed in order to help people to make the right decisions to enable them to meet the rules that govern restrictions on movement. The amendment regulations give effect to those simple but important changes.

The actual amendments are as follows. Regulation 4, which deals with restrictions and closures, is amended to remove the requirement to close burial grounds to members of the public. A new regulation, 4A, has been added to ensure that adherence to social-distancing rules by those who visit burial grounds is applied. That regulation imposes a duty on a person who is responsible for a burial ground to take all reasonable measures to ensure that a distance of at least two metres is observed between every person at the burial ground, except between members of the same household.

In addition, regulation 5, which deals with restrictions on movement, is, therefore, amended to include the need to visit a burial ground to pay respects to a member of a person's household, family member or friend as a reasonable excuse for a person to leave the place where they live. Finally, regulation 5 is also amended to clarify the circumstances in which a person may leave the place where they live to take exercise by providing for reasonable travel to exercise.

These amendments are small but significant and important steps on the path to recovery. These and others in the future will be made by taking account of the ongoing critical situation whilst giving hope for the future. None of us wants the restrictions to remain for one moment longer than is necessary. Citizens, communities and businesses are suffering. People are having to make huge personal sacrifices as a result of the regulations. However, it is important to emphasise that the regulations are key to winning the fight against COVID-19. They are an essential means by which to fight back against the pandemic. They need to be taken in context with the Executive's five-step plan, adherence to best international guidance, the need to implement a programme of universal community testing, contact tracing and isolation, and, importantly, a whole-government and whole-society partnership. That integrated approach represents our

effective recovery road map to move towards a return to more normal ways.

We should be absolutely clear: the regulations are working. Tá ag éiri leo.

They have saved lives. In fact, they have saved a great many lives and they have prevented our health system from being overwhelmed. Aided by the comprehensive guide published by the Executive last Tuesday, we are now beginning to see a slow pathway to recovery unfold.

2.15 pm

The guide identifies three essential criteria for consideration in the Executive's ongoing reviews of the regulations. First, evidence and analysis relating to the pandemic, and that will include: the latest medical and scientific advice, adherence to World Health Organization guidelines, the estimated level of transmission within society and the impact that any regulations may have on the future trajectory of the pandemic. Secondly, the capacity of the health and social care services in our society to deal with coronavirus cases whilst also returning to the delivery of normal services. Thirdly, assessment of the wider health, societal and economic impacts of the regulations, including the identification of areas where we can secure the greatest benefit and lowest risk as a result of any relaxations.

The approach of our five-party, power-sharing Government is logical and measured. It provides for decisions to be made based upon science and expert advice, with room enough for common sense, but, make no mistake, we remain in a critical situation. Our public health message has not changed: stay at home and save lives. What the Executive will not countenance, in reviewing the regulations, is being rushed into making premature, reckless or uninformed decisions, whether as a result of artificial deadlines or simply to match actions that are taking place in other jurisdictions.

The clear scientific assessment is that the pathway of the pandemic is on the island. It makes sense to develop common approaches. The Executive have a duty to give clear leadership. Ní mór dúinn ceannaireacht leanúnach shoiléir a sholáthar amach anseo. So, the Executive will do what is right, in the right sectors, at the right time, for our citizens, exercising the sort of good judgement that has been apparent in all the reviews to date. Our commitment to all we serve is to succeed by continuing to save lives and protect public health. However, this is a marathon, not a

sprint. The small changes that we are debating today are an example of the Executive's careful judgement, and I, therefore, commends the regulations to the Assembly. Molaim na rialacháin.

Mr Deputy Speaker (Mr Beggs): I welcome our newest Assembly Member, Cara Hunter, to the Chamber.

Mr McGrath (The Chairperson of the Committee for The Executive Office): I rise to speak on behalf of the Committee for the Executive Office. The Committee very much welcomes the regulations, and I look forward to hearing from the Chairperson of the Health Committee on the formal deliberations that took place on the legislation.

Members of the Executive Office Committee were acutely aware of the relief that was felt across the North when it was announced that cemeteries would reopen. In that context, I will reflect on what it means to some people to visit a cemetery. For many, it is an important part of the grieving process. It is an acknowledgement that the deceased has not been forgotten and is still very much part of their life. I am sure that I was not alone in my sympathy for bereaved relatives who were so distressed about not being able to visit the gravesides of their loved ones. It was particularly heartbreaking to listen to those who were recently bereaved talk about the devastating effect that the closures were having on their mental health and ability to cope with the loss. For them, the reopening of cemeteries was an incredible comfort and a great joy at a time of such sadness.

Of course, you do not have to have been recently bereaved to feel the effects of the closures. Many people visit graveyards for reflection and to experience the solitude and sense of calm that a cemetery can offer at times of distress or anxiety. That is why the closures had such an impact on so many. Nearly everyone is living through some level of distress or anxiety because of the pandemic.

In welcoming the reopening of the cemeteries, I also want to stress the importance of maintaining a social distance, regardless of where you are. Social distancing will play a major role in creating the right environment where further restrictions can be lifted and we can begin to inch closer to what we see as a normal way of life. We are seeing evidence of that already with the reopening of garden centres and household recycling centres. Those centres could only reopen because of the impact that social distancing is having on the reproduction rate of the virus. I urge everyone

to show discipline and compliance and I look forward to the lifting of further restrictions, but only when it is safe to do so.

I will now make a number of points in my capacity as an MLA for South Down. We are seeing frequent changes to the regulations and that is to be expected. I welcome the fact that we can move towards normality — or the new normality — as it will be known. I urge, though, for as much clarity as possible. After every announcement, I am sure that all Members see their inbox light up with various questions, queries and requests to find out about individual, bespoke cases. Where you can, I urge you not to use generalised terms, such as sports, open spaces or businesses, without clarifying what that means for people. In some cases, it builds up hope only for that hope to be dashed whenever clarification is sought.

A recurring theme, and one that needs to be developed, is what we can do for our over-70s and those who are shielding. Leaving them with no hope after every announcement and just saying that they will have to stay at home is not going to cut it. We need to champion their cause so that they can have a social outlet and some communication with others or we will be storing up a problem for the future, with health and mental health being impacted. They are feeling the pain of isolation and it is only fair that we respond to that pain and do what we can to help and to give them hope.

I have also had calls from people who are asking that the medical advice and guidance be published. People want to believe everything that they are hearing but some are struggling. If we are to be a truly open and transparent Government and Executive, I ask that the guidance and support is fully published.

Mr Gildernew (The Chairperson of the Committee for Health): Éirím le huasdátú a thabhairt don Teach agus le smaointe an Choiste Sláinte a thabhairt ar na rialacháin. I will update the House on the Health Committee's consideration of the regulations. On 3 April, the Health Committee was briefed by the Chief Environmental Health Officer who advised of the two main purposes of the regulations, as mentioned by the junior Minister: to amend previous regulations to facilitate the opening of cemeteries and to clarify the rules around leaving home to take exercise. The Department explained that, due to the urgency of the situation, it was not possible to bring an SL1 to the Committee in advance of laying the statutory rule.

The Committee raised two issues on the statutory rule. First, health protection in cemeteries, and, secondly, the requirements of those with autism or complex needs. On the issue of cemeteries, the Department advised that responsibility for the protection of workers and visitors rests with those who manage a site and that some may choose not to open if they feel that they cannot meet public requirements. With regard to the revised description of the rule around exercise, the Committee was advised that the amendment clarifies that travel for exercise may be reasonable in certain circumstances. Whilst the regulations do not specifically mention those with autism or disabilities, the Chief Environmental Health Officer advised us that revised Cabinet guidance from 8 April covers those matters and provides extra flexibility for those with medical conditions.

He also confirmed that the PSNI had been taking that into account in applying the reasonableness test. The Committee was further advised that the Department is aware of the fact that, whereas the guidance refers to exercise in line with a care plan, not all those with complex needs have a care plan in place and that work was ongoing to address that situation. The junior Minister may be able to confirm any progress on that and on whether it has been communicated to the PSNI. The Chief Environmental Health Officer also advised that work was almost completed on a draft template letter that families could request from their local trust and could carry with them confirming that a member of the family has particular needs that require travel for exercise. Again, it would be good to hear whether that has been advanced or progressed.

It was suggested in Committee that, for those with autism and complex needs, the issue was wider than the need for exercise. It was put to the Department that going out for a drive can be part of a wider approach to the care and management of challenging behaviour as it can be a calming mechanism, a coping strategy and a way to prevent self-harm or harm to others. Further to a suggestion that it would be helpful to confirm that families trying to cope in such difficult circumstances would not be penalised, the CEHO said that he would feed that back to the learning disability unit to see whether something could be done, although he also said that the PSNI were aware and were taking into account individual circumstances.

The Committee agreed that it was content with the statutory rule subject to the report from the Examiner of Statutory Rules. The Examiner has

now reported on the SR and has raised no issues.

Ba mhaith liom cúpla focail a rá anois mar urlabhraí sláinte Shinn Féin fosta. I would now like to say a few words as the Sinn Féin spokesperson for health. The health protection regulations that came into effect on 28 March this year have undoubtedly saved lives across the North. In the face of the unprecedented challenge that the COVID-19 virus presents to our very way of life, from the way that we work to the way that we interact with loved ones and even, sadly, the way that we say, "Goodbye", the Executive have introduced measures that have altered our whole society while protecting health and social care services. The COVID-19 virus has brought unthinkable worry, pain and grief to all our communities. To all who have lost a loved one, a neighbour or a friend, I offer my sincere condolences.

Through strict observance of the regulations and much personal sacrifice and hard work on the part of our communities, we have reached a stage where a careful easing of the restrictions is possible. It is hoped that, as we move through the next weeks and months, we can safely lift and ease more lockdown measures, noting as we go that this virus is no more a respecter of timelines than it is of borders. However, every easing of the lockdown must be guided first and foremost by scientific and medical evidence. Any relaxation of the guidance on the restrictions must be in accordance with the World Health Organization's guidance that, first, transmission of the disease is under control; secondly, health and social care services have the capacity to test, trace and treat every case and to trace every contact of the COVID patient; thirdly, our health service has the capacity to cope with a second wave of the virus with adequate PPE, ventilators and so forth in place; fourthly and crucially, nursing homes and other hotspots are identified and the risks in those settings minimised; fifthly, the risk of importing new cases can be managed; agus uimhir a sé, faoi dheireadh agus thar aon ní eile, go gcoinníonn muid ar bpobal ar an eolas agus go dtacaíonn muid leo mar is ceart, all our community, including harder-to-reach communities, are engaged, informed and supported appropriately at this time and as we move through the measures.

Our relaxation of the restrictions must be carefully crafted to allow the flexibility to change course when needed. Ní mór dár gcinntí a bheith tomhaiste agus eolach agus a bheith déanta de réir na cúinsí eagsúla in ár bpobal agus de réir na tíreolaíochta. Our decisions at

this important time must be measured and informed and done in a way that suits the particular circumstances of our communities and our geography.

2.30 pm

Mrs Cameron: I put on record my thanks to the First Minister and deputy First Minister, the junior Ministers and, indeed, the Health Minister as they continue to work throughout this difficult period. While we focus on the relaxation of restrictions, it would be wrong for us to not express our deepest sympathies to those who mourn the loss of a loved one to this awful disease. Almost 490 families in Northern Ireland have been left devastated. That is a heartbreaking statistic, but behind each one is someone who is loved and missed. Our thoughts and prayers remain with those families now and in the days ahead.

The decision to relax restrictions and amend the regulations does not come easy. It is always vital that those decisions are determined by the best scientific and medical advice. Politics must not come into it, just evidence. In that regard, I pay tribute to the expert advisers that we have in Northern Ireland, not least our Chief Medical Officer: thank you for all that you are doing at this time.

As MLAs, we are being contacted daily with the question, "Am I allowed to?". The question on everyone's lips is, "When will we be able to?". People want to know when family life and community life will return to what we once called "normal". In recent weeks, we have all taken small steps. Access to cemeteries was a much-needed and most welcome first step. Who among us did not have a constituent who longed to visit the grave of a loved one — maybe a child or a spouse — who was lost too soon? . The stories that we have received have, no doubt, had a real impact on us all personally, and I am glad that today those graves can be visited. We must also thank our funeral directors and undertakers for their work in recent weeks. It has been incredibly difficult, but, as always, they have carried out their duties with compassion and care, which we welcome. In the coming weeks, I am hopeful that we will see an increase in the number of people who are allowed at the graveside during a funeral, and I encourage the Executive to explore how that can be allowed.

I also commend my colleague Edwin Poots for his action as AERA Minister in handling the opening of recycling centres in conjunction with the councils and for his recent announcement to permit angling. Yesterday's announcement

that outside gatherings of up to six people can take place is welcome. I emphasise that social distancing remains key, along with not sharing hard surfaces. Also very welcome is the opening of places of worship for private prayer and for drive-in worship. Those are necessarily small steps, but they are steps in the right direction. It is important that, in the coming days, we continue on the road map to recovery set out by the Executive. At all times, that must be balanced by the safety to take each step. We must keep the R number down.

