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Northern Ireland Assembly

Tuesday 22 September 2020

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

Members observed two minutes' silence.

Assembly Business

Mr McGrath: On a point of order, Mr Deputy Speaker. Last week, the Speaker made his views known about press conferences and information being made known in press conferences rather than to the House. That was on the back of a Business Committee meeting where the views of many Members were articulated that, because of the nature and complexity of the rules that are being introduced and the lack of clarity in the information that is being given, we stated that the House would be the best place to make announcements about them. Has there been any further action or response from the Speaker's announcement to the First Minister and deputy First Minister last week?

Mr Deputy Speaker (Mr McGlone): While the Member's point is perhaps not a point of order, it would be a matter of good practice and professionalism for the Assembly. I do not have anything to report on that, but I will get it checked out, because it is to be expected as good practice. Thank you for raising it.

Executive Committee Business

The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020

Mr Deputy Speaker (Mr McGlone): The next items of business are motions to approve a total of five statutory rules, all of which relate to the Health Protection (Coronavirus, Restrictions) Regulations. There will be a single debate on all five motions. I will repeat that: a single debate on all five motions. I will ask the Clerk to read the first motion, and I will then call on the Minister to move it. The Minister will commence the debate on all the motions. When all who wish to speak have done so, I shall put the Question on the first motion. The second motion will then be read into the record, and I will call on the Minister to move it. The Question will then be put on that motion. That process will be repeated for each of the remaining statutory rules. If that is clear, I shall proceed.

Mr Swann (The Minister of Health): I beg to move

That the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 be approved.

Mr Deputy Speaker (Mr McGlone): The Business Committee has agreed that there should be no time limit on this debate. I call the Minister to open the debate on the motions.

Mr Swann: Thank you, Mr Deputy Speaker. As you said, there are five motions before the Assembly, and, with your permission, I will address each of them in my opening remarks.

I will begin by outlining for Members the changes that have been brought about by these regulations, so I will begin with the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020. At the

conclusion of the fifth review of the need for the restrictions and requirements in the health protection regulations, the Executive agreed that a fresh set of regulations should be made for the purpose of retaining those restrictions and requirements that were considered still to be necessary and clarifying powers for the imposition of new restrictions should the need arise. The subsequent amendment (No. 2) regulations were then made on 23 July. They revoked and replaced the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020, including all previous amendments that were made to them. The regulations required the closure of certain businesses, services and premises listed in the schedule, except for limited permitted use. The regulations imposed restrictions on gatherings, both indoor and outdoor, of more than 30 people, which were not permitted to take place except for gatherings organised or operated for cultural, entertainment, recreational, outdoor sports, social, community, educational, work, legal, religious or political purposes where the organiser or operator of the gathering undertakes a risk assessment and complies with the relevant guidance to limit virus transmission.

The regulations also imposed restrictions on gatherings in private dwellings, which, outdoors, were to be of no more than 30 people and, indoors, were to be of no more than 10 people from no more than four different households. The regulations are required to be reviewed every 28 days, with the first review taking place by 21 August. The regulations are due to expire after six months, which will be 23 January 2021.

I now move to the second motion. The Executive have been clear from the start that our response to COVID-19 is informed strongly by the advice that we receive from the Chief Medical Officer (CMO) and the Chief Scientific Adviser (CSA), with health protection at its heart. In line with that, in considering the arguments for and against the use of face coverings by the general public, the Executive agreed to the introduction of the mandatory requirement for passengers on public transport to wear face coverings. That requirement was brought into effect on 10 July by way of an amendment to the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020. The Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020 were then made on 23 July. Those regulations replicated exactly the face coverings provisions in the original coronavirus restrictions regulations as amended so that they sat outside but alongside the new Health Protection (Coronavirus,

Restrictions) (No. 2) Regulations (Northern Ireland) 2020, which were made at the same time. They require members of the public, subject to limited exceptions, to wear a face covering on public transport. The regulations are required to be reviewed within six months, which is by January 2021, and are due to expire after 12 months, which takes us to July 2021.

In the light of the evolving evidence and proposals to relax restrictions in relation to indoor interactions and the pausing of shielding, the Executive subsequently agreed to introduce the use of face coverings in indoor settings where interactions with individuals from other households take place. The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment) Regulations (Northern Ireland) 2020 were then made on 31 July and were commenced on 10 August by way of a commencement order that was made on 7 August. The face coverings amendment regulations require members of the public, subject to limited exceptions, to wear a face covering whilst in an inside relevant place, focusing on settings where there is retail sale of goods or services, including in a shop or shopping centre.

The Executive set up a cross-departmental working group on entertainment issues to address the risks associated with certain activities taking place, such as singing and dancing, the effects of loud music, and outdoor larger event management. The group has discussed the situation for the arts sector. The Department for Communities proposed that theatres and concert halls be allowed to reopen for the purposes of rehearsal and live recordings without audiences, which would also enable staff to return to work. The Executive agreed to that proposal. The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment) Regulations (Northern Ireland) 2020 were then made on 7 August. The two main changes that were introduced allow a theatre or concert hall to be used solely for rehearsal or live recording, in both cases without an audience, from 8 August and to permit sports in indoor arenas not capable of seating 5,000 or more spectators from 10 August.

The Executive were mindful from the start of the COVID pandemic of the impact on family ties and social interactions. This is why the Executive gradually eased arrangements for gatherings within domestic settings. However, in response to the rising number of cases since July and due to the particular transmission risks associated with people gathering in these settings, the Executive agreed to reduce the

number of people who could meet in domestic and garden settings. The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 were made on 25 August. In summary, the main changes that have been introduced by these regulations and amendments are to reduce the maximum number who could participate in an indoor or outdoor gathering not at a private dwelling from 30 to 15 people, with some exceptions; to reduce the maximum number who could participate in an outdoor gathering at a private dwelling from 30 people to 15 people; to reduce the maximum number of people who could participate in an indoor gathering in a private dwelling from 10 people from four households to six people from two households; and to permit up to 10 people to attend a wedding or civil partnership ceremony indoors at a private dwelling where one of the participants is terminally ill. The restrictions on gatherings and those in relation to private dwellings do not apply to a funeral or wake, but those involved must comply with the guidance issued by the Department of Health.

The nature of these debates is that I take the opportunity to outline some of the further changes that have been agreed since the regulations that are subject to debate today. In previous debates, Members have raised concerns about the time lag between the Executive making decisions and the opportunity for the Assembly to hear and debate those. I am taking the opportunity today, then, to update the Assembly on decisions recently made by the Executive. These have included decisions on soft play areas, which have been allowed to open from 13 September; introduction of local restrictions on 16 September in protected areas that were specifically defined by postcodes; and confirmation on 21 September of an Executive decision to allow wet pubs to open with effect from 23 September.

Given the ongoing rise in the number of cases over the past few days, the Executive agreed yesterday that it is now necessary to widen the local restrictions to cover the whole of Northern Ireland. This will take effect from 6.00 pm today. The Executive are keeping all options open, especially now that we are at a critical juncture and need to act quickly to try to bring the rate of transmission down. I commend the regulations to the Assembly.

Mr Gildernew (The Chairperson of the Committee for Health): Bhreathnaigh an Coiste Sláinte na rialacha reachtúla ar an 10 Meán Fómhair. The Committee considered all five statutory rules on 10 September. There is an unfortunate irony to our discussing today the

relaxation of restrictions announced so recently as we are now aware of the changing direction that is required to tackle the current rise in the number of cases. Nevertheless, I think that it is important to put on record the Committee's scrutiny of the regulations under debate. Key issues from compliance to enforcement and communication require consideration whatever the nature and level of restrictions. We hope that discussions to date can inform the forthcoming regulations and their implementation.

The Chief Environmental Health Officer (CEHO) summarised their content and reminded the Committee that the short time frame for bringing the SRs into force resulted from the need to ensure that restrictions are only in place for as long as is strictly necessary. I turn first to the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations as amended. The Committee had previously acknowledged the complexity of the previous coronavirus restrictions, which had become a lengthy list of exceptions to the general restriction on leaving home. The Committee heard that the newly restructured regulations, as amended, revoke the previous restrictions and provide instead a list of businesses, services and premises that are required to remain closed. In addition, we were advised that the review period for these regulations is 28 days. We discussed the range of purposes for which a gathering may be arranged, subject to certain conditions. On enquiring about what was excluded from the apparently very wide-ranging list of permitted purposes for a gathering, the CEHO advised us that this approach has been taken to confirm what was permissible given the revocation of previous restrictions.

He highlighted that the provisions require an organiser to conduct a risk assessment if numbers exceed those specified.

10.45 am

Committee members conveyed that there was a degree of frustration on the part of the public in trying to keep up with frequent changes and understand the rationale for certain rules. People have found it hard, for example, to fathom why, at a certain point, it was safe to go to a restaurant, where there could be large numbers of people, but not safe for one person to visit a relative in their home. The Chief Environmental Health Officer stated that there was evidence that gatherings in homes presented a greater risk, possibly because business environments are subject to guidance and various measures that make them less

risky, whereas behaviour in our homes tends to be more relaxed, and we all know that. When we go into our family home, we touch many more surfaces — we put on the kettle, and we open the cupboard to find things — and there is evidence that that is causing further spread.

Public messaging on this is so important, and it is a matter to which we will, no doubt, return. Public understanding will be key to sustaining support for the rules in the coming months. The CEHO confirmed that the regulations are kept under constant review and that renewed efforts were being made to bring all the guidance together in one place on nirect, which is a welcome step.

Further to questions around funeral arrangements, the CEHO confirmed that funerals had been taken out of the regulations and were instead subject to detailed statutory guidance developed through significant engagement with stakeholders to seek to address the sensitivities of that matter.

The distinction between what is covered by legislation and what is covered in guidance or statutory guidance arose in a discussion on face coverings. The director of public health advised that the regulations required face coverings on public transport, in shops and in shopping centres, subject to exemptions. In other indoor spaces, face coverings are strongly advised in guidance where a 2-metre distance cannot be maintained. Staff working in a shop are not required specifically to wear face coverings, but employers may decide that that is necessary.

In our discussion on 10 September, student accommodation was already a worry, and the serious concerns of permanent residents were put to officials, as were the risks associated with large student houses both for the students and, if they return home at weekends, for their families. The CEHO confirmed that no specific regulations to address student accommodation were in development at that time, because each house or apartment becomes a student's residential address for the purpose of the regulations, which apply equally to such houses and should be adhered to. The Committee has asked to be kept updated on the working group that has been established to work through all of those issues.