The message remains the same: "Stay at home as much as you can. Wash your hands. Keep two metres apart". If we do not heed those rules, we risk going backwards. The steps will save lives and enable society to move forward. The people of Northern Ireland can be rightly proud of how they have responded to the public health messages that have been issued over recent weeks. If we all continue to do that, we will save lives and continue to progress back to normal or a new normal.

Mr Nesbitt: Minister Kearney has not been shy, on occasion, of making the odd political comment during the pandemic, so I would like to make a political point today. After all, his party colleague, John O'Dowd, reminded us recently that this is a political Chamber. The point, very simply, is this: given that we are part of the National Health Service and given the eye-watering amounts of additional money coming our way from Treasury beyond the block grant, I hope that every Member can agree that, irrespective of their legitimate constitutional aspiration, there has never been a better time for Northern Ireland to be part of the United Kingdom. That will need to be factored into any debate on new norms.

Mr Blair: On behalf of Alliance, I thank the Ministers for their statement today on previous amendments to the regulations. I also thank them and their Executive colleagues for the further information that was released yesterday, which will have brought some hope and reassurance to many people. We are reminded, especially at a time when some people are benefiting from reassurance, that there is still much suffering and anxiety in our communities, stress about the road ahead and, of course, grief for those who have lost loved ones. We think of all those people today. It is right that we also reflect today on the huge effort made by people across Northern Ireland to follow advice, adhere to regulations and join together to save lives and protect our health and front-line services. It is that effort that has allowed some relaxation of the regulations that were put in place.

Of course, the limited alleviation of the regulations, just like every other public announcement, will bring further questions. There will be questions about whether it is safe to gather in a particular open space. There might be questions about whether, if a fishery is open, as was announced on late-night television, the forest park around that fishery will also be open. We know that acceding to every request could fragment the coordinated approach to battling the virus. That could lead to an ad hoc development of policy and create uncertainty and have the most serious of consequences, especially if any lack of cohesion led to a second wave of coronavirus. Perhaps, in their response, the junior Ministers will give us their thoughts on two things: first, the need for clear and consistent messaging from every Minister and every Department so that information is presented from where and when it is expected and is accompanied by the clearest guidance possible; and, secondly, the need to assist the public in developing a common-sense approach to implementing the regulations by reviewing and, if necessary, refreshing the messaging that is out there to ensure that we maximise the audience and hold public attention at all times as things change. We know that challenges to police work in implementing the regulations are ongoing, as witnessed in recent days at the Obel Tower in Belfast and on other occasions. Every effort must, therefore, be made to assist police in their duty. I am pleased to hear that processes are being put in place so that councils can assist with enforcement matters. I look forward to receiving more information about that when the latest updates and amendments are before us, if not before then.

I and my colleagues, like all others, look forward to better times. We are willing to continue efforts guided by scientific and medical advice to get us there. In that light, we are content to support the regulations as amended.

Mr Stalford: Before I go into my remarks, I associate myself with yours, Mr Deputy Speaker, in welcoming the new Member for East Londonderry to the Chamber. It was my great privilege to preside over her signing the book. I am sure that she will have a good time here; at least, I hope she does — we all try to. I wish her all the best.

A free people cannot be expected to live under house arrest indefinitely. We voted eight weeks ago for the Government to have huge and wide-ranging powers. In a free society, such provisions do not sit comfortably with those who believe in individual, property or collective general rights. Our people have endured

serious curtailments of their rights in the name of controlling the threat of the virus. The success of the science-led approach is measurable, as the junior Minister said, in the fact that, at the commencement of the crisis, the House was told that we faced the real possibility of up to 15,000 deaths in this part of the United Kingdom. Now, every death is a tragedy, and I extend my deepest sympathies to the families of the 482 people who have lost their life as a result of the virus. Because of the perseverance of our people, this dreadful virus is coming under control, and the terror that it unleashed in all of us eight weeks ago has mercifully not been realised. However, we need to be clear and honest: patience is starting to run thin in the wider public. We need to face that. Others have talked about the need for clear messaging, and I absolutely associate myself with that. It is important that there is a clear and consistent message coming from the Executive at this time. However, as I said in my introduction, a free people will not consent to living under house arrest for ever, least of all in a country like ours, which is the foundation stone — the founding country — of liberal democracy and where freedom means so much.

There are questions that I want answered, particularly in the context of the mixed messaging that people have been talking about. I would like to know from the Government what the R rate presently is. I would also like to know from the Government whether a figure has been established as to what an R rate should look like to enable a more full-blown relaxation of these draconian laws. I would like to know who has provided that figure, if one exists. I would like to know whether that figure is 0.5, as has been quoted by the deputy First Minister widely in the press. If that figure that has been provided to the Government is not 0.5, where did the deputy First Minister get her figure? They are important questions, and, if we are to reassure our frightened people, they need to be answered here today.

I want to raise the issue of churches. I welcome the announcement that churches will be able to use car parks for drive-in facilities. The Minister will know that I am a member of Ravenhill Presbyterian Church, a church in inner-city Belfast. We do not have a car park, but we have an enormous building. I look around, and I suspect that the interior of our building is bigger than this Chamber. My congregation is being told that it cannot meet, but here we sit. It is important that the messages that we send out have logic attached to them, and that needs to be addressed.

I welcome the relaxation around cemeteries. That is something that I feel strongly about. My father died when I was seven, and, on the day that I got married, I went to his grave; on the day that I was elected to the council for the first time, I went to his grave; and, on the day that I was elected here for the first time, I went to his grave. It is an important place for me, and I absolutely understand, therefore, why it is so important for people to have that in their lives. I welcome the measures that have been announced on marriages. That is the compassionate and the right thing to do.

I think that, overall, we can say that the Government have acted wisely and judiciously, but our people are looking for answers. At the start of this, eight weeks ago, there was a need to impress on people the scale of the threat posed. Now, our frightened and cowed people need to be given hope.

Mr Sheehan: The last time I spoke on the regulations, I was clear that, as a political representative, in normal circumstances, I would never want to introduce restrictions of people's freedom of movement in the way that the regulations do. However, as we all know, we live in extraordinary times, and, even in the past four weeks, the context has shifted slightly. I have no doubt that lives have been saved as a result of the measures that were implemented, and I welcome the fact that there has been some relaxation of the restrictions on some outdoor activities. It is clear from 'Executive Approach to Decision-making' what needs to happen before there is further easing of restrictions. For now, the focus must be on a strategy to minimise harm from the ill-advised relaxation of physical distancing in ways that will trigger further epidemic spikes. Therefore, I commend the Executive for closely following the advice of the World Health Organization when setting out their guiding principles for considering whether a specific restriction or requirement should be retained, withdrawn or modified. Those principles are clear and easily understood.

Of course, it is right that we should follow the guidance of the World Health Organization, given that it has the most experience in fighting previous epidemics, such as SARS, MERS and Ebola. More importantly, it is those countries that closely followed World Health Organization advice that have been most successful in controlling the spread of COVID-19.

2.45 pm

There has been quite a lot of backslapping here by people who believe that we have done well in tackling the virus. That may well be true in comparison with our neighbouring island, Italy or Spain. However, let us look at South Korea, a country with a population of 51 million. Seoul, the capital city, is only a two-hour flight from Wuhan, where the virus is alleged to have started. The South Koreans did not have the same restrictive lockdown that we are experiencing. They did, however, have a first-class system for carrying out widespread community testing and contact tracing. They tested and traced the virus until they had it under control. Despite some new clusters, the South Koreans have managed to keep it in check. There have been only 263 deaths, and not one of those deaths was in a care home. Not one of those deaths was in a care home.

The Health and Social Care Committee at Westminster heard recently from a research fellow at the London School of Economics that anyone in a care home in South Korea with suspected COVID-19 was immediately isolated and, if they tested positive, removed to a quarantine centre or hospital. She finished her evidence by saying that not a single person has died from COVID-19 in a South Korean care home. Contrast that with here, with a population of just 1.8 million, where we have had around 500 deaths, depending on which data you read. Almost half those deaths have been among the frail and the elderly in care homes. Of course, the South Koreans were prepared for the virus, and we were not. Many will say that the South Koreans had experience of dealing with previous viruses, such as SARS and MERS, so they were much more prepared than we were.

Of course, the weakness of our preparations was exposed in October 2016 by Exercise Cygnus, a pandemic simulation, and the necessary remedial steps were not taken. If anything, the state of preparedness has worsened since 2016 as a direct result of underfunding to the NHS and public health infrastructure.

What needs to happen next? The World Health Organization, as quoted in the Executive document, is quite clear:

"Transmission is controlled. Health system capacities are in place to detect, test, isolate and treat every case and trace every contact. Outbreak risks are minimised in special settings like health facilities and nursing homes."

I have to express serious concerns about the Health Department being able to meet those criteria.

Mr Deputy Speaker (Mr Beggs): Can I bring the Member back to the legislation that we are discussing? I am allowing all Members considerable latitude, but please do mention the relaxation legislation that is under debate.

Mr Sheehan: Of course, the legislation is related to the situation on the ground. When discussing relaxation measures, it is important that we know what has to happen and what criteria have to be met.

There are still serious problems with the rate of transmission in care homes, as well as concern about the infrastructure being put in place to carry out contact tracing. So, let me deal with contact tracing first. On March 12, a decision was taken in London to end contact tracing. For some reason, the same decision was taken here, even though the two situations and the two contexts were entirely different. We are told that the decision here was made on the basis of scientific advice from experts in the field and sound public health considerations. However, we could not interrogate that advice. It is secret; it is not transparent. We do not know who the scientists were who offered the advice, and that is not acceptable.

Last Thursday, three eminent experts gave evidence to the Committee for Health. Professor Anthony Costello totally dismissed and disagreed with the assertion that the decision to end community testing and contact tracing could have been based on sound public health considerations. Professor Costello's view chimes with the World Health Organization's advice and the best international practice. Some will say, "Don't look back, let's move forward" and that is fair enough. I am not here to apportion blame —

Mr Deputy Speaker (Mr Beggs): Is the Member going to comment on the legislation? If you are, please reference it.

Mr Sheehan: — but we need to learn from previous mistakes and to make sure that we do not repeat them.

Do we have a system for contact tracing in place? On 16 April, the chief executive of the PHA told the Committee — Jim Wells mentioned this when he asked the Health Minister a question last week at the Ad Hoc Committee — that 500 people had been recruited and were being trained to carry out

contact tracing. Three weeks later, on 7 May, when she again gave evidence to the Committee, following a question from me, the chief executive admitted that 500 people were not being trained. So, 500 people had not been recruited and 500 people were not being trained, so why did she feel that she could come to the Committee to give that evidence in the first place? We are now told by the Minister that, actually, only 58 people have been trained to carry out contact tracing. Although we know that contact tracing happened at the start of the outbreak, we do not know how many were involved, but if only 58 people have been trained in contact tracing, it seems to be totally inadequate. We have had months to get contact tracing right.

As things stand —

Mr Deputy Speaker (Mr Beggs): Order, order. Will the Member please take a seat? I have asked the Member on a number of occasions to please reference the legislation that is in front of us. This seems to be a speech, and he has yet to reference, in detail, the legislation. I will give the Member another chance.

Mr Sheehan: I do not know if we will have the proper infrastructure in place that will allow us to ease the regulations that are being discussed.

Moving on to the situation in care homes, despite the fact that we knew that care homes were being impacted disproportionately by the virus, little, if nothing, was done to protect the frail and the elderly in those settings. Shortages of PPE and a lack of testing have been well-documented. In London, research that used genome tracking found that temporary care home workers unwittingly transmitted COVID-19 between care homes as cases surged. The tracking research into the behaviour of the virus in six London care homes found that, in some cases, workers who transmitted coronavirus had been drafted in to cover for care home staff who were self-isolating, expressly to prevent the vulnerable people that they look after from becoming infected.

Why is that important here? It is important here because agency workers here are also moving about from care home to care home. I spoke yesterday to a senior manager from a number of care homes who is extremely worried about this. In some cases, care homes have refused to take on agency workers, but, as a result, their own staff are becoming overworked and overstressed. They are now reaching a stage where they are going to have to consider bringing in agency staff. If agency staff are

moving about from home to home, if that does not increase the risk of infection, I do not know what does. It is no coincidence that there has been quite a significant outbreak of COVID-19 among staff in Muckamore Abbey. To me, it is no coincidence that a number of the agency staff there moved from a care home in Belfast that was seriously affected by COVID-19.

In the name of humanity, I am calling on the Department of Health, the Public Health Agency and the regulator of care homes, the RQIA, to get their act together and to put a focus on our care homes that has been absent thus far. I stand with the Human Rights Commissioner and the Commissioner for Older People who are both on the public record saying that not enough has been done to protect our frail, vulnerable and elderly population.

I welcome the moves that have been made to ease the restrictions, and I look forward to other restrictions being eased but not until the proper criteria are met to save lives and protect our citizens.

Mr Deputy Speaker (Mr Beggs): I encourage Members to reference any comments that they make to the legislation that is in front of us today. They may well wish to make statements on a number of issues, but that is not relevant unless their statements refer to the legislation that we are debating.

Ms Anderson: Every time I come here to speak on the coronavirus restrictions, I take a look at the number of people who have died across the world, which, today, stands at over 320,000 people, with over 2,000 having died across this island. I send my heartfelt sympathy to the families of all those who have died.

As we stand here today to talk about the easing of restrictions, we are still dealing with the same deadly virus that we were dealing with eight weeks ago. The World Health Organization has cautioned against lifting the lockdown measures prematurely, stating clearly that it could lead to a resurgence in the virus. A virus does not become a pandemic by itself. Our behaviour spreads the virus, and, unlike the virus, the restrictive regulations that we are discussing today, which are, without doubt, draconian — and reference has been made to that — have saved lives. This legislation and the five-step programme announced by the Executive last week are the correct and cautious approach, with measures only being relaxed when it is safe to do so. So, I welcome the measures that have been announced and how they are being taken forward.

However, I concur with the previous Member to speak, Pat Sheehan, because, over two months ago, the North stopped community testing. The relaxation of measures happened well before we were dealing with the number of deaths that, unfortunately, we are dealing with today. The World Health Organization advice at that time was clear: test, trace and isolate. Despite this island being an epidemiological unit, we have not fought this virus on an all-Ireland basis. The restriction of movement, as outlined in the legislation, with no one being allowed to leave home without a reasonable excuse, unfortunately did not prevent the transmission of this deadly virus. We all knew where it would spread, namely, in care homes.

Ministers, I know that, as you come here today to talk about easing the restrictions, you do not have responsibility for the remit that resides in the Department of Health or for devising the policy of testing, and I know that —.

Mr Stalford: I am grateful to the Member for giving way. Before I ask my question, I must point out that this is becoming a bit of a pattern of one party in the Executive lashing out all round it and attacking other parties that are working together to try and get us through this crisis. Last week, the deputy First Minister said that the target for the R rate should be 0.5 before easing restrictions. If the Chief Medical Officer tells us that the R rate is 0.5, will her party support easing restrictions?

Ms Anderson: As you know, all parties in the Executive are taking advice from what the Chief Medical Officer says, what the World Health Organization says and all the advice that is out there. I am sure that, collectively, the Executive will make the right call when it is safe to do so, and they will ease the restrictions when it is safe to do so.

3.00 pm

I am sure that the Member has constituents coming to him, as they are coming to me and others in Sinn Féin, expressing their concern that we might be easing the restrictions too soon. People on both sides are concerned, and I share what you said about people getting frustrated and about being imprisoned at home. No one would support those draconian measures, but, as I said to the joint First Ministers last week, the measures that they are putting in place and the five steps that they outlined, are walking us through a process when it is safe to do so.

Please do not say that this is about one party taking a slap at anyone. This is about giving expression to deep-rooted concerns, and you do not have your finger on the pulse of what people are thinking, feeling and have experienced outside, if you think that that is what we are doing here. So do not think that. I would advise the Member to maybe get more involved with his own constituents.

Mr Deputy Speaker (Mr Beggs): I ask that all remarks be made through the Chair, please. I draw the Member back to the legislation: please comment on it.

Ms Anderson: OK. As I was saying, the restrictions on movement, as outlined in the legislation, with no one allowed to leave home without a reasonable excuse, unfortunately did not prevent the transmission of this deadly virus where we knew it would spread, namely in care homes.

I know that it is not your responsibility with regard to the Health Department and the decisions that the Health Minister takes — he has his autonomy and he has to make his call. I know that it was not the Executive that made the decision to stop community testing, but I can tell you that, in my constituency of Derry, questions have been asked about why community testing was stopped. There was no explanation given when we heard about the easing of the restrictions. We have not had an explanation, despite the fact that the Chair of the Health Committee tried to find out what the explanation was, despite questions being raised by public health experts such as Dr Gabriel Scally and others, and despite members of the Health Committee trying to find out.

It is right, as we stand here today, that the COVID restrictions are reviewed every 21 days, and it is right that we get the information that we receive about the easing of those restrictions. I only wish that there had been an inbuilt review to determine the impact that stopping community testing had on our ability to track this deadly virus.

Yesterday, we heard from the Health Minister. He announced rolling testing. That is not in this easing of restrictions, but I assume that all of that is being talked about in how we move this forward. He talked about rolling restrictions for all care homes and all care home residents in the North. A senior medical adviser stated that that will be done some time in June. Now, whilst I welcome that testing for all is finally going to happen in care homes, I cannot help but think that it is too little, too late.

As we talk about the easing of the restrictions, I am very mindful of the fact that, as of 8 May, 269 people in care homes had died of the virus, yet testing is not going to start today, it is not going to start tomorrow, it is not going to start next week after we hear of restrictions being lifted. It is going to start some time in June — June.

Over a month and a half ago, I raised the need to save lives, as the lifting of these restrictions is doing. They are going to save lives. I raised the need to test all residents and staff in Owen Mor nursing home in Derry following an outbreak there, because testing, tracing and isolating every suspected case of COVID is essential for helping to control the spread of transmission and to save lives. Saving lives is at the forefront of what the easing of the restrictions is about.

Some nursing homes had only flimsy masks for PPE. Some told me that they had received what they described as a decree by phone that, if COVID-19 were to spread in their home, they would be on their own. We are here talking about easing restrictions, and the phrase still rolls off people's tongue, "We are all in this together". It is even written in lights as you drive along the motorway. That simply is not true. If you are on a low wage but regarded as a key worker, a hospital porter or a domiciliary care worker and you are listening to how the restrictions are easing, aware that the legislation was put in place to save lives, but you did not have the proper PPE, leaving you more exposed to possibly catching the virus, you do not feel that we are all in this together. The truth is that we never were.

The legislation refers to the capacity of health and social care. What about the capacity of the social care sector to protect its workers? These are the domiciliary care workers and carers in nursing homes who are applauded every Thursday night, but who were left feeling anxious — some felt abandoned — as the restrictions that were put in place to save lives seemed not to protect them. They work round the clock on the front line, morning, noon and night, to take care of the elderly and the vulnerable. Yet, if they fall ill from COVID-19 and have to self-isolate, they are entitled to nothing more than statutory sick pay. Carers expect that the legislation to ease restrictions will do right by them, will do right by vulnerable older people and will protect all in society equally.

At the end of March, after the legislation was in place and before we got to the point of talking about easing the restrictions, we were still

talking about the need to keep the restrictions and why that was important. We talked about how we needed to save lives and to know where the clusters would develop. At that time, I wrote to the Minister of Health, the permanent secretary and the Chief Medical Officer. I phoned and wrote to the Western Trust. I phoned and phoned the RQIA; I wrote, too. I spoke directly to the Older People's Commissioner. I pleaded with them all to use their influence to get all residents and staff of Owen Mor Care Centre tested in order to isolate the virus, but to no avail. Weeks later, we got those who were symptomatic tested. Nearly a month and a half after that, finally, we are told that residents of all care homes in the North are to be tested. We were told that yesterday, but it will not be until some time next month. So, as we stand here talking about the easing of the restrictions that were put in place to save lives, we need to think about how the front-line workers whom we clap every Thursday night have been feeling for all these weeks.

In February, we had the evidence and analysis of COVID-19 clusters. We knew that it would hit care homes. What was the response? It was not to ease the restrictions or put restrictions in place. The response was to stop community testing. Now, we are slowly and carefully lifting the restrictions. As we do so, people are asking — at least, some people to whom I talk are asking — whether deaths in care homes could have been prevented if, weeks ago, the application of universal testing had been in place.

There is no doubt that we need to proceed with caution, as the Minister has said in the Chamber today, and the legislation and the Executive's five-step plan do just that. However, we need the five steps to be accompanied by universal testing and tracing and an isolation regime. No one likes having their civil liberties taken away from them, as has been said, and we all want them returned as soon as it is safe to do so. No one wants a second wave of this deadly virus either.

People's compliance kept the number of deaths down, and the people who did that rightly expect the Executive, and especially the Minister of Health, to do everything in their power to prevent the R rate, whatever that is —. We know where it is standing now and how we are moving out of the restrictions, but they want the R rate to be prevented from rising, and that means test, test, test. Whilst the relaxation measures we are discussing here today are low risk, the best way to prevent a second wave is by simply finding out where the virus is. You

cannot avoid a virus if you do not know where it is. It is not rocket science. This can be achieved by reinstating community testing, and I just hope that we do not have to wait until the end of June, or later, for that to happen.

Mr O'Toole: Like others, I support, to the extent that it is relevant, the legislation that we are discussing today. I am slightly in a state of bewilderment, I have to say, having heard a succession of DUP and Sinn Féin Members appear to take pops at different parts of Executive policy, given that those two parties lead the Executive, but I will not dwell on that.

Mr O'Dowd: *[Interruption.]*

Mr O'Toole: Indeed.

Specifically in relation to the regulations, I think that Christopher Stalford, who has now left the Chamber, said earlier that they represent an enormous infringement on our civil liberties. Indeed, Martina Anderson has just said that, and it is of course true. It is worth acknowledging that what the Northern Ireland Executive have had to do, and what jurisdictions everywhere have had to do, is something that no one could have anticipated when these institutions reformed at the beginning of the year.

It is an extraordinarily difficult thing to tell people that they basically have to shut down large parts of their normal lives and that society and the economy cannot continue in the way they did. It is extraordinarily difficult and complicated, particularly in a unique set of governance arrangements such as we have in Northern Ireland, where we have a mandatory coalition and a multi-party Executive.

I mentioned at the beginning of my remarks that there had been some comments from different parties that slightly belied the fact that those two parties run the Executive. That said, I would say that there has been an improvement in the coherence of Executive communications, but my remarks in relation to today's legislation are more about the communications and less about the politics with a capital P.

Yesterday, we were told by the First Minister and deputy First Minister about new easing of the regulations in relation to playing golf and tennis and to groups of people meeting outdoors. Today, we are specifically debating the changes that were announced several days ago around opening up cemeteries and other outdoor premises. A slight and unfortunate pattern has emerged, which is confusion among

our constituents. I am sure that many MLAs have had constituents come to them and specifically ask, as I think Pam Cameron said, "Am I allowed to do this? Am I allowed to do that?". A certain amount of that will be inevitable, but I am afraid it is slightly exacerbated by some of the means of communication that the Executive Office, or the Executive in general, have used.

Yesterday's easing of restrictions was announced via a press release, for example. As someone who used to work in Government communications, I have gone through the various channels of the Northern Ireland Executive in order to establish where there is a simple dashboard for people who want to access the information and where it is that they can find it on the Executive home page. They cannot. They can find a news release or a news story about what was announced yesterday. There is not even what is called an infographic to explain it to them.

3.15 pm

If you go on to nidirect, which is the home page for the devolved institutions that is supposed to tell people about local services and how they can access them, it contains a range of information about COVID-19, but there does not appear to be — I may have missed it, although I did give the site a fairly thorough look — any simple, straightforward route or portal for ordinary residents, whatever their views on COVID-19 or their views on the restrictions, to find out when they can play a game of golf or do x, y or z.

That may seem like a pedantic point, but it is extraordinarily important to make it at a time when we are doing what we doing, which, as Members from multiple parties have acknowledged, is infringing on people's civil liberties for the purposes of managing public health and minimising death and severe harm to our society. People want information and to be told why certain restrictions are being put in place. There is an old saying in communications, which is "Show, don't tell". It is extremely important when we are going through this process that we explain to our residents and citizens why certain easings are happening at certain moments and what it is that they are specifically allowed to do. At the minute, we are causing a little bit of unnecessary confusion, and some of that confusion is caused, I am afraid, by Ministers going on television programmes to give their own views about other restrictions that could be eased. Angling, for example. We had a Minister talk about that

on the same television programme that I was on. Just a few moments later, I was asked about Executive incoherence over easings. That kind of thing causes confusion, and it is not necessary.

In conclusion, I agree with many of the comments that Members have made, specifically around failings over our ceasing of contact tracing and testing earlier in Northern Ireland. That has still not been adequately explained, given that we were both earlier on the infection curve on this island and have a different demographic and geographic profile, by which I mean that we have a much more rural and dispersed population. It has not quite been explained to us why it was in our specific and discrete interests here to cease contact tracing and testing at the same time as they were ceased in England, which has a much bigger and denser population. Although I agree with some of the comments made, in general I want to limit myself to remarking on the communication of easings, such as they have happened thus far.

Mr Deputy Speaker (Mr Beggs): I encourage the Member to reference the legislation that is in front of us.

Mr O'Toole: As I have done literally throughout my remarks, Mr Deputy Speaker. I do not think that I can be accused of straying too far.