When the Committee enquired about the requirement for risk assessments for certain gatherings, the CEHO emphasised that the Department's guidance would direct an organiser to consider the potential risks, depending on the nature of the gathering, and

to put in place reasonable measures to address them, such as provision for handwashing, one-way systems etc. He advised that the health and safety website has a template to assist. On that occasion, the CEHO could not provide detail on the application of risk assessment in school settings but confirmed that the CMO and the Chief Scientific Adviser were working with the education sector on that.

We also explored the level of public compliance with regulations and their enforcement. A degree of concern was expressed about the low level of mask-wearing in certain settings, such as petrol stations, although positive views were expressed on compliance in retail settings more generally. We have all witnessed how people have a mask on when doing a big shop, but, when they pop in and out to pick something up, they do not. That presents a risk that we should all be conscious of. On the compulsory use of face coverings, the director of public health acknowledged that the list of exceptions was wide but expressed the view that the approach of encouraging personal judgement was more likely to be successful in driving up compliance than seeking to be more prescriptive. She also confirmed that visitors were not regarded as face coverings for the purpose of the legislation.

The Committee noted that there was provision for fixed penalty notices and court proceedings that could lead to a fine at level 5 on the standard scale. The Chief Environmental Health Officer advised us that the different provisions were there to provide options to the PSNI for lesser and more serious breaches, although their approach remained to advise and encourage adherence before moving to enforcement. The Committee requested further information on the enforcement of the regulations to date, and perhaps the Minister will say a little more about that in his closing remarks.

In closing my remarks as Chair, I confirm that, despite the concerns raised, the Committee agreed to support the confirmation of the regulations. We look forward to ongoing engagement with the Department to ensure that we respond promptly, proportionately and on an evidence-led basis to the challenges ahead and that changes are communicated effectively throughout the community.

I will now make a few remarks in my role as Sinn Féin spokesperson for health. We understand that these are unprecedented and extremely challenging times. Normally, I do not think that anyone in the House would consider regulations and powers such as these, but they are necessary. We need to keep it in mind that

individuals and communities are directly affected by bereavements and struggle with the restrictions and the lack of work opportunities and threats to business. We are all conscious of those concerns.

Although the regulations came into force a while ago, we still see a need for regulation that is proportionate and measured. It has been said before, but it is worth noting that the regulations have since been amended and overtaken by other regulations. However, it is important to fully reflect on them today.

Tá a fhios againn cad é a oibríonn: an scaradh sóisialta, do lámha a ní. We know what works: it is the COVID basics of social distancing, washing your hands and good respiratory hygiene. We know that that can have a positive impact on the spread of the virus. I will make a plea about face coverings: I encourage everyone to remember to wear a face mask. The wearing of a face covering is more productive than not wearing one, and it is something that we can all do for ourselves and each other.

We also need to keep it in mind that, when the Assembly introduces restrictions and duties, it must also provide support, whether that be providing masks or supporting the delivery of vital public services. I am conscious today of the situation at Daisy Hill Hospital and Craigavon Area Hospital. We have many front-line workers fighting the virus every day, and they deserve our support and encouragement. Hospitals are dealing with COVID cases, and we are worried about them. However, we will support them to get the equipment, guidance, policies and principles that they need to protect themselves and their patients.

It is one thing to put in place restrictions and the means to enforce them, but it is sometimes more difficult to provide a comprehensive system of support. Our response should be led by public health, and I welcome any co-operation between the health agencies and the PSNI that emphasises that message.

Finally, we could easily get stuck into the details and the exemptions. It is important to keep in mind the real and lasting impact that the regulations have on members of the public, but we must also bear in mind the risk of further spread of the virus and work together to do what we can about that.

Mrs Cameron (The Deputy Chairperson of the Committee for Health): It is useful to have had that more technical Committee scrutiny

detailed by the Committee Chair. I have no intention of repeating what has been said.

We have come a long way since the last time we progressed regulations through the House. It is worth reflecting on some aspects of the journey that we have been on recently. First, I pay tribute to our schoolchildren, school leaders and staff. It has been a difficult six months, but, as a society, we all felt that a little bit of normality had resumed when we saw the kids walking to school with their school bags on and when we saw the first day photographs on social media of children in their fresh uniforms. Our prayers are for their safety, that they can catch up on the valuable time lost in their education and enjoy the company of their classmates.

Obviously, for our business community, this remains a challenging time. I think specifically of those who operate wet bars, soft play areas and those in our arts, travel, tourism and hospitality sectors. We need to look at what we can do and what we can ask our Government at Westminster to do to support those industries, as we know that, in the short term, for many, the difficulties of recent times will not ease.

I want to mention one specific area of the regulations and the current situation. There has been much focus on the so-called lockdown of certain areas and, from today, that will apply to all of Northern Ireland. This is not lockdown.

I know this is a source of great frustration for people and I urge the Minister to do all that he can to evidence to the public the need for the restrictions and to ensure that they are lifted at the earliest possible opportunity. They must not go any further than is absolutely necessary.

I welcome the allowance that a family of six who live under one roof will be allowed to meet a smaller number of people from one other household. It is right that children aged 12 and under, with evidence that they rarely transmit the disease, are discounted from that party of six figure. We ought not to discriminate against large families and we should adopt a similar common-sense approach, as has been the case in Scotland. In addition, I want to ask the Minister to confirm that households may "bubble" with one other family and to make clear what that means in practice — that it is not just for those who live alone, but covers, for example, my ability to "bubble" with my parents.

Adherence to the guidelines is vital if we are to combat the spread of the disease. We need to work with people as much as possible and, where common sense can apply, we ought to

apply it. That is asking a lot of people who are already very weary, who crave normality and who are worried about family, finances and futures. If we are expecting the public at large to adhere to the guidelines, then those who breach them must be dealt with by the rule of law. The flaunting of the law, whether it is by the deputy First Minister at the Storey funeral, by triumphant GAA supporters invading a pitch in Dungannon or by students who believe that they know better, partying in the Holylands, the public are watching to see that the law is enforced. Failure to do so will further erode public adherence to the rules, just as those scandalous events have done.

As the Minister, the Chief Scientific Adviser and the Chief Medical Officer have said, we are once again facing a key period in the fight against COVID-19. Whilst prioritising that battle, we must not lose sight of the need to keep Northern Ireland open, to keep our health service open and to keep businesses and society open as much as we possibly can. That is a fine balance and not an easy one. I urge the public to continue to follow the guidance; if we all do our bit, we can stave off the worst that the virus can do to our community, not just in relation to individual victims but in terms of wider societal harm.

Mr McGrath: Coronavirus, as we all know, remains in our community with spikes moving up and down. It is quite clear from the past few weeks that the current trajectory is upwards and that that will, eventually, result, if unchecked, in too many people contracting the virus and thus, maybe, needing hospitalisation and some, perhaps, needing ICU intervention. We know from our past experiences that that will result in people dying.

I do not envy the job of the Executive Ministers in trying to manage the response to the virus, although it increasingly appears that we have only one Minister responding to the issues. I wonder whether the First Minister and the deputy First Minister are now hiding because they cannot agree on the message that they need to be sending out. That was certainly evident to anybody that listened to the radio this morning.

The regulations that we have been presented with up to this point are very complex, confusing and, at times, contradictory by the time they make it to the Assembly and are grouped together. That always makes it a very difficult message to sell to the community. That is amplified by the fact that many of the regulations that we are talking about today will be out of date by 6:00 pm when the new rules

and regulations come in. One of the regulations said that it was OK to go to Portugal and another one came in two weeks later to say that it was not OK. We know the ramifications that that had for our constituents who were caught out when they were over there.

Every time I have taken to my feet in this place to discuss the regulations, I have said that the matter of clarity is critical. A lack of clarity means a lack of certainty. When is the message going to get through that we need to have clear and simple messaging? The bottom line is that the communications strategy from the Executive is not working. The public are left to try to understand what the regulations mean, how they should interpret them, when they can or cannot hug their grandchildren or when they can or cannot stay with people during birth. They are not embracing the regulations because they are changed so often and they do not like that.

11.00 am

I ask that the Minister gives some update specifically on the Executive's communication strategy that is there to punch out the message in a clear and unequivocal way. I accept that this has probably been transferred to him in the last few days, rather than how it was carried out previously.

As I said, lack of clarity means lack of certainty, and I give an example. The announcement yesterday was made to the press, not to the House, as the Speaker suggested last week. I note that, yesterday, the First Minister, the deputy First Minister and the Health Minister were all in the House and we were sitting when the announcements were made. As all MLAs would undoubtedly have done, to try to help my constituents, I posted on social media a little snapshot of the new regulations and the changes. At the point of preparing for this debate, I have just short of 200 comments on that thread. They are not positive. It has almost shocked me that, to a tee, they are not positive. I can understand the thread being peppered with an unhappy comment here, or disputed comment there, but it is comment after comment from people who do not like the regulations, do not want to see them or are totally confused and exasperated by them.

There are comments like, "I cannot have people in my house but I can take them to the bar?"; "How does this work with so many children in my classroom?"; or, as one constituent sums it up, "There needs to be a simple go-to place for the most up-to-date guidance." Each day, something new is said and wires are crossed,

causing confusion. I appreciate the complexities of what is going on, but these announcements leave it open to individual interpretation.

As MLAs, we have done our job in delivering the message to the public, based on the messaging that we are presented with. How are we meant to sell the message when it is so unclear? How can we expect the public to adhere to something that is unclear, confusing and open to interpretation? The public are rightly frustrated and angry. It is becoming increasingly frustrating to have to say, time after time, that when decisions are taken by the Executive, we end up with 200 comments on social media streams, asking what this means for day-to-day life. How do we find out about this information, when we have to wait 28 days before the regulations come to the Floor of the Assembly?

What I am about to say, I say with no sense of satisfaction or enjoyment. The problem with simply going to the media could not have been illustrated more clearly than this morning. Not two hours ago, our First Minister and deputy First Minister took to the radio separately, with one giving her interpretation of the new regulations and the other giving hers, 30 minutes later. It is still early in the day but am sure that, by the end of it, we might see one of the parties' MPs give a further interpretation of those guidelines, with their expert views on the matter. Suffice to say, the First Minister and deputy First Minister were all over the place this morning.