My purpose is to say this today: yes, let us continue to be ultra-cautious and very science-driven as we ease the restrictions and move to a new normal, but let us also explain to people exactly what we are doing. Junior Ministers, if, though the Chair, I can give you a suggestion, it is this: let us look at having better communications through the online and digital channels that are available to us, because I am afraid at the minute that communications are going out through slightly confused means. We cannot rely just on the conventional media, important though it is, to do the job of communications for us. That is my encouraging remark on which to conclude my comments.

Mr Chambers: I must confess that I had thought that I had wandered into the wrong debate. I support the controlled relaxation of the regulations, provided that doing so is always based on best medical and scientific advice. I will express a word of caution, however. The one thing that we have to guard against — all of us — is complacency. These baby steps are certainly not an indication that COVID-19 is beaten. It may still have a sting in the tail, so I appeal to all those calling for more relaxation of

the regulations that may affect a particular aspect of their life to be patient. What they are doing may be understandable, but it is perhaps unhelpful, as they may influence others that the virus is disappearing and that it is beaten. It is not. We must still exercise caution, respect social distancing and use good personal-hygiene routines. We may all have helped to save lives, but we have to realise that many lives could still be lost to this virus if we drop our guard.

I did not particularly want to deviate from the regulations, but certain remarks have been made in the House today that have to be addressed and replied to. We heard from the other side of the House about Exercise Cygnus, which was an exercise conducted throughout the United Kingdom in 2016. One of the recommendations to all corners of the nation was to consider increasing stockpiles of PPE to be able to deal with a pandemic like this one. At a recent meeting of the Health Committee, this was discussed, and the Chairman made a comment that, in Northern Ireland, we did not react to the advice from that exercise. In fact, I think his words were that our "planning was not adequate". It is perhaps useful to recall who the Minister of Health was in 2016 when considering that remark about planning being inadequate.

There has been a lot of criticism of the Executive, but the party on the other side of the House has a number of Members on the Executive. I understand that the Executive operate on collective responsibility, and that is the way that it should be. It begs the question: have the Sinn Féin Members on the Executive been sitting on their hands when all these issues have come about and when all these shortcomings have been identified? Were they sitting with their mouths closed?

Mr Deputy Speaker (Mr Beggs): I ask the Member to come back to the legislation.

Mr Chambers: Yes. The Human Rights Commissioner was mentioned, and when the testing that is due to start in our care homes in early June begins, I hope that the Human Rights Commissioner will be on hand to protect the human rights of those frail, elderly and confused people in our nursing homes who may not wish to subject themselves — their next of kin might not want to subject them to it either — to what is a very unpleasant and invasive test. I cannot see a situation where we go into nursing homes and literally hold people down as they are approached by medical operatives dressed in full PPE. What distress will that cause to frail people, particularly those who are suffering

from dementia? We need to be careful about this mantra of test, test, test in care homes. It may not be the most humane way forward.

In conclusion, there is no doubt that the hurlers in the ditch have been out in force today.

Mr Allister: Forgive my cynicism, but I must say that, when I hear two convicted terrorists speak in the House, one about "the name of humanity" and the other about saving lives, I am afraid that my thoughts go to the actions of those who performed the very opposite. Then one of those persons — maybe both of them, in fact — devoted their speech, in large measure, to — I was going to say "veiled", but it was hardly veiled at all — an attack on the Health Minister and invoked the phrase "all in this together", but it is pretty clear that some on this Executive are anything but all in this together. I think that those contributions spoke for themselves in that regard.

As for what is before us today, I very much welcome, as I did when it was announced, the alleviation in respect of graveyards. I still, though, have this fundamental question: why were graveyards included in the first place? The thought of one or two people, who are more likely to be elderly than not, making their way to a graveyard to sit or stand beside the grave of a loved one ever posing a threat to anyone in the spread of coronavirus is hard to comprehend. I am glad that, eventually, the Executive came to their senses and realised that that was an alleviation that had to be granted. It did, in the meantime, though, as many of us, as constituency Members, know, cause a great deal of grief to individuals who were prohibited from performing those functions.

That is the first portion of the regulation, which is welcome in all its parts. Then, we have the amendment to regulation 5, which seeks to clarify the business of leaving your home for the purpose of exercise and underscores the necessity to have regard to all the circumstances. It is a matter of regret to me that, when the original clause was introduced, we had, from some police officers, an overzealous implementation. I think of one case of a gentleman from Coleraine who has health issues. He is not shielding, but he has health issues of which he is conscious. He has a dog. Where he lives, the footpaths are very narrow. Every time that he went out, given how closely people were having to pass him, he felt uncomfortable about COVID-19. One day, having experienced that, he got in his car and drove to the west strand car park in Portrush, four or five miles away. He went to the extremity of the car park, so that he would be

well away from anyone. He went there because, as probably everyone in the House knows, the promenade at the west strand is particularly wide. It is several metres wide. He thought that that would be a safe place for him to walk his dog. Yet, before he could even get out of his car, a police patrol came to his window — no PPE, of course — and demanded to know why he was there. When he sought to explain, he was abruptly told that that was no excuse and he would be issued with a ticket.

Mr Stalford: Will the Member give way?

Mr Allister: Yes.

Mr Stalford: I think that I can probably top the Member's example with the case of a couple whom I know. They were going to the shops in their car and were asked by the police what they were going to buy. They said it was essential food items. The police told them that that had better be the case because they would be checking on the way back. On the way back, they were stopped, and the police rummaged through their shopping to make sure that there was not a bag of Maltesers or something in there that was not an essential.

Mr Allister: It makes the point, as the case of the man whom I am referring to makes the point, of an unnecessary, overzealous approach to these regulations.

Mr Buckley: I thank the Member for giving way. I agree with his sentiment in relation to regulation 5(2) and the point of reasonable excuse. Having taken a look at the point, I realise that, under that particular regulation, it prohibits the exercise of non-farm animals such as horses or, as has come to my attention in relation to pigeon racing, the ability for people to exercise their animals, applying social restriction to applicable distances.

3.30 pm

Mr Allister: In my view, the pivotal issue in all of this is social distancing. That has to be the fundamental protection. Therefore, when you examine individual episodes and ignore all of that, you are not delivering the purpose that the legislation exists for. I hope that the fact that it now expressly says:

"having regard to all the circumstances"

means that we will have a more sensible approach to the issue.

Of course, now that golf courses — quite properly, I believe — are to be opened tomorrow, that inevitably means that it is reasonable in all the circumstances to travel for the purpose of such exercise. So, if someone is driving to the golf club of their choice, in the doing of that they are no longer in breach of the regulations. That is how it should be. If Minister Poots delivers on what he said last week, that by tomorrow week he will reopen the car parks at the forest parks — which is a good idea — then, plainly, someone who drives to Tollymore or Roe Valley or wherever for the purpose of exercise cannot be in breach of the regulations.

However, it throws up some further complications. If a man drives to play his golf, and if he is a caravan owner in that particular town — perhaps he drives to Newcastle or Portrush to play his golf — and he is going to be playing on two successive days, which he would be entitled to do, he is prohibited from staying in his caravan. Why should that be?

Mr Nesbitt: I thank the Member for giving way. It is, perhaps, a technical point, but it is my understanding that you can only play golf at a golf course of which you are a member.

Mr Allister: I think that that is right, but there are many people who, for example, have the privilege of belonging to some of the prestige golf clubs. I know people from Ballymena who are members of Royal Portrush. When they go to play golf, they will be going to Royal Portrush. Likewise, there are people who belong to clubs in many other parts of the Province.

The point that I am making is that for regulations to be viable and sustainable, they need to have an inherent coherence and they need to make sense to ordinary people. The public have been remarkable in their degree of obedience. As Mr Stalford pointed out, these are spectacularly restrictive regulations. They are something that none of us should get used to. They are something that every one of us should want to lift at the first opportunity because they are so impeding of the rights of us all. If you have regulations that have within them a form of inherent contradiction, then the respect for them dissipates. Indeed, ultimately, they could fall by virtue of disobedience. So, it is important that the regulations have that coherent element of common sense and logic to them.

I go back to the point about the caravan owner. There is quite a cohort of people in the Province who, when it gets to this time of the year, just live for their caravan. They love pottering about

it, sitting outside it etc. Take my example of the golfer: if he legitimately goes to play golf in that town, and he is going back the next day, he cannot stay in his caravan. Why should that be? There is an illogicality to that.

A few days ago, I had a lady on the phone with me who was, literally, crying. Her caravan is her life. She was not going to her caravan to party or to parade up and down the main street. She was going to socially distance, she hoped, at her pride and joy, which is her caravan. The Executive talks much, rightly, about mental health and mental health champions. It is becoming manifestly clear to me that, for some people in that position, it is having a very adverse effect on their mental health. I say this to the Executive: it is time to weave into this approach greater humanity and greater common sense on some of these issues.

Mr Stalford, rightly, asked a legitimate question and, no doubt, Mr Lyons will give us the answer. What is the R number today? Where does it leave us? At last week's Ad Hoc Committee, we were told that it was 0.7. When I asked the Health Minister if he knew anything about the requirement for it to be 0.5, given what Michelle O'Neill had said, he told us that he had never heard of it. That brings us to the fundamental question: are the leaders of the Executive being driven by the real science, not Michelle science? Or, are there other agendas at play? Are there some who want to drag their feet on this? Are there some who are quite happy if the economy of this part of the United Kingdom suffers more damage? I am beginning to think that there might be.

On that theme, we were told last Thursday, in the public media, by the Agriculture Minister, Mr Poots, that on Thursday the Executive had advice from the scientific and medical officers on step 1 and that we were good to go; we were good to go on step 1, with no qualification. Yet, of course, when it came to yesterday, we were not good to go on all of step 1. In-house meetings are still prohibited. What was yesterday's message on step 1 in relation to going to work? Step 1 states:

"Encouragement to those unable to work from home to return to workplace on phased basis subject to legal requirements and best practice arrangements being in place."

If we were moving to step 1 yesterday, I did not hear a word about what that meant for returning to work. My goodness, when you listen today and hear that unemployment in the month of April rose by 90%, you know that that needs to be central to the thinking of the Executive, or

we will have no economy left. What is the direction on step 1 in relation to encouraging people back to work? How are they being encouraged?

Mr O'Toole: Will the Member give way?

Mr Allister: Certainly.

Mr O'Toole: Does the Member agree that no credible economist, either from the right or the left, in any jurisdiction, thinks that there is any means by which you can simply turn the economy back on, not just because of COVID-19, but because people are afraid of what happens when they go back out to shop, or go to pubs and restaurants? Does he accept that creating a simple binary between health versus the economy is not accurate, and is not borne out by economic evidence?

Mr Stalford: Will the Member give way?

Mr Allister: Probably, after I quickly respond to the Member who spoke previously. I remind that Member that the Executive's matrix, which it published yesterday, said:

"Benefits of each amendment are considered in three domains, wider impacts on health, society and the economy."

My complaint is that I see secondary, or lesser, or even absent for some, consideration of the economy. I make a plea that the economy is central to that decision, as this matrix says.

Yes, I give way.

Mr Stalford: Will the Member agree that, while it is not a binary choice between public health and the economy — it never can be — the longer vast swathes of the economy are in stasis, and not moving, the much more difficult it becomes to get it moving again. That is the danger.

Mr Allister: Absolutely. The fact is that it is not moving. People are surviving only by virtue of the very legitimate, necessary Government handouts which are coming from the Treasury, as Mr Nesbitt pointed out. That is not a healthy position to be in. It is not one that can continue indefinitely. Therefore, it is one that any responsible Government, putting in place all the protections, particularly the social-distancing protections, that can be put in place, need to be encouraging the restoration of economic activity. Without it, there is nothing left of our economy after this pandemic. Without an

economy, what have we? It is not a binary choice between good health and a good economy. It is a sensible choice, between resuscitating the economy where you can, as soon as you can, without imperilling the generality of health.

Let us remind ourselves, the greatest threat from this virus comes not from the economically active, but from mostly the older community. Restoration of economic activity is not something that flies flatly in the face of dealing with COVID-19. Identifying where the problems and the growth in the virus are, is something that can be done in tandem with encouraging economic resuscitation.

I was disappointed that, yesterday, I did not even hear the economy mentioned in the press conference. Baby steps have been taken. They are necessary. I question why one of them was ever there in the first place. I welcome the fact that there will be some easement, I trust, in exercise and travel, and I encourage the Executive to go further.

I want to pick up on a comment that I heard the First Minister make this morning. I was glad to hear her say it, and I want to encourage the Executive as a whole to act on it, and that was to allow small weddings. Already today, two people have been in touch with me about that position. They had their licence for marriage, but the shutdown came. They are very anxious to get married but find that, no matter how small they are prepared to make their wedding, even if they were prepared to have it outdoors, they are not allowed to get married.

I am back to the point that that lacks the inherent logic and common sense that should be there. I appeal to the Executive: please, act on that issue and on the many more issues that you need to act on.

3.45 pm

Mr Carroll: I just want to make a few brief points. The Executive are often presented as an image of unity. I am not sure whether, today, we saw a glimpse of some of the tensions and divisions that normally exist. Maybe the junior Minister can enlighten us on whether that is the case when he speaks again today.

Political questions were referred to. Throughout the crisis, part of the problem has been that we followed London for too long and too often. The problem with that approach was that London preached and practised the dangerous and ludicrous policy of herd immunity, suspended

contact tracing, had a lack of testing and was slow to acquire PPE, to name but a few of the issues.

Turning to the measures that are before us today, while I do not oppose them, provided that safety is ensured for workers — in particular, those who work in cemeteries, which are important places for people to grieve — I urge caution in lifting too many of the lockdown restrictions so soon. The key issue at the heart of this all is what happens when large numbers of workers go back to work. When restrictions were lifted in South Korea, Germany, Italy and other countries, we witnessed new clusters and cases, and that is the risk before us. We cannot rush to lift lockdown measures. That would risk all the sacrifices that people have made and the possibility of more deaths.

I note that, in March, the Health and Safety Executive stated that it had seen an almost 2,000% increase in complaints. I would hazard a guess that that is a lot higher today. We saw the tragic case of the death of a Moy Park worker, and there are still concerns about the health and safety of workers and how they will be protected. I do not think that the Executive have been clear or robust enough with a plan that shows how workers will be protected. The Health and Safety Executive recently received at least 480 complaints, but there are only 28 staff who can inspect sites.

I think that I have asked this question three times from the Floor of the Assembly: will the junior Minister tell us what measures the Executive will take to ensure that workers are protected, especially as new measures to lift the lockdown are put in place?

Mr Buckley: I will be brief. While I welcome the regulations coming into effect, I acknowledge that this was one of the most sensitive areas of the regulations to date.

I remember the last time that the junior Ministers joined us in the House to discuss the need to change regulations to allow grieving families the opportunity to grieve at peace at the gravesides of loved ones. I remember the emotive stories from Mr Nesbitt, Mr Allister and me at that time. I was glad that the issue of burials was resolved. On the same day, we also implored movement to lift waste restrictions and immediate action to allow exercise in parks in urban settings. All of those have been achieved. That has to be welcomed, and we have to note that we have watched how the Executive listened to Members, considered their concerns, edited regulations and brought

into effect certain measures to allow for those simple solutions.

Mr O'Toole, I think, raised an important point about communication. I welcome phase one, as introduced by the First Minister and deputy First Minister and the Executive on Monday, but I think that we can all testify to the fact that the pace of change does not correspond directly with the pace of change of the regulations. While there is that mixed messaging about those changes, we run the real risk of losing the people. They are now considering those matters and coming up with their own opinions on whether a statutory rule or regulation agrees with the common-sense formulas in their heads, and many are questioning some of the particular points of regulation that have limited their way of life. It is important that the Executive junior Ministers take on board the point that there must be clarity on regulation changes and that they keep pace with the changing scene and the announcements made by Ministers.

It was mentioned — it is an important point — that some of the regulation changes have had a devastating impact on mental health. We can all testify to the fact that the pursuits and ways in which people find enjoyment are more far-reaching than we could have anticipated. What is one person's cup of tea may not be somebody else's, but we understand their need to find those outlets in life to ease the mental pressure that they face. The regulations before us deal with changes to regulation 5, which was mentioned by Mr Allister: the "reasonable excuse" point of the legislation. That point runs the risk that public opinion will run ahead of it. That has to be taken into consideration. Mental health can cover different pursuits; it does not have to be personal exercise, as is mentioned in the regulation. We know that many people find a form of exercise, mental therapy and relaxation in other sports. I mentioned that outdoor pursuits, whether that be walking, climbing or country sports such as shooting, are all activities that, if we applied the common-sense formula, should be permitted under the regulations.

As the Agriculture Minister has done, I look for clarity on this matter and, hopefully, a change to regulation 5(2), which prohibits the exercise of non-farm animals. That can range from horses to, in my case, the sport of pigeon racing. The Assembly may note that the sport of pigeon racing is practised widely across Northern Ireland. To date, participants have been unable to exercise their birds because of the "reasonable excuse" element of regulation 5(2), which excludes the exercise of animals. I

implore the junior Ministers to take that point up with the Executive to ensure that a common-sense approach is applied. Something like that could be changed with relatively little effect.

One thing that has come to light is that, when the regulations were introduced, some of them were draconian. That has been mentioned, and Members are now becoming fully aware of that. That should never sit comfortably with anyone. However, we have got to see the real fabric of our society and what many people's interests, hobbies and therapies are, whether they be cross-community or otherwise. We have seen the depth of society. We must keep the people with us on this.

Mr O'Dowd: I thank the Member for giving way. Does he agree that one of the benefits of the Executive's plan to come out of the coronavirus lockdown in a staged way is that there are review points in it? Some people have argued for very rigid dates and that a, b and c should happen on certain dates. The Member has raised the point about pigeon racing. I, too, have been lobbied on that subject. The Executive's plan allows for flexibility, whereby issues can be raised with Executive colleagues and they can review them and come back with decisions that are based on scientific advice. The fact that the Executive can review constantly and that the process allows for the implementation of safe activities on the basis of scientific advice is to be welcomed.

Mr Buckley: By and large, I agree. Earlier, points were made about burials, access to urban parks and, indeed, refuge. Those issues were brought to the Floor of the Assembly. Those points were aired across the Chamber, and we eventually saw changes in that regard. However, the main point is that, while there are no fixed and rigid dates, we must see a speed of action from our Executive colleagues to implement the changes to regulations to keep pace with the changing environment via the phased approach introduced by the Executive.

I look forward to continued conversation with Executive Ministers and, indeed, the junior Ministers to discuss how we can implement and change regulations to keep pace with society and the changing cultures and viewpoints. We have to apply common sense. We have to realise that there is a mature society in Northern Ireland that can exercise its right to do hobbies, simple sporting activities or otherwise in a socially restricted manner and at no stage be a threat in relation to coronavirus. We must take that point on board. I look forward to further engagement with the Ministers in that regard.

Mr Lyons (Junior Minister, The Executive Office): I welcome today's debate and thank Members for the contributions that they have made. I also take the opportunity to thank the Assembly secretariat for all the work that they have carried out, which has meant that we can continue to meet here and that the Assembly can continue to discharge its scrutiny role. We have been able to do that in a safe way, and we are in a fortunate position. Of course, to a great many people, life is far from normal at this time. The battle against COVID-19 has turned the world on its head and is on a scale that no one could have foreseen. It is a battle that has played out right here and now, and we all have work to do to combat the virus.

That work has paid off. At the end of March, when the restrictions and requirements contained in the regulations came into effect, the scientific modelling suggested a reasonable worst-case scenario in the region of 15,000 deaths. However, that estimate now — largely as a result of the regulations — is only a tenth of that figure. That is a considerable achievement and provides the clearest possible evidence that the regulations are working. The regulations have saved many lives, and I commend the way that we, as a society, have adhered to them. However, whilst the regulations have been good at doing what they were designed to do — stopping the spread and incidence of the virus — we must not forget that the potency of the measures means that they also have some serious side effects on how we live our lives and go about our business. I would never have believed that such restrictions would be needed or, indeed, that they could be made to work.

It is also important that we keep a close watch on the damaging side effects that come with the regulations. They have resulted in an economic and social crisis. I do not underestimate how difficult a time this has been for our people. I have had business owners on the phone with me in tears, concerned about the future of their business. I have heard from people who are desperate to see their children and their grandchildren again. I have heard from people who have expressed their anxieties and fears and expressed the fact that they feel lonely because they have not been able to interact with other people. We must not, therefore, become complacent about the restrictions and requirements imposed by the regulations. They must not be allowed to become the norm. It is imperative that we do not allow the damaging effects of the measures to be allowed to continue for a moment longer than necessary. Although the statutory requirement is for a review of the measures at least every 21 days,

the reality is that the Executive review them on a constant basis and will not hesitate to make changes immediately if the science and expert evidence allows for that to happen; in fact, it is required by the regulations. That is why, when it became apparent that it would be possible to ease the restrictions on access to burial grounds, the Health Minister moved to introduce the amendment regulations that we have been debating today 12 days ahead of the next formal review point.

4.00 pm

The publication, last Tuesday, the 'Executive Approach to Decision-Making' document means that there is now a blueprint for the review process. The incremental structure for assessing progress contained in it will help speed up decision-making in key areas. That is why, on Thursday last week and again yesterday, the Executive were able to make a number of informed decisions, based on expert advice, to further ease restrictions in response to prevailing local circumstances and needs. There will be more relaxations to come, in the days and weeks ahead, as we ease our way forward on the path to recovery.

I will turn to some of the points that Members have made today. Not unexpectedly, given the gravity of the subject and the all-pervasive nature of the measures contained in the original regulations, it has been a wide-ranging debate and, in some cases, an extremely wide-ranging debate. I will try to touch on all of the key issues that were raised.

I want to thank Mr McGrath for his acknowledgement of the positive benefits in the opening of cemeteries. I agree with him, and the point was made very powerfully by other Members, about the mental health benefit of allowing people to go and visit the graves of their loved ones.

I also agree, and Mr Allister raised this point as well, that social distancing is the important thing. It is the key to our success as we move forward. I also understand his desire for clarity about around issues as they are announced. It will not always be easy to anticipate every single scenario, but we will certainly do all that we can to provide the advice that people are looking for.

He also mentioned the over-70s and the guidance and advice that has been given to those who fall into the vulnerable category. However, I remind the Member that the regulations do not restrict the movement or activities of those who are in the over-70

category. It is advice from the Public Health Agency that they need to take extra care. I want to make sure that we can do everything that we can to help them to return to their normal lives as soon as possible. The key in all of this is reducing community transmission, and we need to do all that we can to help with that.

The Chair of the Health Committee, Mr Gildernew, made a number of points. I want to emphasise to him, and for the benefit of the Committee and the House, that the Health Department has been working closely with the Health and Social Care Board and the Public Health Agency to clarify UK guidance that enables people with autism or a learning disability to leave their home for exercise, including travel beyond their home. That guidance was placed on the Public Health Agency's website on 6 May.

Additionally, a template letter has been shared by the Health and Social Care Board with each health and social care trust for use by families, upon request, in support of such circumstances. Correspondence, issued by the Department of Health, to the Assistant Chief Constable on 7 May asked that that be drawn to the attention of PSNI colleagues. The PSNI is currently applying a reasonableness test to determine whether travel can be justified in any given instance. That is a reasonable and pragmatic approach to enforcement on this issue.

I thank Pam Cameron for her comments, and I echo them, with regard to the Chief Medical Officer and the Chief Scientific Officer and their teams. They have been under a huge amount of strain, no doubt. They have a very difficult and demanding job. They have carried out their work diligently and in a way that we are all very proud of. It is right that we put on record our thanks to the Chief Medical Officer, the Chief Scientific Officer and their teams.

I also completely agree with her remarks about funeral directors, and I commend them for their sensitive and professional engagement with bereaved families.

We have been asked a lot of questions today, with people wanting to know, "When can I do X?", or, "When will we be allowed to do Y?". I assure all Members that we will not retain these measures any longer than we have to. It is worth repeating that, in making decisions, the Executive will consider three key criteria: the most up-to-date scientific evidence; the ability of the health service to cope; and the wider impacts on our health, society and economy. When we can, we will make sure that people know about this as soon as we can and give

them certainty so that they can set out their plans.

Mike Nesbitt did a very rare thing in the Chamber: he made a brief and succinct point. I congratulate him on recognising that brevity is not a vice. It is important to acknowledge that, as the Finance Minister announced today, we intend to spend over £1.2 billion on actions to help with the effects of COVID. The vast majority of that has come from the Treasury, and an unknown amount of resource has come as a result of the job retention scheme. It is important that we acknowledge that we have been able to use the resources that have been provided to us to help our people, and I hope that we are all pleased and can agree about how we have been able to help our citizens.

John Blair made comments, which I completely agree with and endorse, about how citizens' behaviour has led us to this point. That is the key to defeating the pandemic. We are going to be effective only if people adhere to these regulations. By and large, they have been, and I thank people for that and for doing their duty.

On the other point that Mr Blair raised, Minister Swann signed a declaration on 15 May to designate councils as an additional enforcement body for the purposes of regulations 3 and 4, and a set of amendment regulations, also made on Friday, include provisions to allow councils to issue prohibition notices and fixed penalty notices. I understand that the PSNI and councils are discussing joint working to operationalise future enforcement and to clarify roles.

Christopher Stalford made comments that I am sure we all agree with — I hope that we will all agree with them — about wanting to live in a free society. It is of course extremely uncomfortable for me to have to stand here and ask for regulations like these to be brought in in the first place. I understand the effect that they are having on the freedom that we have — freedom that was hard-won — and our not being able to exercise it at this time is very difficult.