As the public are asking relevant and appropriate questions of their representatives, it is high time that we got the opportunity to ask these questions in the Chamber and get answers from the Dispatch Box. I absolutely welcome that the Health Minister will take on that role. As evidenced here today, he is prepared to stand up, give a bit of clarity and get a bit of information to us so that we can ask questions. We were unable to get it from the First Minister and deputy First Minister. I hope that we continue to get it from the Minister of Health.

A plethora of regulations is presented to us. In their own time and way, the regulations were logical. I continue to support the decisions taken in the interests of public health but the issues of clarity, understanding and interpretation seriously need addressed. If the Health Minister can answer any of the questions I raise today, especially around messaging, it would be very welcome.

Mr Butler: I welcome the Health Minister here today as he brings these regulations — SRs, as we call them — before the Assembly. When he was Chief Whip and leader of the party, I saw less of him than you guys are seeing him in the Chamber. I do not say that to raise a smile. I say it because he seems to be the Executive Minister not only with the biggest portfolio but with the biggest responsibility, which has been thrust on him, once again, by TEO deflecting work. I thank Mr McGrath for his comments on that. Let us get real, people: this is a crisis of monumental proportions, as the Health Minister laid out at the start of the pandemic.

The restrictions are somewhat old. I will refer to them — the Deputy Speaker will hold me to task if I do not — and it is important that we get our act together not only in the Assembly but in the Executive. Petty squabbling can be kept for another day, because the very lives of people across Northern Ireland depend on the leadership of people in the Chamber, whether you are an Executive Minister or an MLA. People follow our example, regardless of what they say on Facebook and Twitter, or what is said on the news, and the public beatings that we take. People really do watch and act on what we do, not on what we say.

I will turn to the regulations. We discredit and do a disservice to the population across Northern Ireland in its adherence to many of the rules and regulations that have been meted out, face coverings, in particular. Let us be honest: as has been said, it can be conflicting to read and interpret some of the regulations. I find it OK, and, through my office, I am able to answer many questions.

One of the problems that we face in 2020 is the threat of fake news. When you search posts on Facebook and the internet, it is almost impossible to find the right information. The posts are very believable. Stuff is shared with me, and I am sure that people send items to Members that look like regulations or advice, and could even be stamped, but which are desperately dangerous. Facebook and Twitter — they make enough money out of it — just like us, have a role to play in cleaning up their act and making sure that, at a time of crisis, people can access the best and most relevant information. In doing that, it is incumbent on us to ensure that we are not weeks and weeks late in bringing those regulations and messages to the people who require them. After all, they are our sons and daughters, our mothers and fathers, our relations, and the people who underpin business, education and the health service on which we rely.

When we give a message, as we do today — we are talking about regulations, many of which have been superseded — people will listen but be confused. That is why I plead with TEO to step up. There are four Ministers in that office. Four, not one: four. Why are they not here today? I do not get cross very often, but I am cross today. I do not believe that it should fall solely on the Health Minister's shoulders at a time of crisis.

Mr Deputy Speaker, I ask you to indulge me. I know a little bit — I always go back to it because I had 16 wonderful years in the Fire Service — about something called "span of control", which is the terminology used when you deal with a crisis or a big event. Everybody has a limited capacity to deal professionally with a certain amount of work, regardless of how good you are. That is why, in the Fire Service, in the Prison Service, in the Police Service, in nursing and in every profession, the workload is spread. It is to make sure that things do not fall through the cracks. This is not politics; this is people's lives. Let us get our act together. I want TEO to hear that loudly from the Chamber today. I hope that the Minister can address that. Perhaps he will square his shoulders and say, "No, Robbie, I am big enough. I can take it". I hope that he is humble enough to say, "No. I will accept all and every bit of help that I can get from every office". This is everybody's responsibility.

I will return to the issue of face coverings. In my role as education spokesperson, that is probably one area on which there has been a lot of debate recently with regard to teachers, pupils and the messaging from our scientific and medical officers about who does not need to wear a covering in certain circumstances. This is about risk mitigation. It is not just about risk assessment; it is about dynamic risk assessment. This is about balancing what we are building into our future, what we can keep open and to what we can expose our kids. I am not talking about coronavirus; I am talking about their education, their societal well-being and their mental health. That is why we need a collegiate voice from our Executive Office. That is why need our First and deputy First Minister standing side by side, giving that message, not contradicting each other and knowing what each other is saying. That is what the people of this country deserve regardless of where they are from.

Mr McGrath: Will the Member give way?

Mr Butler: Absolutely.

Mr McGrath: The point that I was making earlier, and that you are reiterating here, is on the issue of not coming to this place to give the information. The press is incredibly important. It has very important questions to ask, but its members generally get only one question each across about half a dozen outlets. If Ministers come here, there are potentially 89 other people who can get up and ask questions, and we can drill right down into the detail of what people are contacting us about. That is why this place is the most important place to come to give the information because there is very little room to hide in here, whereas there is room to hide in a very controlled environment with the press.

Mr Butler: I thank the Member for his intervention. I wholeheartedly agree because one of the things that was missing from here when we went into restricted Assembly business was that we had a reduction in written and oral questions. That is not the case now. We perhaps missed an opportunity in the summer when the mechanisms did exist. We could have come in here to bring in the regulations a number of weeks ago. We could have come in, in short turn, to do small amounts of business. Perhaps, as the Member has rightly said, that would have reduced the risk of conflicting and mixed messages.

Mr Sheehan: Will the Member give way?

Mr Butler: Absolutely.

Mr Sheehan: On that point, I know that people like to grandstand at times about that and say, "We should have come in over August. We should have come in over the summer". The agreement that we all made was that the staff in the Assembly also need a break. They had been working extremely hard from the time when the Assembly got back up and running. It is the case that many of them can take leave only when the Assembly is in recess. So let us forget about the grandstanding. Deal with the issues as they exist.

Mr Butler: I thank the Member for his intervention, but I think that he is totally off skew. This is not grandstanding; it is stating facts. The Business Committee, on which I sit, agreed to those mechanisms if there was a need. I would suggest to the Member that there is a need because we are in a crisis situation. These are unparalleled and unprecedented times. It is not grandstanding; it is not politics. It is the lives of my family, of your family and everybody in our communities. Really, could we not have come in for half a day? This is not

days of work; this is a two-hour debate happening today. It is important that we do not grandstand, to be fair. It is important that we do not politic and thrash the life out of things that do not need to be discussed. This is about improving what we do. Ensuring that regulations like these come forward in good time to get the level of scrutiny that they deserve. Why? Because we need to give the public every single bit of confidence that we can. We need to show leadership, adhere to the restrictions ourselves and ensure that we set that example as political leaders and public servants.

Ms Bradshaw: I rise to support the health protection regulations as amended. Before I move to the substance of my speech, I would take exception to the comments made by Robbie Butler. I do not believe that these are petty squabbles. The concerns that I am going to raise very much reflect what my colleague on the Health Committee said, are not petty and we are not politicking. We are raising legitimate concerns on behalf of our constituents. This is a debating Chamber. We have every right to do that, so do not try to quash that. The Member said that it is almost impossible to find and access the relevant information, and that is the concern that we are raising today.

In this case, it is not quite as necessary as last time to point out that the regulations run profoundly contrary to my party's liberal instincts. As for the No. 2 regulations applying from 24 July, we have at least had them the right way around. They specifically make prohibitions on public health grounds rather than not allowing us to cross our front door without specific reason.

For all that, we remain in a situation in which civil liberties are remarkably constrained and we do not have constant scrutiny to ensure that that is absolutely necessary for the sake of public health. Because I am so annoyed, I will raise a point that came up at the Health Committee last week. We received notification that it was not always going to be possible to have a departmental official to come along and speak to us about the proposed health protection regulation changes. It is ludicrous that the scrutiny body for health protection regulations is not going to be able to get the draftsman of changes to come along to support its deliberations and its thinking around that.

We cannot shut down scrutiny just to protect a Minister; we are not going to do that.

11.15 am

Mr Butler: Will the Member take an intervention?

Ms Bradshaw: No, I will not. I took enough nonsense from your party over the weekend. Thank you.

If there was one advantage to how previous regulations were worded or implemented, it was simplicity. Everyone knew that they could cross their threshold for specific purposes only. As we have opened up, things have become more complex. What we are aiming for at all times is voluntary compliance. If enforcement becomes a significant issue, it is because we have taken a wrong turning. Voluntary compliance will come about if the rules are clear and if the reasons for them are provided in a transparent manner. It has to be said that there is nothing in the announcements by the Executive Office and the Department of Health over the past 10 days or so that qualifies as either clear or transparent.

They have piled on more and greater confusion. On the one hand, restrictions were to be tightened; on the other, they were to be eased. We ended up with the farce of a press statement from the Department of Health that restrictions applied in certain areas while the annex to the press statement announced that they applied to certain other areas, too. Having spent a week trying to work out whether Castlereagh was in Belfast, we ended up having to include all of Northern Ireland. Providing such a confused response does not bode well for public confidence in what the Executive Office is doing with the regulations, nor for the practical likelihood of public compliance, not least since we have seen so many people who are unsure what the rules are and where they apply.

Communication is about creating understanding. None of what I am about to say is aimed at discouraging compliance — quite the opposite. However, the public needs to understand the rules, and the reasons for them, in order to comply with them. There should, at all times, be absolute clarity. If, for example, our concern is social gatherings in urban spaces, apply the rules to all social gatherings in all urban spaces. It should not have taken 10 days to work that out. What is more, make the rules simple, understandable and enforceable, as once we start trying to determine one rule for the work garage, another for the living room, and yet another for the garden, we have lost people.

I was not going to raise the issue of the Holylands, but, again, there was a side swipe at

me about it in the Chamber yesterday. I have been raising the issue of the Holylands with the Health Minister and the Chief Medical Officer since the start of March. I chair and facilitate the Holyland and Lower Ormeau, HALO, group in the area and have been working with the residents for years. Therefore I am acutely aware of the issues there. I said that parties had been going on in houses since June. I misspoke. I meant that, once the restrictions started to lift and people could go back to their houses, the parties had resumed.

I have been receiving communication all morning from residents in the area and from people in the HALO group, because the parties were still happening last night. Six people were standing on one side of the garden wall, and there were people standing in the street. However, in order to avoid detection, they have now moved into the alleyways to have their parties. Despite all the words said in the Chamber in the past week about how compliance would be enforced, it is not happening.