Where lifting restrictions is concerned, I confirm to him that we listened to the Chief Medical Officer and the Chief Scientific Officer. We now have the matrix in place, and the information is fed through that and then we get the information back about whether we can relax more of the restrictions. Obviously, the details that he asked for about specific numbers are a matter for the Department of Health, but it is important to note that when we are discussing the R number it is not just about where it is on

any one day; it has to be about the trend of where it is at. Even if there is no change in the R number, that does not mean that we will be prohibited from changing regulations, because as long as the R number is below 1, there is a reduction overall in the transmission of the disease, and that is what we want to see more of.

The approach sets out that it is not just about the R number and that, overall, it is the evidence from an analysis of medical and scientific advice combined with the capacity of the healthcare system to cope, along with the wider impacts that the regulations are having. All those things are taken into consideration before we decide to relax the restrictions.

Mr Blair made specific points in relation to worship. In the cases of churches like his own — I think it was Ravenhill Presbyterian Church that he mentioned — it may not be possible to conduct drive-in church services. There are many people who are doing online services, but I know that that is no substitution whatsoever for public assembly and public gathering. However, where we are able and allowed to relax restrictions, we are doing so, and I hope very much that the evidence will soon show that we are in a position where churches can reopen for public worship. I look forward to that day.

I welcome Pat Sheehan's support for the Executive's strategy and agree with him on the need for a measured, thoughtful and evidence-based approach. Like his colleague Ms Anderson, he raised a number of operational matters relating to the management of the disease. He will appreciate that those are not matters for the legislation, but I will certainly let my colleague the Minister of Health know about the comments that he and his colleague Ms Anderson raised.

Mr O'Toole rightly emphasised the need for clear and straightforward communication to citizens. It would be helpful if we could get, as we move through the process, a graphic that shows where we are, perhaps for each sector and in some cases within each sector, at each stage. Like the regulations themselves, we will keep that under review and continually look for ways to improve.

Mr Chambers said that COVID-19 is not beaten yet, which is absolutely the case. It will not be beaten by restrictions alone either. We have to work together to combat the disease by following the restrictions, and I completely agree with what he said. He mentioned a specific point in relation to testing; there are some sensitivities that need to be addressed.

He is absolutely right: there are human rights considerations that we need to be conscious of as well. There may be residents who do not consent to being tested or may not be able to consent to be tested because of dementia or other illnesses. Those issues have to be very carefully considered in a sensitive way.

In relation to other comments that were made, I want to pick up on a few things that Mr Allister said on enforcement. It is regrettable that the issues that he and Mr Stalford raised took place. We are in a better place now, and the police are more aware of their responsibilities. It is obviously an operational matter for the PSNI, but Mr Allister has put his concerns on record, and I hope that the changes that we are implementing in the regulations today will lead to less of that sort of enforcement.

In relation to the caravan issue, I have sympathy for the argument and have also had many constituents contact me about it. I understand the mental benefits of being able to be in your caravan. That issue will be assessed against the scientific and medical evidence, along with the other benefits that it might bring. We are not yet in position to bring in those regulations. I understand the anomaly that Mr Allister raised in relation to this, but of course if we were to say, "If you're going to play a round of golf, you can go and stay at your caravan", lots of other people might say, "Why is he allowed to go there when I am not?". So, we have to look at those things in the round, but I understand the points that he made in relation to that and the point that he made in relation to looking at the science. It should not be for us, as politicians, to give scientific advice if we do not have the necessary qualifications. I have an AS level in biology, but that does not qualify me to make any judgement, and Mr Allister seems to agree with me on that. So, we will leave it to the experts and take and follow their advice at all times.

4.15 pm

On encouraging people back to work, we have moved along the stages from certain aspects of work being permitted to those being encouraged. We are grateful for the work of the engagement forum, which has set up guidance to show people how they can get back to work safely. We certainly encourage that and thank the group for its work. The Economy Minister has said that she will take forward an economic recovery plan, which we welcome. He also mentioned a specific issue in relation to the part of stage 1 that we did not go through. The advice on Thursday is the same as the advice that we got today: it is not currently considered

acceptable to move to family members mingling inside. We had hoped that it would have been. I would certainly like to be able to visit my family again, and I hope that they want me to visit them. However, we are not in that place right now, so we have to wait. That decision was based entirely on the scientific evidence that was provided to us.

Some people have asked why we do not have dates in the regulations or why some parts of stage 1 are moving forward and others are not. It is because of the regulations that we have to adhere to. The regulations state that, as soon as any restriction is not necessary, the Health Minister must terminate it. So, we wanted to terminate the regulations on part of stage 1 rather than moving together all at once.

Finally, he mentioned small weddings, and I completely agree with him on that. Obviously, the key thing will be social distancing but, if a couple want to get married in a small group, I would like to see that happen. We have asked the Chief Medical Officer and the Chief Scientific Adviser to look into that, and hopefully we can move to that position.

Mr Carroll raised health and safety concerns. I draw his attention to the extensive guidance that has been produced by the Health and Safety Executive, the PHA and the engagement forum that was established by Minister Dodds. Do not forget that we already have robust health and safety legislation — it already exists — and the enforcement authorities will take their responsibilities very seriously.

Mr Carroll: Thank you for giving way. For his attention, the 'Belfast Telegraph' on 31 March stated:

"The First Minister and deputy First Ministers [sic] said those firms not enforcing health authority guidance could face tough action."

Does he know how many, if any, companies have been subject to tough action as a result of not following health and safety measures?

Mr Lyons: I do not have that information available, but I am more than happy to ask the Department for the Economy to write to the Member on it. The Member will be aware that the Health and Safety Executive has undertaken a number of unannounced inspections on high-risk premises, and I hope that those will continue.

Mr Buckley mentioned public opinion running ahead of the regulations and a range of outdoor activities such as pigeon racing. As I have said, the regulations cannot possibly cover every possible activity, nor do they need to. I draw Members' attention, when they are considering the plan, to the definition of steps at the bottom of the second table, as that will give our current position in the process and the basic principles that need to be applied. We cannot cover every single scenario, but we hope that those words give a little bit of guidance. Of course, if there are specific issues that people want clarity on, no doubt they will contact their representatives or ourselves; we will be happy to answer them. It is important that a common-sense approach is applied. The Executive can and will review a range of activities, but that must be based on the evidence and an assessment of risk.

In conclusion, there will be regular debates in the weeks and months ahead as scientific and expert advice allows for more amendment regulations containing further relaxations across key areas to be made. However, that will only be possible for as long as we are winning the battle against COVID-19. We are not without hope. We have begun our journey back to normality, and we are moving in the right direction. I know that many of us want to go farther, but the easiest and fastest way for us to get there is to adhere to the rules that are in place now. As noted previously, we are in the strange position of seeking Assembly approval for legislation that we want to see repealed as soon as possible so that we can get on with tackling the challenges that will come with the next phase of the crisis and which are fast looming. There is the challenge of strengthening our resilience in a world where the virus remains prevalent, the challenge of rebuilding our economy and the challenge of restoring health and social care by investing in its capacity and, above all, by investing in its brilliant people.

On that note, I would like to take this opportunity once more to pay tribute to all our health and social care staff. They are true heroes, and I say to every one of them: thank you. Thank you for what you have done, thank you for what you continue to do and thank you for making our health and care systems so great. These regulations have also had a huge impact on the elderly and most vulnerable in our society, and it has been extremely encouraging to see communities rally behind them. So, I want to place on record my thanks to all those community organisations, sports clubs, faith groups, cultural groups and the loyal orders who have done so much to make sure that those in need are taken care of.

We look forward to the days when we can further relax these regulations. We are not there yet, but we make a start. I commend the regulations to the Assembly.

Question put and agreed to.

Resolved:

That the Health Protection (Coronavirus, Restrictions) (Amendment) Regulations (Northern Ireland) 2020 be approved.

Mr Deputy Speaker (Mr Beggs): I ask Members to take their ease for a few minutes while we change the staff at the Table.

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

Mr Principal Deputy Speaker: Members who are leaving the Chamber, please do so. Other Members should resume their seat.

The Direct Payments to Farmers (Crop Diversification Derogation) Regulations (Northern Ireland) 2020

Mr Poots (The Minister of Agriculture, Environment and Rural Affairs): I beg to move

That the Direct Payments to Farmers (Crop Diversification Derogation) Regulations (Northern Ireland) 2020 be approved.

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

Mr Poots: Thank you, Mr Principal Deputy Speaker and Members. It is good to see you all. Contrary to rumours, Mr Stalford and I did not go to the same hairdresser. *[Laughter.]* It is a do-it-yourself job. I see that Mr Dunne is practising a bit of cleaning-up work. MLAs do have other uses and can do other jobs. That is good to see.

The Direct Payments to Farmers (Crop Diversification Derogation) Regulations (Northern Ireland) 2020 implement the derogation from the crop diversification requirements for the 2020 scheme year, which I announced on the 26 March 2020. This is possible under article 69 of regulation 1307/2013, which provides for a power to derogate from the requirements in an emergency. The resulting regulations are subject to confirmatory procedure, as provided for in the operability amendments to EU law.

The regulations were made on 30 April 2020 and came into operation on 1 May 2020. The confirmatory procedure allows the regulations to come into operation quickly, which is important, given that applications for 2020 direct payments have to be made by 15 May, and farmers need certainty about their requirements.

In brief, crop diversification requires farmers who have between 10 and 30 hectares of arable land to grow two crops, and those who have above 30 hectares of arable land to grow three crops. There are some exceptions, as well as specific requirements that crops must cover certain percentages of arable land. In 2019, 316 farmers had a two-crop requirement and 333 had a three-crop requirement. I should point out that the derogation applies automatically to all farmers and that individuals will not have to make a specific case. It is important to note that both winter and spring plantings have been impacted by the high

rainfall, although you would not know it now. However, it certainly was the case in February.

As the House will be aware, Northern Ireland had a particularly wet winter, with rainfall over the December to February period of 399.8 millimetres, which was 127% of the 1981-2020 average. Indeed, February of this year saw the highest rainfall for that month since records began: 222.7 millimetres, which was 267% of the 1981-2020 average. That left farmers facing waterlogged and impassable fields when planting decisions were being made in March. I therefore came to the view that farmers were not able to comply with the crop diversification requirements in 2020 or could do so only with great difficulty. Therefore I announced the derogation that the regulations seek to implement. England, Wales and Scotland are implementing similar derogations for the same reason.

In relation to the Republic of Ireland, the EU has not put in place a derogation from the crop diversification requirements for 2020, but the Department of Agriculture, Food and the Marine (DAFM) has announced that it will consider force majeure, where farmers cannot comply with the crop diversification requirements due to the weather.

I appreciate that, since the derogation was announced, there has been a prolonged period of dry weather, but that does not alter the situation faced by farmers in March when planting decisions were being made. The decision applies to 2020 only; it is not a long-term policy announcement. To sum up, it is my view that the regulations should be approved in order to provide for an automatic derogation from the crop diversification requirements for the 2020 scheme year. I commend the motion to the House.

Mr McAleer (The Chairperson of the Committee for Agriculture, Environment and Rural Affairs): As Chairperson of the Committee for Agriculture, Environment and Rural Affairs, I take this opportunity to represent the views of the Committee.

The crop diversification rules were introduced in 2015 as part of the greening requirements under the EU common agricultural policy. It meant that farmers who adopted or maintained farming practices to meet environment and climate goals were rewarded with a green direct payment. The rules placed an obligation on the farmer to plant two or three different types of crops, depending on the size of the farm. Since then, arable farmers have continued to abide by the rules, with 316 arable farmers planting two

different crops, and 333 planting three different crops in 2019.

The spell of adverse weather over the winter made it difficult for farmers to comply with the crop diversification requirements. February saw sustained periods of rainfall; it was recorded as the wettest month on record. Arable farmers expressed concern that they would not be able to plant the usual range of crops required under the regulations in order to meet the obligations of the greening payment.

That led industry representatives to request that the Department consider the unique circumstances that arable farmers found themselves in and ask whether a derogation from their crop diversification requirements could be made.

4.30 pm

The Department brought forward an SL1 for consideration by the Committee for Agriculture, Environment and Rural Affairs on 6 May. Whilst broadly content with merits of the statutory rule (SR), the Committee questioned whether the derogation would be applied automatically or if the farmers would have to apply them themselves. We heard that they would apply automatically. The Committee also enquired about whether a similar derogation had been introduced in the South of Ireland. The Department advised that arable farmers were being asked to submit an application for force majeure. Finally, given that crop diversification regulations are a part of the overall greening requirements, the Committee was keen to know if there would be any adverse impact on the environment due to the derogation that was being applied. The Department advised that there would be no detrimental impact on the environment, due to the short duration of the derogation. The Committee considered the SR on 14 May and agreed that it should be confirmed by the Assembly.

I want to make a couple of comments not in my role as Committee Chairperson but in my spokesperson role for Sinn Féin. DAERA has proven itself a Department that can be flexible in responding to the needs of our rural community. That is true of the crop diversification regulations before us, which, on the basis of last year's figures, will have a beneficial impact for upwards of 600 to 700 farmers out of the 23,000 farm businesses that we have in the North. There are examples of good work, such as the partnership work that the Department has been engaged in with the Department for Communities and the

Department for the Economy in helping to meet the challenges of the COVID-19 crisis.

In supporting the motion today on behalf of the party, I also say that there are other instances, I fear, where the Department has not shown the same flexibility in responding to local needs, and I will give examples. The Department was strident in its decision to axe the area of natural constraint (ANC) payment to farmers in less-favoured areas (LFA) but, so far, has failed to implement the motion passed in the House in March that called for the restoration of the ANC scheme. The Department was also swift to halt the transition towards a flat rate of single farm payment entitlement, again disadvantaging ANC areas, but, so far, has not provided support to farmers, for example, in the Sperrins whose farms, buildings and livelihoods were destroyed by a huge landslide in August 2017. Similarly, the Department did not take on board the Committee's wish for a sunset clause in the Agriculture Bill and demonstrated no flexibility on the 15 May deadline for the return of single application forms. In failing to do so, it has not taken into account the pressure that that has caused for elderly farmers and farm agents in areas with no broadband, while in the middle of the COVID-19 pandemic.

On behalf of my party, I am happy to support the derogation, as it is a sensible response to the unique circumstances that farmers found themselves in earlier this year. However, I stress that the Department must work harder to extend the same responsiveness across all sectors.

Mr Principal Deputy Speaker: Thank you. I allowed the Chairman leeway to wander from the content of the provisions before the Assembly because he is the Chairman — the chairman of the board. Other Members will not receive the same leniency.

Mr Irwin: I will make my comments short. I welcome the crop derogation. We had an extremely difficult autumn and winter for planting winter and spring crops. Farmers across Northern Ireland will very much welcome the derogation. It makes sense, and I commend the Minister and his Department in regard to it. I also commend the Minister for his continued hard work on a number of issues on the agriculture front. He has worked tirelessly to bring forward a package to help farmers, so I wholly support and congratulate the Minister in his tireless efforts at this difficult time.

Mrs D Kelly: On behalf of the SDLP, I welcome the derogation, particularly in the light of the

very wet winter that we had, with the difficulties that that poses the farming community. The COVID-19 pandemic and crisis has taught us many things, but one is who the important people are and the important roles that farmers and those who provide, prepare and serve our food play, so it is important that we support them at this time. If the Minister allows, I will tell a story that my father used to tell me about a neighbour. I am from the Montiaghs area, and, in the wintertime, this farmer used to sign on the dole. They used to ask him how many acres of land he had, and he used to say, "Well, in the summertime, I have 21 acres, but, in the wintertime, I have three". I am sure that the Minister will be able to work that one out. I am sure that many farmers face that difficulty in trying to eke out a living.

Many farmers are custodians of the countryside. As we know, many farmers do not want to retire, and they work on. We all know about the difficulty in enticing young people into farming. I very much welcome this support. It is the right thing to do at this time.

Mrs Barton: "What a wet day", "There was a lot of rain last night": those are statements that we are all too familiar with in Northern Ireland, a country where the weather has a great impact on our lives and on our economy, including agriculture, which is, perhaps, the most weather-dependent sector of the economy. The land conditions determine when cattle can be released out to grass after winter housing. The seasonal warming in spring determines when one shears the sheep and the condition of the soil determines the sowing of crops. This winter, especially in February, the weather was particularly adverse, presenting huge problems for arable farmers working the soil, due to the waterlogged conditions when the crops should have been planted. It, therefore, became impossible for the farmers to adhere to the greening requirements under the CAP and comply with the two-crop diversification rule, resulting in them being non-compliant and needing a complete derogation from the crop diversification requirements for the 2020 scheme. The regulations will give farmers certainty and permit them to grow only one arable crop that has a later planting time and is exempt from the crop diversification regulations introduced in 2015. The Ulster Unionist Party supports the motion.

Mr Blair: In keeping with the position taken by the Committee for Agriculture, Environment and Rural Affairs, referred to by the Committee Chair and others, I rise on behalf of Alliance to support the regulations. I offer support recognising that the derogation is limited in time

and in scope and that, hopefully, there will not be any adverse effect on the overall efforts and aims to assist in the greening of farming through environmental schemes. It appears that these actions are aimed at a few hundred farmers out of the many thousands in Northern Ireland. It is, therefore, fair to assume that costs are minimal, if any.

It is important that we recognise and react to the problems that faced arable farmers following a winter that brought record rainfall. Such a situation will have introduced additional difficulties and challenges separate from crop diversification issues. The regulations, of course, bring with them reminders of other factors apart from weather-related and seasonal matters and the responses required at times to assist our agriculture sector. The processes that are currently in place are enacted in the context of local alignment with EU regulations, in accordance with the withdrawal Act, although those arrangements are in place only until the end of 2020. We need to give serious consideration to how we deal with those matters post 2020. The clock is ticking, and circumstances, not least in the context of the coronavirus pandemic, present additional difficulties in preparing for the future.

Principal Deputy Speaker, in keeping with your instruction to limit speeches to the remit of the regulations, I will miss any further reference to the Committee's publicly expressed desire for a sunset clause to be introduced to the Agriculture Bill. I will sum up by saying that what I see before us is a very relevant example of local issues requiring local solutions. Perhaps, in his response, the Minister can expand on his thoughts on how local and regional factors, not least the proportionate importance of agriculture in Northern Ireland compared with other regions, can be factored in to catering for these specific needs in the future. Other than that, I am happy to support the Bill.

Mr Givan: I join colleagues around the Chamber in paying tribute to the Minister for bringing this forward. I am a townie who lives in the countryside. I am from agricultural stock. My grandfather had a large farm up in Dungannon, but the family moved to Lisburn. Like you, Principal Deputy Speaker, I was brought up in the concrete jungles of our towns, but I very much value and appreciate what our farmers do. Now, more than ever, as a lot of the townie folk have been out in the countryside, they appreciate even more what service our farming community does to the whole of society. There is a much greater appreciation now of farmers and the importance that they have, particularly

in the supply chain and what they do in getting food on people's plates.

Farmers in my constituency raised concerns with me around the weather and the implications and, potentially, any penalties to the single farm payment as a result, so the derogation is an important step in providing support to the farming community, who need it at this time.

The Chairman of the AERA Committee indicated a number of areas where, he felt, the Minister and the Department needed to do more. The Chairman should be thankful: I am sure that other Chairs of Committees would love to have a Minister like this Minister to report to their Committee. Fighting for the fishing industry, he got a package to support them. He championed our garden centres and got the result. He championed anglers and got the result. There is more, Minister, that I want you to do, and I want you to assure us in your response that you will keep fighting for those areas within your responsibility, as you have been doing.

In respect of farmers and the further support that we need for our farming community, a £25 million package was secured today and announced earlier. Will the Minister provide an update to the House on how that will be administered to provide support to farmers who have been impacted by COVID-19?

I commend the Minister for the work that he has been doing and encourage him to do more, because the people support him in what he has been doing.

Mr Principal Deputy Speaker: Thank you. The Givans moved from Dungannon to Lisburn: maybe, one day, they will make it all the way to Belfast.

Mr Poots: I will respond to Members, starting with the Chairman of the Committee. I am happy with the support that he has given as Chair of the Committee. With reference to the issues that he raised, in terms of ANC, as I explained at the time, that would have had to be taken out of the budget that existed and redistributed. There was no additional money to spend, so I could give money to ANC farmers only by taking it off other farmers. The remarkable thing is that, when we get the figures in, they demonstrate that the lowland farmers are actually less profitable than the upland farmers. That is what the figures say, and they are hard to argue with. Consequently, we would be taking money off farmers who earn less to give to farmers who earn more. That is

not something that I could stand over in any way, shape or form.

We will look at issues in terms of how we can better ensure that farmers will, over the period, be best able to manage their business, be profitable and to encourage that to take place. Ultimately, farmers do not want handouts; farmers want profitability. That is our aim: to make our farms as efficient as possible, to get the best possible prices, to market ourselves well and to ensure that the premium product that is produced in Northern Ireland is marketed as a premium product. We should not compete with commodities from other countries that are not of the same quality. We should market ourselves as a premium product and get a premium price, which would help ensure profitability.

I thank other Members for the points that they raised. Mr Givan asked about the £25 million. I would have liked a lot more than £25 million. I sought more, but that is what we managed to achieve from the Department of Finance, and I welcome it. It is good to have something to go back to our farming community with in this time of need. That will be targeted at those who are impacted most as a result of COVID-19 and the downturn in prices. At the moment, that appears to be mainly beef and dairy farmers.

That is a matter for discussion with the Committee and the farming bodies over the next couple of weeks. I want to make a decision very quickly and start to get the cheques through people's doors within a short time, as opposed to engaging in a long debate on who gets what. From the outset, I will be honest: as always, someone will miss out. However, we will try to get to as many people as possible who have been impacted by this.

4.45 pm

Mr McAleer asked whether derogation will have any detrimental impact on the environment. It will have the opposite effect. Winter crops tend to need more spray and fertiliser than spring barley. This year, winter crops have not been planted, and there is probably an abundance of spring barley being planted. Growing a decent crop of spring barley takes less spray and fertiliser. Consequently, it will probably have less environmental impact. I am not convinced by the greening that was introduced by the European Union. Spring barley in particular, and perhaps spring wheat, can be grown with a very modest input. Consequently, this year's derogation will probably be better for the environment. I trust that that will help to

reassure Members. I welcome the opportunity to bring this forward. It will have a beneficial impact on the relatively small number of farmers who are affected. I thank Members for their support today.

Question put and agreed to.

Resolved:

That the Direct Payments to Farmers (Crop Diversification Derogation) Regulations (Northern Ireland) 2020 be approved.

Private International Law (Implementation of Agreements) Bill: Legislative Consent Motion

Mr Principal Deputy Speaker: I ask Members to take their ease for a few moments while the Minister of Justice takes her place.

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

That this Assembly endorses the principle of the extension of the provisions of the Private International Law (Implementation of Agreements) Bill to Northern Ireland.

The Private International Law —

Mr Principal Deputy Speaker: Sorry, Minister, but I have to inform Members that the Business Committee has agreed that there should be no time limit on the debate. I now call the Minister.

Mrs Long: Thank you, Mr Principal Deputy Speaker. The Private International Law (Implementation of Agreements) Bill deals, as its name suggests, with the implementation of international agreements in the field of private international law. Private international law rules are applied by litigants in courts to cases involving a foreign element. Typically, the rules cover jurisdiction — for example, which country's court should hear a case, which country's law should apply to resolve it, and whether the decisions of a foreign court should be recognised and enforced. The rules apply to civil law cases, including commercial, insolvency and family law matters, and are a technical and highly specialised area of law. Without private international law rules, businesses, individuals and families in Northern Ireland engaged in cross-border legal disputes face more uncertain, expensive and longer proceedings.

Countries may enter into international agreements on private international law with other countries to ensure that the same rules are applied on a reciprocal basis. The Bill ensures that these international agreements can be implemented in our domestic law in a timely way. With only two substantive clauses, it is a short Bill, and the legislative consent motion is concerned with extending the whole Bill to Northern Ireland.

The Bill has two key functions. First, it implements in domestic law the three Hague conventions which currently apply in the UK, but the UK's participation in them is linked to its

EU membership. The UK will be an independent party to these conventions in its own right at the end of the transition period, and the Bill is required to ensure that there is no gap in the domestic application of these conventions.

Secondly, the Bill creates a power to implement future private international law agreements through secondary legislation. Without this, primary legislation would be required for implementation of each new agreement. This power is also likely to be required before the end of the transition period.

The UK has a dualist legal system in which an international treaty ratified by the Government, although binding in international law, does not alter the laws of the state unless and until the treaty is incorporated into domestic law by legislation, such as through this Bill or the regulation powers under it.

On the regulation-making power, the Bill is drafted to respect the devolution position. A Northern Ireland Department may make provision for implementation in Northern Ireland, with UK Ministers only being able to do so with the consent of a Northern Ireland Department. Legislation in this technical area has, in the past, been taken forward on a UK-wide basis, and it may be convenient for it to be so in the future, so I consider this to be a sensible approach. The Assembly or parliamentary affirmative procedure will be triggered if the regulations are implementing a new international agreement for the first time in domestic law; or any arrangements within the UK or between the UK and an overseas territory or Crown dependency; to create, extend or increase the penalty for a criminal offence; or to amend primary legislation. Otherwise, negative resolution procedures will apply.