As the Chair of the Health Committee pointed out, I asked, last week, if we could have guidance. Whether it is guidance for HMOs or for students, I do not care, but we have to have something that relates specifically to the people in that area. As I keep pointing out, whether in the Chamber, the Health Committee or in the media, we have up to nine people living in these houses and they are deemed to be one household. They go home at the weekend, play for their sports club or visit their granny. Many of them have to go home because they do not even have washing machines because of how the houses have been developed.

There are specific circumstances in the Holylands. Some of HMOs are occupied by members of the Roma community, many of whom work in meat-processing plants, and we know that there are specific vulnerabilities with those workplaces. Not least, then, we have the settled community in the area, and I know of residents in their 80s and 90s. It is a horrendous place. There is only one corner shop, young people go into it not wearing masks and not social distancing, and the local people are feeling incredibly vulnerable.

As I say, I do not appreciate getting side swipes in the Chamber because I continue to raise this issue. It affects not just my constituency; it affects the whole of this country.

I am also concerned by our inability to enforce guidance in any meaningful way. For example, people who have booked weddings for 200

guests face the choice of losing thousands of pounds of deposits or of proceeding with them, even when they recognise weddings to be at high risk. There is no specific rule that enables them to cancel in the interests of public safety and be assured of a refund. Risk assessments seem to consist too much of people marking their own homework. We need to consider whether guidance, based on sound scientific advice, should, in fact, be enforceable or at least whether events that are bound to breach it may be preventable.

As I have just referenced, even for face coverings, which is the topic of two regulations in this set, the rules are too complex. In most other jurisdictions, the rules are much simpler. As soon as you enter a public building, you are obliged to wear a face covering, with the exception of when you are seated to eat or drink, and, obviously, some people with health conditions will be exempt. At the minute, you need to wear a mask in a shop, but you do not need to wear one in a coffee shop. You need to wear one in a bar, but you do not need to wear it a restaurant or a hotel. That is overcomplicated, confusing and counterintuitive, but it does not need to be that way.

In conclusion, I think that there is still goodwill towards the Executive and the messaging, not least given the fact that people are still so supportive of our health service and other front-line workers and the sterling work that they do, but the missteps over the last few days have eroded confidence, and there is mass confusion now. With regard to these regulations and the guidance around them, we need to communicate better, with less confusion and more clarity, to deliver full compliance.

Mr Sheehan: We have been here before: we have discussed all these coronavirus regulations. This set has, by and large, already been overtaken by other regulations. I want to make a couple of important points about all the coronavirus legislation that we have brought forward in the Assembly, most of which has been draconian. Under normal circumstances, we would not be bringing legislation such as this to the House, and most of us certainly would not be supporting it.

There are two important aspects to all this. Paula just made the point that there needs to be clear, easily understood messaging that people can act on and that can be easily enforced. The other aspect to all this is that we are effectively asking the population to enter into a contract. We are going to introduce draconian legislation, but it is for your own

good. In order to help you, this is what we are going to do: we are going to test; we are going to trace; we are going to ask people to isolate; we are going to support those who have to isolate; and we are going to make facilities available to treat people who contract the virus. I am not going to be too critical about the regulations because I appreciate that it is difficult to get things right. I have to say that I admire the loyalty of the members of the Ulster Unionist Party in circling the wagons around the Minister, and I have to congratulate Alan on his sterling work in the Committee.

Mr Butler: I appreciate the Member giving way. It is good that there is some levity in here at times. Alan's work is outstanding, and he does a good job on the Health Committee. I had a phone call this morning about a lady who is just under 60 and is now on a ventilator due to COVID. I live in BT28, and restrictions were put in place there. By the way, I agree with you that some of the restrictions feel draconian, but, in a time of pandemic, we must ensure public safety, and it is important that we do not confuse the messaging in here in any shape or form. Whether an MLA is speaking in a Committee or elsewhere, they need to be up to date on all the information and ensure that they are there with regard to the messaging from the Chief Medical Officer and the Chief Scientific Officer.

Mr Sheehan: I thank the Member for his intervention. I do not disagree with anything that he said. I am not here to criticise the Minister as such, but I will relay my experience. I made the point that we have entered into a contract with the population, and one aspect of that contract is that we are going to provide testing and provide a system whereby people do not have to jump through hoops to get tested. I will tell you about my personal experience from Sunday fortnight ago when my four-year-old daughter developed a temperature. It was not a very high temperature and she had a bit of a runny nose. If COVID was not here, I would have said that she has a bit of a head cold. She started into primary 1 the previous week and she has picked something up. She had not lost her appetite or stopped running about; she was OK. Under normal circumstances, she would have gone into school on Monday morning. However, after discussion with the wife, we decided that, because she has one of the symptoms, we should seek some advice. So we phoned 111. The advice that we got was that they do not give out advice about children as young as that and I needed to phone the GP the following morning, which I did. I got through to the GP, which was good because a lot of people at the moment are saying that they cannot get through

to GPs. In fact, we recently did a survey in the Whiterock area to see how many people usually get the flu jab but are having problems this year. A large number of the people that we spoke to told us that they could not even get through to their GP on the phone. So there are problems there as well.

To get back to my story, I phoned the GP surgery and was advised to phone 119 and book a test. I went on the phone and I stayed on the phone and I stayed on the phone and I stayed on the phone and then the phone cut out. I went back on the phone and I stayed on the phone and, eventually, I just gave up. I was on the phone for nearly an hour and a half trying to get through. I said, "OK, I will go on the website and try to book a home testing kit." I went online and, lo and behold, "no home testing kits available at this time". I decided that I have started this so I may finish it. I went online to try and book a drive-through test. It came back with availability in Stranraer. This is not an isolated incident. I put it up on twitter that evening and got a boatload of responses from people who were also being sent to Stranraer, some were being sent to Wales and one was being sent to Telford in Shropshire. A lot of people were experiencing the same problems.

In our WhatsApp group this morning, one of our MLAs shared that a constituent of theirs in Newry and Mourne has been offered a test in Stranraer today. Now, I know that it is not possible and people are not going to travel to Stranraer, but it exposes the problems in the testing system.

Mr McGrath: Will the Member give way?

Mr Sheehan: Yes.

Mr McGrath: Does the Member agree with a point that I have made at Committee: if we made home testing kits available in places such as pharmacies, you could have been down to the pharmacy and back at your house within about 10 minutes, the test probably would have been posted later that afternoon and you could have had the result the next day? If there are no testing kits, we need to get them. Making them very easily accessible to people would increase the speed of the testing process and would have helped you in a situation like that.

Mr Sheehan: Absolutely, I agree with that. As you make that point, I visited a community pharmacy in my constituency on Friday and spoke to the staff about a number of issues, including the provision of the flu jab. The community pharmacy is providing the jab to

health workers free of charge, and, for others, it is charging £12. I asked whether there was capacity within the community pharmacy system to carry out COVID tests, and the staff in that pharmacy felt that there was. With a small amount of training, they could carry out testing or at least deliver home testing kits, or some system, to deal with the difficulties in the current system.

11.30 am

Anyway, to get back to my own story, everything I have told you so far happened on the Monday. I could not get anything. I went back on on Tuesday morning and was able to order a home testing kit. The kit did not arrive until teatime on Wednesday. The guidelines in the kit tell you to , first of all, that you are to post it in a priority postbox — I did not know that there was such a thing until this — but that you cannot post it unless it is in the box at least an hour before the last collection. The last collection in the area where I live was at 4.45 pm, so it was too late. I had to do the test the following morning, which was Thursday, and then post it. It was going to Glasgow; presumably it was not arriving until the Friday. We were then into the weekend and, to cut a long story short, the result did not come back until Tuesday. Of course it was negative, as I expected it to be, but the upshot of it all was that, first of all, my four-year-old child missed over a week of school. My eight-year-old child also missed over a week of school, and my wife and I had to self-isolate, with all the difficulties that go along with that. What I am telling you is not unique. There is a problem in the testing system.

Mr Catney: Thank you for giving way, and I trust your child has made a speedy recovery — well, she has made a speedy recovery, and everything is all right, so that is good.

I do not want to mention any names, but on the outskirts of Lisburn there is a facility that got a large amount of money in order to set up its business. I see that a former British Minister who was sent over here sits on its board. The shambles that has gone round on that testing, and the amount of public money that went into it from Northern Ireland in order to set it up, has to be a serious concern that we need to take on. Having that facility where we have it in Northern Ireland, simply by the amount of public money that went into it, should mean that the tests are rolled out much more quickly to our inhabitants here.

Mr Chambers: On a point of order, Mr Deputy Speaker. We seem to be getting a little bit off the theme of the motions. We are talking about testing, and I do not see anything on the Order Paper that refers to testing. I wonder if you might rule on whether we are moving a little bit off the subject matter that is in front of us this morning.

Mr Deputy Speaker (Mr McGlone): I have to say that I have allowed a fair bit of latitude on this debate. I think, to be fair, that it would be a bit of an anomaly in this debate if we did not at least touch on testing. It does have an impact, and it is difficult to say that you cannot talk about it when it is an issue, and the regulations do refer to health protection. I have allowed that degree of latitude to inform the Minister and to inform the debate.

Mr Sheehan: I thank the Member for his intervention.

I made the point at the outset that I think the regulations are part of a contract. As political leaders, we have to provide a proper system for testing and for ensuring that we prevent the spread of this disease as much as possible. There is a problem with the testing, and it needs to be sorted. If people do not have confidence in the system — I had to jump through hoops, but I know that there are other people who would give up at the first hurdle, or the second hurdle, or the third hurdle. People are just not going to get tested, but it is important that they do.

I will just give you one other example. One of our councillors had been out socialising the previous weekend. The next weekend, he woke up at 8.00 am and had a high temperature. He took his temperature, and it was 40°. He said, "Right, I had better phone for a test", and that is what he did — he booked a test. At 10.00 am he took his temperature again, and it was back to normal. What he said was that, if he had waited until 10.00 am when his temperature was back to normal, he probably would not have gone for a test. He would have thought it was some aberration — that he was warm during the night, had too many blankets on the bed or whatever. That is one of the reasons why testing is so important and needs to be streamlined so that, when people need a test, they can get a test.

Mr Deputy Speaker (Mr McGlone): Iarraimse ar Órlaithí Flynn labhairt. I call "Orlay" Flynn.

Ms Flynn: Go raibh maith agat, a Leas-Cheann Comhairle. It is pronounced "Or-lee-ah", thank you.