Having an Assembly Bill specifically for these purposes in place for the end of the transition period would be unrealistic in terms of time frame. This Bill will secure re-incorporation of the three Hague conventions in question across the UK at the same time. Otherwise, we would risk people in Northern Ireland not benefiting from those conventions. For example, without Hague 2007, which covers cross-border maintenance applications, we would risk causing financial hardship for the children of Northern Ireland-resident parents. Similarly, having the regulation-making powers for the end of the transition period ensures the implementation of future agreements in Northern Ireland in line with the rest of the UK. Otherwise, we would risk delaying the benefits

of these new arrangements for litigants in Northern Ireland.

I therefore consider that it would be preferable for this Bill to extend to Northern Ireland, and Members will have seen that the Justice Committee's report on this legislative consent motion endorses that view. I appreciate that the Assembly's preference is to legislate on Northern Ireland matters wherever possible, and indeed that would be my own preference. However, in this instance, it seems sensible for the Bill to extend to Northern Ireland for the reasons that I have outlined, and therefore I ask that the Assembly support the terms of this legislative consent motion (LCM).

Mr Givan (The Chairperson of the Committee for Justice): I am very pleased to speak on behalf of the Committee for Justice in this debate today. The Minister wrote to the Committee in February advising of this potential LCM for the Private International Law (Implementation of Agreements) Bill, which had been introduced at Westminster. The Minister advised that she was content in principle to support the extension of the provisions of the Bill to Northern Ireland, and that this would see the implementation in domestic law of the three Hague conventions that the Minister has outlined in respect of child protection in cross-border disputes, choice of court in cross-border contracts, and maintenance in relation to rules for recovery of child support and other forms of family maintenance.

The Committee took oral evidence from Department of Justice officials in March 2020. During that evidence session, concerns were raised about other provisions of the Bill relating to the regulation-making powers. Those provisions will allow future private international law agreements to be implemented in domestic law by secondary legislation made either at Westminster or by a Northern Ireland Department. Members questioned how decisions would be made and whether Westminster or the Assembly was the most appropriate place to legislate, what role this Assembly or its Committees would have if Westminster were legislating, and why legislation would not be made in this place if we had the power to do so.

Following the evidence session, the Committee agreed that it would be useful to determine the views of other relevant Committees in Scotland and Wales on these regulation-making provisions.

Unfortunately, a proposed LCM had not been considered in either jurisdiction at the time,

although I understand that one may be being considered by the Justice Committee of the Scottish Parliament today.

In follow-up correspondence to the Committee after the oral evidence session, the Department stressed that the Secretary of State will legislate in Westminster only with the consent of a Northern Ireland Department. The Department advised that, where Justice is the Northern Ireland Department in question, the Minister will notify the Committee in advance on whether she intends to provide or withhold consent. The Department also emphasised that future regulations will not entail significant policy choices but will implement future international agreements in law and make the necessary supporting procedural changes.

When considering that further information, the Committee for Justice noted that the arrangements may also impact on the responsibilities of other Departments, such as Economy, Finance and Health. The Committee therefore wrote to the relevant Committees to draw their attention to the regulation-making powers, which may require those Departments giving consent to the Secretary of State for future regulations under the provisions. I understand that the Committee for Finance has engaged with the Department of Finance and has recently confirmed that it is content with the LCM before the House today.

On 23 April, the Committee considered the memorandum that had been laid by the Department of Justice on 20 April and agreed that it was content with the proposal to extend provisions to implement three Hague conventions in domestic law to Northern Ireland and to create the power to implement future private international law (PIL) agreements in domestic law via secondary legislation in the Private International Law Bill for Northern Ireland by way of a legislative consent motion.

When considering the report on the LCM at our meeting on 30 April, the Deputy Chair of the Committee, Linda Dillon, placed on record her continuing concerns regarding its regulation-making powers, indicating that she was not content with the explanation that the Department had given on the issue. She did, however, indicate that she would not object to the LCM's proceeding. I am sure that Linda will elaborate on that when she makes a contribution. I can confirm, as set out in the Committee report, that the Committee for Justice supports the Minister of Justice in seeking the Assembly's endorsement of the legislative consent motion.

I will now speak in a personal capacity. I want to use this item of business as an example of some areas of concern that I have about the business that the House is taking forward. In and of itself, I have no objection to this LCM. I have no difficulty with it coming forward for debate, and I support the ongoing work of the Justice Committee to deal with such issues that come before it. We will have another LCM coming forward on the Commonwealth Games in Birmingham, for example.

I know that all the Committees were asked to write to their Department to ask it to outline what is deemed to be essential COVID-19-related business and that Committees should be receiving only business that is deemed to fit within the criteria. We have continued to receive things that may well be deemed very important, and this is one such example. Whether it meets the test of being essential COVID-19-related business is something that I think could be subject to debate, however. My personal view is that I have no problem with the LCM. I am happy to take it. I am happy for the Committee to continue to receive that type of ongoing work, but it does relate to the broader issue of Members being allowed to submit only two questions for written answer a week; no questions for oral answer being taken in the House; and no private Members' motions being brought forward. Executive Departments, however, are allowed to continue to bring forward Executive-related issues. For example, the Minister for Infrastructure brought forward regulations on electric bikes. Again, I had no problem or difficulty with that. I support that business being conducted through the House, but there is an issue about Executive business and what Ministers regard as being essential.

Mr Principal Deputy Speaker: I ask the Member to resume his seat briefly. I take on board very seriously what the Member raises, and I hope that he will always find in me someone who will defend the rights of Back-Bench Members to scrutinise and hold the Executive to account. I know that some of the issues that he has raised have been discussed at the Business Committee. His remarks are now in Hansard and are there for all time and for all to see. Can we try to get back to debating the LCM?

Mr Givan: I will. Thank you, Mr Principal Deputy Speaker. I am not privy to the dealings of the Business Committee. It would be inappropriate for me to be so, but I do flag this up as an issue. The Committee is going to have meetings all of the month of June on the Domestic Abuse and Family Proceedings Bill, which is very important. We will be meeting

every week and therefore need to be able to conduct our business. The current arrangements will provide difficulties for the Justice Committee in doing that.

I trust that that is being taken on board at the Business Committee. I hope that it is, because it will be important, going forward, that the Justice Committee is able to carry out important work. Members can table their own private Member's motions, and a lot of us received correspondence over the last weekend. I will resume my seat, Mr Principal Deputy Speaker.

5.00 pm

Ms Dillon: I am sure that you will be glad to hear that my comments will be very brief. I want to put on record, as the Chair outlined, that we highlighted some concerns about the fact that this simply comes back to the Minister and does not come to the Committee. Regardless of what the issue is or how small the matter is, the Committee has a very important role to play, not only in scrutinising and ensuring that it is content with what the Department is doing but so that the Minister has us as a sounding board and as an advisory board, because there is a wealth of experience in the Committee. I am not sure that I include myself in that just yet because I am fairly new to the Committee, but there is a wealth of experience there and people who have been on previous Justice Committees can give advice on certain matters. It is extremely important that the Committee has an opportunity to look at anything that comes forward, whether it is legislation, policy or guidelines, or whether it is technical. We have an important role to play. Having said that, as has been outlined, it is not an issue over which we should block this LCM, so we support the LCM today. I thank the Minister for coming to the House.

Mrs D Kelly: I welcome the Minister's introduction; it was most enlightening on the principles behind the legislative consent motion for someone who does not serve on the Justice Committee.

There are some important points to make. It is right and proper that seamless protection and safeguards are written into legislation post-Brexit and during the transition period to ensure that important issues such as child protection are legislated for and to ensure that the highest level of safeguard and protection is in place internationally. I welcome that.

I note the Minister's comments on capacity in her Department and, indeed, the fact that this is

Westminster legislation that, if I paraphrase, we are piggybacking on and that it is the exception rather than the rule. With that proviso, we are happy to support it as long as this is the exception rather than the rule.

Mr Beattie: I thank the Minister for bringing this forward today. It is a technical LCM but an important one. We are in free fall now until 31 December and we cannot just let these things roll on; we have to address them now. It is right to address them now.

I absolutely support this LCM, but I want to extrapolate a little bit, if I can. The 1996 Hague convention on child protection improves the protection of children in cross-border disputes and helps resolve issues around custody and contact with parents for children who live in different parts. We have our own problems in Northern Ireland, because breaches of court orders in relation to family proceedings are never really enforced. I have a constituent who has sole custody of his children but has not seen them for six years because the case is lost in the courts, with endless legal aid allowing it to go on in perpetuity. Indeed, in speaking about his review of civil and family law, Lord Gillen stated:

"although a judge will do whatever is necessary to keep a parent out of prison, breaches of court orders must be addressed. Parties must not be permitted to wilfully obstruct court orders without consequences."

I raise this issue in brevity, if I can, because there is a real concern that, as we go into this LCM, we have not put our own house in order in dealing with issues like that. We are not enforcing court orders in this jurisdiction, and that will only get more complicated when we start to look at cross-jurisdiction issues.

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

Mrs Long: Thank you to the Assembly for taking time to consider the motion and for the contributions that were made in the debate. I thank the Justice Committee for its report and the Executive Office Committee for its consideration of the issues at hand. I am pleased with the support that colleagues have shown in the recognition that, on this occasion, it is sensible that the Westminster Bill be extended here.

I will answer a number of issues that Members raised in the debate. First, with respect to the Chair, my understanding of these sittings of the Assembly is that we can bring forward matters that are COVID-related or are urgent. This has a degree of urgency, in that this private international law needs to be in place three months before we leave the European Union, and we need to move in lockstep with Westminster and the other devolved Administrations to ensure that that is possible. I do not control the timing of Brexit, but it will happen at the end of December unless the Government seek an extension, and therefore it is critical that we have these conventions written across into domestic legislation. Therefore, my colleagues in the Executive and I believed that this was of sufficient urgency that it needed to be brought forward to the Assembly and the Committee at this time.

Mr Givan: I appreciate the Minister's giving way. I do not disagree with how she has characterised the urgency associated with this. One issue that I would put that private Members are not able to bring forward, for example, is to debate the abortion issue that Westminster will vote on in June. There is an urgency for this House to express a view before Westminster votes. That is an urgent issue to a lot of constituents. Does the Minister agree that the Assembly should debate that issue?

Mrs Long: It is not for me to take a position on the business of the House. That is a matter for the Whips, along with the Speaker to decide. I do not set the agenda for the Assembly; I simply play my part in discharging my duties under it. When it comes to the issue of termination of pregnancy, as you know, it has been decriminalised, so I no longer have role to play in that debate. You would need to take up any issues that you want to debate and their urgency with the Minister of Health.

With respect to the query that I received from Linda Dillon, the issue here is about having swift implementation, so, in terms of what has been proposed, it is in order that, where we are dealing with highly technical and beneficial laws, we are able to move and to have those benefits for our citizens without unnecessary delay. However, an affirmative procedure will be triggered in situations, for example, that will implement an agreement for the first time and that has not been discussed. That will ensure that there is adequate scrutiny from this legislature and that Members are given the opportunity to make a contribution, which I also agree is hugely important in guiding and informing the process.

I welcome the remarks from Dolores Kelly. She is, of course, correct that this is driven by Brexit, and I think that it is hugely important that we are able to do this today. It would be remiss of me not to say that what we are doing today will allow us to continue to operate private international law and to bring the Hague conventions into our law. I understand that, in Westminster, we will also be seeking to join, potentially, the Lugano convention. I think that that application has already been made. Again, that should improve things. We should be under no illusion: we will still be in a suboptimal position with respect to the agreements that we have at the end of this process. We have, if you like, covered most of the bases, but there will still be more complexity than would otherwise have been the case.

I move to the comments made by Mr Doug Beattie. This is very specific legislation that deals with cross-border issues. It is unfair to say that we have not made progress on dealing with issues around family justice. For a start, as the Member referred to, we have the Gillen reviews, and we now have an implementation plan and significant work is being undertaken in the Department in recognition of that particular challenge. Hopefully with the cooperation of the Committee, we will also be in a position to look at committal reform later this year; looking at speeding up justice more generally. We are taking a number of steps to ensure that we do not have continued abuse, particularly, I think, of the family court system, by those who wish to continue to exercise some kind of coercive control over former partners. That is captured in the Domestic Abuse and Family Proceedings Bill, which we debated at length in the House at Second Stage and will no doubt have an opportunity to debate again. In the context that we are in, therefore, I believe that it is appropriate that the Private International Law (Implementation of Agreements) Bill extends to Northern Ireland and I ask for the support of the House in passing the motion.

Question put and agreed to.

Resolved:

That this Assembly endorses the principle of the extension of the provisions of the Private International Law (Implementation of Agreements) Bill to Northern Ireland.

Mr Principal Deputy Speaker: Before I put the Question on the Adjournment, I want to remind Members that the next plenary sitting of the Assembly is on Tuesday 25 May. The Ad Hoc Committee on the COVID-19 Response will

meet this Thursday to hear a statement from the Education Minister, Mr Peter Weir.

Adjourned at 5.10 pm.

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