I rise to support these regulations, and I do so as I think about the rise in new coronavirus cases in our communities and in the health service. As others have said, the virus is still with us, and we cannot downplay that fact. It has been said before, but it cannot be said enough, that these regulations would not be considered if we were not in a public health emergency.

I want to address two themes today, the first being the impact that the regulations have on people and, secondly, the need for support. I believe that it is essential that we do not forget the impact that each of these regulations have on individuals, families and communities. Many have already acknowledged that point, but it is vital that this is to the forefront of our minds as we consider and discuss the regulations. There are so many knock-on impacts that need to be addressed where families are unable to spend time with one another, including being unable to visit loved ones in care homes or hospitals and the many out there who are now dealing with the stress of the breakdown of a normal work-life balance. However, these regulations, I feel, are necessary, although they have since been overtaken by the recent changes as of last night.

In my opinion, the promotion of face coverings was slow. At the start, they were advised only for public transport and then shops and retail outlets were included. I believe that the lack of urgency, when the evidence pointed to the use of face coverings, did little to promote their uptake at that crucial time. I urge everyone who can wear a face covering to please wear one. It should not be seen as a muzzle but as a sensible precaution against a virus that we know is spread by droplets from the breath.

Similar to some of the points that Colin, Paula and Pat touched on earlier regarding communications, I also urge the Department and the PHA to undertake a more thorough public health messaging campaign around face coverings and provide a more general update around the restrictions that were announced last night. I am detecting a certain level of fatigue and confusion around what is in place now. For example, when the regulations appeared before the Health Committee last week or the week before, I raised the issue of face coverings and the use of face shields, which I have seen being used increasingly in restaurants and retail outlets, not only by

members of staff but by the public. It turns out that face shields:

"are not considered to be a face covering in the context of these regulations."

For many people, that will come as a surprise, but, again, on the important issues around this, where is the public messaging campaign and where is the direction and the clarity for the public and workers, who are using these face shields as in the example that I gave, from the Department of Health or, indeed, the Public Health Agency?

Mr McGrath: Will the Member give way?

Ms Flynn: Yes, I will.

Mr McGrath: Following on from the crucial point that you have made, and which was made to us at the Health Committee last week, that face shields are not considered appropriate, many people in a work environment wear them because they are much more comfortable to wear — they almost slip on like a pair of glasses rather than an actual face mask. That highlights the confusion where, under the regulations, people are not required to wear any covering in their workplace because sometimes the message might be that, if somebody is wearing a shield in their work, they are not wearing the right item yet they are not required to wear the item. That just aids the point that we need to have a clear message that we send out to people.

Ms Flynn: I thank the Member for his intervention, and I agree with everything that he said. Although a lot of the conversation has focused on face coverings today, that is only a microcosm of everything that is contained in the regulations and the broader confusion that can exist in the public.

Before I finish, I want to make the simple point that much has been said about the fact that we all now need to live and learn to live with this virus, and that is absolutely correct. However, it should not mean that we let the virus pass us by without doing anything. So, I completely understand the need for the regulations that the Minister has brought forward and I believe that we must all look at, consider and scrutinise all of the options that we are faced with in our efforts to help and protect the public throughout the pandemic.

Mr McNulty: I thank the Minister for bringing these regulations before the House. While I appreciate that this is a time of terrible turmoil,

I, like the Minister and many others in the Chamber, note that some of these regulations have been superseded by events and time.

By my nature I am not someone who likes to see restricted movements of people by the Government; it does not sit easily with me that there are restrictions on civil liberties. Nor does it sit easily with me that restrictions have been imposed that mean that our economy is being compressed, which places jobs, our economy and families under real strain. However, I understand that our economy can rebound whereas people's lives cannot.

As the Minister said, we are at a critical time in our fight against the virus and we must redouble our efforts to suppress the virus, protect the health of our population and to protect the health and well-being of our front-line workers, especially healthcare workers.

While much has been done, I fear that the public's buy-in to the fight against COVID-19 is being tested. People are fed up of hearing about the coronavirus/COVID-19. They are frustrated with restrictions on their lives and they get really angry when they are making a real effort to comply with the regulations while others, especially those in leadership positions, do not. But however uncomfortable or inconvenient it feels it is imperative that we persevere and we must all lead by example.

I acknowledge the community effort in the battle against COVID-19. I know that in my local area, and indeed, across the North and this island, the GAA has been the backbone of the community response. Be that in delivering food hampers or hot meals during the toughest times of the restrictions, or just checking out for people who are lonely at home, they have been unbelievable. On this day 18 years ago my Armagh teammates and I won the all-Ireland — I could not be prouder of the GAA and all that it stands for.

Mr Storey: Will the Member give way?

Mr McNulty: No. I know what you are going to say, so there is no point.

I also express my gratitude to the front-line staff in our hospitals and healthcare settings who have fought the good fight, and who are fighting the good fight under incredible pressure and duress, particularly nurses, doctors and healthcare workers in the community, nursing homes and in our hospitals. We owe them a deep and sincere thanks. I especially note the medical teams in Daisy Hill Hospital and Craigavon Area Hospital for their commitment,

dedication and devotion. In the face of COVID outbreaks, and while so many staff are off self-isolating, they are still stepping-up and caring for the patients.

As a member of the Committee for Education I must also pay tribute to the teachers, school workforce, parents and children who have had to change their whole way of teaching and learning. They are showing the rest of us just how we can stand and how we should be able to adapt to what has become the new norm.

I have sought to abide by the regulations and the guidelines. Like many others, I could not visit my parents in their home. I could not attend the funerals of people who I knew — people like John Dallat and John Hume. Some of the messaging has been unclear, behaviour from those who should know better has been inconsistent and messages around the regulations and the communications, especially around those regulations, have been mixed. We need to sharpen our message and we need to lead by example and to suppress the virus.

Mr Catney: People need clarity because they are confused about what they can and cannot do. We recognise that this is not black or white and that a level of confusion is, unfortunately, inevitable.

However, the joint First Ministers need to be clear with the people if they want compliance.

11.45 am

We recognise that restrictions are a necessity. The SDLP has always been led by the medical and scientific evidence. Businesses and workers will need support, and businesses need clarity in order to survive. As my colleague from south Armagh said, when I think of those out working in the economy, I recognise that our lives are mixed; they are interwoven. It is part of who we are to work and to see the success of our labour in order to build healthy, strong lives. Later today, at 1.00 pm, my colleague from West Belfast will have an all-party group (APG) on mental health. These are some of the outworkings of all of this. No doubt our Minister knows that well — much better than I do.

I will take this moment to thank the Minister of Health. His door has always been open to me. I understand the great burden that has been placed on him. No one knew or could have foreseen this when he accepted the post. I realise that where we are and what we have to do is for the greater good.

Mr Gildernew: Go raibh maith agat. I thank the Member for giving way. The clarity of the messaging has been mentioned several times today, as has the level of support provided to people to self-isolate. However, I previously asked the Minister a question about his Department's spend on the public messaging campaign. He has not had an opportunity to answer, but maybe he can give us some information on that today, as well as information on what has been spent on providing support for people who need it to self-isolate.

Mr Catney: Thanks very much. Businesses and workers will need support. We are hurtling towards a cliff edge, with the furlough scheme closing next month. I hope that it does not close, but it is starting to close anyhow. People are frightened about their lives but also their livelihoods. It is hardly laudable that no economic recovery strategy has been produced by the Executive. How will we get out of the crisis and build back better if we have no plan? The Executive need to get real about investing in infrastructure, green energy and other timely interventions that will help us to kick-start the economy again.

Mr Chambers: Over the past few weeks, I, along with everybody else in the House, I am sure, have received an avalanche of emails from a small group of people. Some of them run to 5,000 words with lots of links to YouTube and all sorts of statements on social media. Frankly, I do not know where those people get the time to do what they do. The theme is that all of this is some sort of government conspiracy, it is not real and it is really a huge attack on our human rights; in fact, just last week, we had a musician penning a song that included the words "fascist bullies". That is pretty strong language to apply to people who are trying to do something good, something to save lives. To go back to the point about human rights, the most basic human right is the right to life, and that is what this is all about and what we all should endeavour to protect.

There has been a lot of talk this morning about how complicated the regulations are. People are saying, "They are complicated. I don't understand them. I need more clarity". I do not think there is anything complicated about it. When I was bringing up a young family and we had a open fire in our living room, I did not need a statutory regulation to tell me to put a fireguard on it to protect my children from falling into the fire. It is called common sense. The virus is out there. It wants to kill people. It is killing people. We have heard about the disastrous situation in the two hospitals. There may well be other hospitals affected before this

is all over, and there may well be dozens or hundreds of people this winter who will die as a result of the virus. What is complicated about trying to stop it in its tracks? What is complicated about using a bit of common sense? Why do we all need to be told and to have it spelt out to us what we can do and what we should not do and when we should do it? It is common sense.

Mr McGrath said that he had put something on social media and a lot of people were saying that they did not want regulations. I suggest that the people who do not want regulations are maybe the type of people who are invading sports pitches or maybe the type of people who, even as we speak, are organising house parties for this weekend. Maybe they are the type of people who are running mad around the Holylands. Those are the sorts of people who do not want regulations and who do not care about the rest of us. They have no sense of civic responsibility. If they did, they would not do what they do.

We also hear about the way that the regulations are getting pushed through quickly. I understand that. We keep saying that, in normal times, we would not tolerate certain things that are happening. We all know that, when a law goes through the House, it is a laborious, lengthy journey from start to finish. We are producing laws here and pushing them through in hours and then coming back a fortnight later and changing them, because that is the nature of the emergency that we find ourselves in.

I am not going to defend the Executive: they should be here this morning to defend themselves.

Mr Gildernew: Will the Member give way?

Mr Chambers: Yes.

Mr Gildernew: I am just reflecting on what you said about these being common sense. It needs to be said that, while there are elements of common sense, we must be conscious that we are asking the public to do things that are extraordinary. These are unprecedented times, and we should not minimise or dismiss the impact that it is having on the public. We should provide a clear rationale and provide them with the support that they need.

Mr Chambers: I will address that later.

In yesterday's debate about dementia, the Minister or Mr Dickson — I cannot remember which — said that it was good that we were in

the House talking about something that affected every home and talking about our personal experiences. The public sometimes think that we sit up here in a bubble and do not really know what is going on out there, but, in the dementia debate, we all had personal experiences to talk about. It is the same with the virus. The Ministers and Members are not sitting up here trying to find ways to make life difficult for the public. I will always remember my days in local government, when we had to make hard decisions around increasing the rates. People would say, "Why are you doing this? What is your rationale?", and my reply used to be, "I am a ratepayer. My family are all ratepayers. I am not doing this to make life awkward for anybody. I am certainly not a turkey voting for Christmas". That is the case here: we have to make regulations that we do not like, and they affect our families and our way of life too.

Mr McGrath: Will the Member give way?

Mr Chambers: Yes.

Mr McGrath: On the Member's point about the rates, I am sure that the response would not have been, "The reason that we are increasing the rates is that it is common sense". You would have put together an argument for it. I think that, on the point that you make, we are all on the same page, just coming from different directions. If we have to have the regulations, clearly articulating why we have them and what they are might stop a lot of people out there who are confused and do not understand the rationale automatically going to the fourth base of "Nah, we do not want any of it". It is about that clear message. If we could get to that, it would be much more helpful.

Mr Chambers: I rather despair of anybody who does not understand how serious the situation is and what their civic responsibilities are. I really despair for those people.

We had a situation in which the junior Ministers used to come to the Chamber to present the SRs. That reflected more evenly and fairly the fact that decisions on the creation of the SRs are Executive decisions. This morning, the Health Minister, who is in the middle of fighting a pandemic and is helping to fight it with a dedicated staff around him, has had to come and do something that the junior Ministers could maybe have done on his behalf. The Executive Office withdrew that. I am not sure why. I have asked a number of questions for written answer to establish why that is the case, but it is what it is.

I want to go on to some of the comments that Members have made. At the start of her speech, Ms Bradshaw indicated that her party supported the regulations but went on to point out many of the shortcomings and contradictory parts in them in relation to face coverings in restaurants and shops and all the rest of it. At the end of the day, it was an Executive decision and the Alliance Party has a Minister on the Executive. You cannot have it every way. Ms Bradshaw also talked about confusion and clear messaging. I remind her that, back in June at the Health Committee, she said:

"We are pretty much through ... the pandemic".

That was on the record at the Health Committee. We are supposed to provide leadership, and people in the House have called for leadership. I suggest that that was quite irresponsible leadership, and I am glad that, on that occasion, the Minister and the Chief Medical Officer called her out on that. We still have not had an apology for that or a retraction of that remark.

Mr Deputy Speaker (Mr McGlone): We talked earlier about affording a bit of latitude, and I have afforded quite a bit of latitude —

Mr Chambers: I ask the Deputy Speaker to show the same latitude to me as he has shown to others.

Mr Deputy Speaker (Mr McGlone): If you reflect on your comments in Hansard, you will see that I have done exactly that. If we could, perhaps, move back again, please.

Mr Chambers: OK. I will refer to some of the other comments that have been made.

Mr Gildernew talked about spending money and asked how much had been spent on advertising and stuff. I will comment on that in a moment.

Mr Sheehan commented that the Ulster Unionist Party was protecting its Minister. There are a couple of issues there. I remind Pat that, just one week after the Bobby Storey funeral, he said at the Health Committee, "Let's move on. Let's put this behind us". That was one week after the funeral, when the consequences and the outcomes of it, in medical terms, would not have been known. As to spending money and advertising, the Executive and the Government could spend millions on advertising, but the events at that funeral would have totally neutralised any message and any amount of money that was spent on messaging.

Senior Ministers, the deputy First Minister, MLAs and MPs attended that funeral in complete contradiction of all the regulations and advice. We need to get real on these things.

The Member talked about protecting the Minister, but I do not think that the Minister needs protecting.

If people think that my job on earth is to protect the Health Minister, I say to them that it is one of the easiest jobs that anybody could ever be given, because I think that the public agree, the media agree and, begrudgingly in the House, even we agree that he is doing a great job.

12.00 noon

Mr Deputy Speaker (Mr McGlone): I call Doug Beattie. Doug Beattie?

Mr Beattie: Sorry, Mr Deputy Speaker. You were speaking into my bad ear.

I thank the Minister, Robin Swann, for being here today. I do not care whether people think that I am here to protect Robin Swann. I will say, and I will say it with facts, that Robin Swann as a Minister has been in the Chamber far more than any other Minister. He has answered questions for oral answer far more than any other Minister. He has responded to motions far more than any other Minister. He has attended Adjournment debates more than any other Minister. He has given detailed answers. He has taken —

Mr Sheehan: Will the Member give way?

Mr Beattie: Not just yet, Pat. In a wee while.

He has taken the criticism in here, online and elsewhere. He has fronted up at the media briefings. He filled the gap when the First Minister and the deputy First Minister had a spat and could not. Moreover, he has done all of that while he deals with the legacy of the crisis in our health service.

Now I find out that the Health Minister sits on the Executive enforcement working group while the Justice Minister does not. Let this sink in: during this unprecedented crisis, the Justice Minister does not sit on the enforcement working group. That laissez-faire approach to COVID-19 by the Justice Minister is genuinely shameful, and people need to be calling her out for it. Not only should she be on that working group but she should be chairing it. Pat, I will give way to you now.

Mr Sheehan: Thanks very much for giving way. The Ulster Unionists should not get too defensive about the allegation that was made earlier on. It was a light-hearted comment. There is no need to get so defensive. Robin has done a reasonably good job. I would be the first to say that. I congratulate him in particular on his decision to call a public inquiry into the events in Muckamore. That was a very good decision, so well done.

Mr Beattie: Pat, thank you for your support of the Ulster Unionist Party. It is always very welcome.

I will add to what my colleague said. We now have the Health Minister having to move these regulations, whereas once it was the two junior Ministers. The Executive Office, with four Ministers, therefore no longer take responsibility for this, but the Health Minister does. As has been said, a lot of these regulations come from the Executive, and they are proposed by the Executive Office. Thank goodness that the Ulster Unionist Party climbed out of the trenches and over the parapets and took up the Health portfolio while the rest of —

Some Members: Hear, hear.

Mr Beattie: — the parties turned their noses to the wall.

At the end of this crisis, Robin Swann will be able to stand tall, euphemistically. *[Laughter.]* Others will be looking at their dereliction of duty. There are some, and I have pointed one out.

There are many who will complain about the regulations, and they have the right to complain. Everybody has a right to complain. Everybody has a right to give a point of view. It is easy to create a scenario to unpick the regulations. We could all do it, and that is what people are doing. They are creating outlandish scenarios purely to unpick the regulations. There are those who do not like wearing face masks. I do not like wearing a face mask. There are those who will say that face masks do not help. I disagree. I will be clear: if, by wearing a face mask, I stop just one person — just one person — from getting sick, I will wear a face mask. If, by wearing a face mask, I stop any elderly people being frightened or concerned, I will wear one. I say this to everybody: it is a matter of discipline; have it in your pocket; put it on when you need to; show some discipline; wear a face mask.

We have talked about messaging. Everybody is absolutely right. I do not think that I can argue

with anyone here about the messaging not being right. Some of the decisions that are coming from the Executive are confusing, but, please, everybody, do not focus your eyes on the Health Minister. Focus on the Executive, where we all have a Minister, and on the Executive Office who should be driving —.

Mrs Cameron: I thank the Member for giving way. We are getting very defensive over the Health Minister — I have certainly defended him much over the past number of months —

A Member: Hear, hear.

Mrs Cameron: — but the responsibility for actions during the pandemic falls across the Executive, all Ministers and the House. Does the Member agree that it would be more useful to ask people to keep sharing the message, because it changes daily, as we understand it must, to deal with the pandemic? The most useful action, today, to address the confusion, would be for the deputy First Minister to apologise for her actions at the Storey funeral, show the public that it was the wrong thing to do, prove and show that she is sorry, and for other Members to do the same, and to say that the right thing to do is to abide with the regulations and guidelines.

Mr Beattie: I thank the Member for her intervention. She is right: the crux of the problem is that some of our politicians have given ammunition to the people who are trying to undermine our Health Minister. However, I say this — in the most gentlest way — to my friend, and to all those on this side of the House: Sammy Wilson is a disgrace. He is an utter disgrace for the way in which he has undermined our health message. He has an opinion —.

A Member: Will the Member give way?

Mr Beattie: Just a minute. As an MP, he must be careful, because he is an influencer and he has damaged our message. For reference, Sammy can put a mask on, go into a shop, buy an ice cream, step outside, take off the mask and eat his ice cream. It is P1 common sense. That is the fundamental problem.

Mr Catney: Will the Member give way?

Mr Beattie: Just a minute, Pat. I have said that to this side of the House, but I look to the other side of the House. How embarrassed must you be talking about these regulations when your leader — your deputy First Minister — has been

called before the police to account for her actions with regard to COVID regulations. If the police find that she is guilty of any wrongdoing, she must resign, because we cannot pile bodies higher due to COVID-19 because of the actions of Michelle O'Neill. Get the moral courage to tell her that. I will get the moral courage, and I will tell her. Pat.

Mr Catney: I wanted to respond to what you said about Sammy, but it is also relevant to what you have just said. It should be all sides of the House. I am supportive of what you said concerning Mr Wilson, and anyone else who lapses or breaks the law.

Mr Beattie: Pat, you are right. I will finish. The tenor of what I have said has been argumentative — I get that — but I have a real, fundamental problem with the fact that, at this time, we are still sniping at each other. We are all in defensive mode, and I accept that I am too. We are in defensive mode, because people took us down that road. However, it was not our Health Minister who took us down that road. People need to step back. I am happy to step back if others step back. People need to account for themselves and for what they did to exacerbate this health crisis.

Mr Allister: Any nation, after six months, would have difficulty in holding matters together in respect of the draconian measures to which we have been subjected. I do not think that there is anything surprising about that. Of course, the aggravation is quite distinct in this part of the United Kingdom as to why it is difficult now to hold things together.

There are three reasons. The first was touched upon. Put simply: once more, yesterday, we had a law-giver giving out the law who is a law breaker. Dress it up and duck and dive as much as you like but that is the inescapable reality. When Michelle O'Neill stands behind any podium, particularly upstairs, and pontificates about what needs to be done, and what regulations are going to be made, she utterly lacks any credibility. It is not just she who suffers the lack of credibility; in consequence, the regulations that she makes suffer a lack of credibility because she is the law-giver.

We all know that Michelle O'Neill has no apology to make for breaking the regulations. She has had ample opportunity on no fewer than two occasions. I presented her with the opportunity in the House yesterday to apologise for breaking the law — but no, she has a higher loyalty to something much more nefarious. That is the first fundamental underminer of these

regulations, and it is not going away. Sinn Féin may wish it away, they may try to talk it away, but it is not going away.

The abiding issue when it comes to the saleability and credibility of these regulations is that she who made them did not keep them. Unless and until that issue is addressed, regulations from that source will never carry any credibility. I pity the Health Minister in those circumstances because he is doing his best but doing so with an Executive who have undermined him, through the deputy First Minister, from those early days. No matter with what diligence and sincerity the Health Minister seeks to convey his message — and I do not agree with it all, by the way — much of it is washed away by the actions of a deputy First Minister who gets into her official car, whose junior Minister gets into his official car, whose Finance Minister gets into his official car, whose Communities Minister gets into her official car, and all, at public expense, travel to a funeral where the law is to be flouted.

Then we are surprised that there is a leakage in public confidence, and slippage in adherence to the very regulations from that source. That is the first remediable reason — but, as yet, unremedied reason — why any regulations on COVID are fundamentally undermined.

12.15 pm

The second reason that the regulations are undermined is the inherent absurdity that lies within some of them. We had an example again last night. You cannot go to your children's houses or your parents' houses, but you can go to a pub. You cannot meet those whom you can trust as to how they conduct themselves, but you can meet in a wet pub with 100 people whom you know nothing about. That is so inherently absurd that it undermines the message. Of course, when I listened to the deputy First Minister this morning, for what it is worth, she seemed to be telling us that students who party all week in the Holylands can go home at the weekends and live in the family home over the weekend but the grandparents of that family home, who keep themselves to themselves and are no risk to anyone, cannot go to the same home. If the deputy First Minister is right in her interpretation of regulations that, it seems, she drafted, that is equally absurd. It is the absurdity of those aspects of the regulations that undermines their credibility.

The third thing that undermines the stickability of the regulations is whether there is the necessary proportionality between the

regulations and the reality of the disease. Surely, the restrictions that you bring in should be proportionate to the number of deaths and the number of hospital admissions, not the number of cases. Happily, there are many people who, while not happy that they are contracting COVID, are happy that it is not overly affecting them. There are many cases, but there are very few, relatively speaking, hospital admissions and, happily, even fewer deaths. Should the proportionality not be between the number of deaths and the number of hospital admissions — remember that the restrictions were initially to protect our health service — and the severity of the restrictions, instead of the severity of the restrictions being linked to the number of cases?

That brings us to another issue. When we hear all the statistics promulgated and are told that, in so many weeks, there will be so many cases, are we getting the worst-case scenario again? Remember that we got the worst-case scenario six months ago: 15,000 dead. We were never told what the best-case scenario was, and, to date, we have worked out much closer to it than to the worst. Are we again getting the worst-case scenario with concealment of the best-case scenario? I am not sure that you can do that twice and hold public credibility.

There has to be a particular focus on two things. Those who are evidently vulnerable need that ring of steel of protection, and those who flagrantly breach the law need to find no mercy, be that in the Holylands or Healy Park, which, I note, the Chairman of the Health Committee boasted of attending on Sunday. He talks about example and common sense. I am not saying that he was out in the middle of the pitch, but he was there. Then, he comes to the House and tells us about leading by example.

Mr Gildernew: Will the Member give way?

Mr Allister: Certainly.

Mr Gildernew: The Member should check his facts before he comes to the House and makes assertions. I was not at the game.

Mr Allister: Sorry?

Mr Gildernew: The Member should note that the GAA makes a fantastic contribution to our communities. If he takes a look at Dungannon's COVID response, he will see that Thomas Clarke's club provided assistance to vulnerable people throughout the pandemic.

Mr Allister: The Member says that he was not there. Why, then, did he tweet the following:

"I didn't get a ticket for Healey Park today"
—

sorry —

"so decided to head to #dungannon park instead"?

Sorry. My apologies. It is a different place. However, it was still a public gathering. Was it sensible to be at a public park? I do not know what happened at Dungannon Park, but we certainly know what happened at Healy Park. The Member is quick to defend the GAA. It was GAA supporters who gathered on the ground at Healy Park. It was GAA supporters — part of the outreach, I suppose — who went into the pubs of Dungannon to sing IRA songs. There was not much social distancing there. Therefore, although I misspoke about which park the Member was at, I make the point that, if we are going to talk about personal responsibility and leading by example, that is exactly what we should do. That should lead a Member such as Mr Gildernew to be unequivocal in condemning the gathering on the pitch in Healy Park, the gathering in the pubs, the singing of the songs and the spreading of the virus.

Mr Deputy Speaker (Mr McGlone): Just one moment, please. The Member has repeatedly made known his concerns about that, so they do not need to be rehearsed a number of times. I would prefer it if the Member moved back to discussion of the regulations.

Mr Allister: Mr Storey will bring me back to that.

Mr Storey: I thank the Member for giving way. We have heard a lot of eulogies about the fantastic work that the GAA has done in our constituency — that of the Health Minister, Mr Allister and me — but, for completeness, will the Member add to his list the most disgraceful display that we had in Dunloy when Dunloy beat Loughguile at hurling? There was a band parade — the irony of it — in Dunloy for which — thanks to confirmation from the Parades Commission — there had been no notification or 11/1. Not only did they flout the health laws in Dunloy at the party that they had — it is on social media — they also flouted the laws that they, in that very village, tell us that we must keep. The hypocrisy of the Members opposite bears no resemblance to reality. It is shameful. I

ask the Member who represents the area to comment.

Mr Allister: Mr Storey's point is well made. It cries out for an answer. I do not hear one.

The fundamental at the end of this is that, in a society that is threatened, as we undoubtedly are, there has to be a bounden, compelling personal responsibility on every citizen. Every citizen is capable of catching the virus, and therefore every citizen must take their own defences. Of course, those who do not threaten everyone. The Minister has an uphill battle of a home-grown variety in the Executive: home-grown by the deputy First Minister and home-grown with muddling regulations.

Mr Carroll: Since rushing to reopen the economy prematurely and force thousands of people back into work, the political establishment here has engaged in a blame game that seeks to scapegoat ordinary people for the spread of COVID in order to cover up their own failures. Recent changes seem to be, at least partially, about shifting blame for the spread of COVID away from the Government and onto individuals' behaviour and the sphere of people's private lives. It reaches the point of absurdity when, for example, MLAs are up in arms about COVID spreading in homes with more than six people while forcing thousands of people back to work and doing nothing about clusters in workplaces. Where is the evidence that COVID spreads in living rooms but not on shop floors or in workplace canteens? I put that question twice last week to the First Minister, who did not give a clear answer or provide the evidence. I am glad that the Health Minister is here, and I hope that he can shed some light on that question.

The regulations essentially say, "Don't visit your grandparents but take them anywhere you want as long as there's a till to spend money". It is so farcical that it defies description. Such hypocrisy is not only unfair; it is dangerous, because it feeds the worst elements of the scepticism about the health advice on COVID.

The recent spread of the virus is a failure by this establishment not by ordinary people. When we had infection rates down to controllable levels, the Chamber lifted restrictions on workplaces and opened the door to a second wave; indeed, since the onset of the crisis, ordinary people generally have been ahead of the Government. They forced the shutting of schools when Ministers refused to act, and, in some workplaces, at the start of lockdown, workers walked out of their jobs to protect themselves. The level of communal and

community solidarity with workers and the vulnerable has been remarkable throughout the crisis. Almost every day since, we have seen examples of the hypocrisy of the Government in dealing with the virus starkly contrasting with the efforts of communities and front-line workers. In the final instance, the Government are ultimately about prioritising the needs of profit and capital over people's health, from people being told not to visit family but to get back to work to employers cramming workers back into unsafe working conditions, poor people being forced to choose between poverty and risking their health, financial provisions being stripped from people, the elderly dying in care homes and politicians flouting —.

Mrs Cameron: I thank the Member for giving way. Is he saying that schools should not be open, that the economy should not be open, that the health service should not be open and that we should all stay at home and wait for the virus to pass?

Mr Carroll: I thank the Member for the intervention. I did not say that the health service should not be open: it needs to be open to treat people.

Mrs Cameron: Workers?

Mr Carroll: Workers, obviously, have been working. The point that I was making, if the Member had listened to what I said, was that the Education Minister refused to act and workers and parents were forced to act to protect people and stop the virus spreading in schools. He failed to act and was forced to do a U-turn. Since then, he has been forced to do four or five U-turns. That was my point.

The hypocrisy fuels the worst reactions against the health advice. It is no accident that, around the world, the far right is hitching itself to conspiracy theories on the threat of COVID, from Trump in the US to the small but dangerous fascist and far-right groups here in Ireland. The question of masks is crucial, because, while DUP Members in the Chamber attack students for having parties, we have the likes of Sammy Wilson, a man who holds a PhD in political ignorance, dismissing our medical doctors and undermining the most basic health advice on masks.

People like Sammy Wilson are a disgrace, and they are playing with fire and risking lives.

12.30 pm

Mr Deputy Speaker, should people be made to wear a mask in any and every circumstance? Of course not; however, I firmly believe that wearing a mask is an act of solidarity with my fellow human beings and that workers have a right to work as free as they can from the dangers of being affected by others. That includes bus drivers and retail workers. Buses, trains, shops and hospitals are all someone's workplace. People may have a right not to wear a mask in an abstract ontological and theoretical sense, as well as if they have underlying medical conditions, but they do not have a right to enter workplaces without one and put workers' health at risk. You can smoke to your heart's content, but you do not have the right to smoke in a confined workplace and possibly damage the health of others with second-hand smoke. This is not about the narrow confines of individual rights versus society; it is about class politics. Therefore, I appeal to people to respect workers and to wear a mask.

Finally, Stormont and Westminster have so far failed to deal with this crisis, but working-class solidarity and struggle with people coming together can help us to get through it and to build a better world after it.

My final, final point is this: I will echo the points that were made about the notification that we received last week that Department of Health officials may not be able to attend future briefings of the Health Committee. That is a disgrace. Whenever I ask questions — other Members can speak for themselves — about some of the SRs and some of the changes, I think that there is often detail that we do not get. We need more info. Sometimes we get people who can answer questions; sometimes we get people who do not answer them or are unable to. If the Minister can address that concern and assure us that somebody will be there to address the changes to the regulations in the future, that would be helpful.

Dr Aiken: I rise, of course, to support our Minister, because he has one of the most difficult jobs anywhere across these islands. Everybody can agree that he has been exemplary in how he has carried out his duties.

Let us go back nine months. Nine months ago, at the beginning of this year, nobody, apart from a few people in China, knew that COVID was on its way or of the implications that it would have. COVID is a pandemic. It is a completely unexpected event. It is an event that had the potential to significantly disrupt the global system, stop globalisation and create enormous

health issues. Every single one of those things has come to pass.

The efforts that have been made and that need to be made to enable us to deal with this have been complex, because nobody has had to deal with something like this in over a century. The implications for everybody in Northern Ireland are huge. There are implications for those many small businesses and self-employed entrepreneurs who have no access to the £53-odd million that the Economy Minister handed back to the Finance Minister and for those in schools who cannot understand from one day to the next what the particular rules and regulations are going to be and how they will follow them. There is confusion out there, and there is confusion because we are dealing with a situation that none of us has had to deal with before.

If we go back to the Belfast Agreement, when we decided to re-establish democracy and devolution here in Northern Ireland, we see that we are supposed to be allowing the people of Northern Ireland, through the Assembly and the Executive, to take responsibility for their life where they have to. One of the most significant issues that we have had to deal with is COVID. The health of our people is the most important thing that we all have to realise and support. A fully joined-up approach needs to be taken to the health of our people, and that means a joined-up approach across all the Ministries. When we were talking about the Holylands yesterday, we heard a Justice Minister decide that she was not accountable or responsible for anything. We have seen a deputy First Minister — I am not going to go on about this, but it must be said — fundamentally undermine the message that we need to get across about following rules and regulations. There is one job for a leader, and that is to lead, but there has been a massive failure in leadership.

The Executive Office, which has two First Ministers in the First Minister and deputy First Minister and two junior Ministers, seems to be incapable of doing even the most basic administration to bring these issues to the House for us to debate. Every issue that has "health" in it seems to reside purely with the Health Minister. Those of us who have heard debates in here since we came back in September know that everything seems to be the Health Minister's responsibility. Although we, in the Ulster Unionist Party, would quite like to go back to running Northern Ireland again, I am pretty certain that everybody else in the Assembly wants to see all political parties working together to make the situation work. Everything seems to be headed in the direction

of the Health Minister, but the reality is that this is the responsibility of the Executive Office. If it were not the responsibility of the Executive Office, why did the First Minister and deputy First Minister decide to make sound bites yesterday and present press conferences? Why did they appear in the media? It seems that, if there is a situation that they want to gain something from, they take their opportunity. If there is something that is difficult or fundamentally unpopular, who do they give it to? They give it to the busiest person and the hardest-working Minister in the entire Executive: the Health Minister. I know that he is well up for the job, but that is not what should be done. If the two junior Ministers are not capable of doing it, maybe we should do a bit of saving, take their money — I think that their combined salaries are £110,000 a year, plus a bit of pension money — and use it for something more appropriate, such as supporting our health workers. If the Executive Office is unable to deliver, what is going on?

I appeal to every political party that has Ministers sitting round the Executive table: get together, get out there and get the message out there. Everybody is sniping about bits being confusing. What is confusing for the people who will, very shortly, go to ICU and have tubes put down their throat? What is confusing for the elderly people — many of us have elderly relatives — who are going to have to shield again and are raising concerns? Why can people who seem to be bright enough to be selected to go to university in Northern Ireland not understand even the basics of keeping socially distanced? Why is that the responsibility of the Health Minister and some other politicians? Why is that not the responsibility of the individual, who is bright enough to pass GCSEs, AS levels and A levels and get to university but cannot even be bothered to read a government website?

We, as politicians, have a responsibility to make sure that our message is clear and that there is no confusion. Above all, we have a responsibility to show leadership. We need to tell the people out there who think that they can flout the rules and think that, somehow, they are immune from COVID that they cannot and are not. I say again: if they are capable of going into an off-licence and buying beer and then joining with other people, they are more than capable of reading the government regulations. For once, they should stop putting themselves first and instead put the people of Northern Ireland first, which is what our Health Minister has done.

Mr Swann: I welcome today's debate on the five regulations and everything else that was discussed. I thank the Members for the contributions that they made.

We all want to see a return to a more normal way of living, but, unfortunately, that has been disrupted, once again, by the recent increase in cases. As Members will already be aware, our R rate is now above 1; the transmission of the virus will increase, resulting in more cases, hospitalisations and deaths. The greater the value that R is above 1, the more rapid the increase. It is predicted that it will not be long before we see pressure on our hospital system and an increase in deaths. Our seven-day incidence, which is based solely on new positive cases, is now at 53.4 per 100,000 people. Our 14-day incidence is 85.9 per 100,000 people. Community transmission remains widespread, associated with multiple small clusters rather than a small number of larger outbreaks. Unfortunately, much of the transmission is still occurring between small social or family gatherings and casual mixing between households. As I have stated previously, I will not step back from wider or stronger restrictions should they be required.

I now turn to some of the points that Members made during the debate. I will focus, in particular, on aspects relevant to the regulations but also cover some of the wider contributions.

In his opening comments, the Chair of the Health Committee acknowledged the five regulations that have been brought today. I thank the Chair, his Committee members and the staff of the Health Committee for the work that they do in scrutinising and taking forward these regulations. I can provide the clarity that Mr Carroll was seeking in regard to a comment that I am led to believe that an official made. Officials will be made available for the Health Committee as we take forward any change in regulations; I can give that commitment. I think that it was a misunderstanding from the official that I do not want to be expanded. The officials who are working through these regulations are a small team within my Department who have taken on an increasingly high level of work over the last number of months.

In his opening comments, the Chair also acknowledged the transition — Ms Bradshaw acknowledged it as well — from our No. 1 regulations to the No. 2 regulations and what was prohibited rather than what was prescriptive. We had seen in the debates on the regulations that, in light of ever-increasing changes and amendments, the No. 1

regulations were becoming unwieldy, so it was right to completely rewrite those. However, the important thing, which has been raised by a number of contributors, is that these will be in place only for as long as they are strictly necessary. At this minute in time when we see an increase in the number of cases of coronavirus, they are necessary.

A number of Members referred to the consistency of public messaging. That is vital. It has been raised numerous times in here, and I will comment later on a number of specifics that Members raised. We need that consistent, clear message.

As the Chair and many Members raised, we also need compliance and enforcement. For these regulations to be credible, they need to be enforced. That will mean actions being taken that will not be politically palatable to some in the House and they will not be palatable to many of the public on social media. However, if we are to be serious about the enforcement of these regulations and the steps that we need to take, those actions will need to happen.

Mr Gildernew then spoke as health spokesperson for Sinn Féin. I share his thoughts. There is not a normal way of doing business. That change and adaptation that we have seen across Northern Ireland in the past number of months is not something that we can go back to easily or quickly. However, vitally, we must reinforce the message that I gave. It is a message that all in the House should be sharing no matter what they think of these regulations or the guidance that comes from my Department. Social distancing, good respiratory hygiene, good hand hygiene and wearing face coverings works. It worked to get us to where we were in July and August. We did that collectively, and I ask that we get back to that point now. These regulations are there to protect our loved ones. That is where I come from in drafting them, delivering them and even standing here today in the House supporting and moving them.

The Deputy Chair of the Health Committee, Mrs Cameron, opened her comments on the importance of the return to school and that very clear message about school settings. It is crucial that we acknowledge the challenges that that has put in place for all those who work in our education system as much as our health system.

The challenge that it has presented to parents, as in Mr Sheehan's example, of whether their child needs a test has been replicated across this country. Access to testing was not good

enough. We have been working, and continue to work, to make that better. However, his experience, the example that he gave to the House, shows the importance of our health service in supporting parents to get their children back to school. We all know the importance of education.

12.45 pm

On the questions specific to bubbles, what is permitted is bubbling with one other household. The maximum size of that household is six. It is a restriction. It is a restriction on the way in which we want to interact. I challenge the narrative, "We can't meet in our house but we can meet in a pub". When we bubble to support those who need care, including childcare facilities, it can be done. However, it must be done responsibly. Families who bubble can be in only one bubble. You cannot be in multiple bubbles. When you come together to form that one unit, whether for support, healthcare or childcare, it must be done with consideration and care for the entire bubble. I will give way to Mr Allister.

Mr Allister: I am grateful, because it is important that there is absolute clarity about this. Is the Minister saying that the bubbling from six o'clock is exclusively for the purpose of giving support and not bubbling just because you want to visit the person? Is that right?

Mr Swann: I thank the Member. The guidance is on nidirect, as it has been since we brought in the first restrictions. There is bubbling with one other household. The bubbles are for caring responsibilities, including childcare, and support services. A bubble is not just for social interaction, because that is where we are seeing the spread of the virus.

When I first brought in regulations and said that they were draconian, Mr Allister gave us a history lesson on who Draco was. I do not want these regulations to be in that place. They are for a short, specific period. We do not know how long that will be, but I sincerely hope that it will not be for the same period as the first regulations. At first, these regulations were introduced by postcode. That is when we thought that there was an opportunity to manage the situation through that process. In the past number of days, in the BT43 area of Ballymena, which a number of Members represent, we started to see a small decrease in cases. So, we can see that these actions work. What we also started to see, unfortunately, was the spread of positive cases across the entirety of Northern Ireland, which

meant that that specific geographical restriction was no longer of benefit.

Mrs Cameron's reference to the enforcement of and compliance with these regulations was repeated across the House. That is why I was fully supportive of the establishment of the Executive group on compliance and enforcement. So far, it has met twice and focused solely on what happened in the Holylands. That remit needs to be wider now. We relied so much on the goodwill of the people of Northern Ireland to respect and enforce the first set of regulations. I think the people need to see that we are willing to step up and bring to bear the weight of the law that is behind the regulations on enforcement and compliance.

Mr Colin McGrath raised the need for a united Executive approach. I could not agree more. It makes my job so much easier. At times, it is much more challenging because we are in that unique situation where we have a five-party Executive. Will there be confusion? Will there be complications? Yes, it is in the nature of our politics. As Health Minister, I cannot afford to allow that confusion to take over the message that comes from our Public Health Agency, our healthcare sector and our health workers. That message, to me, is vital and paramount.

Mr McGrath was the first Member to say that the message was confusing. I say to Members of the House who go down that line: look for the answers; search nidirect. Mr Butler, who is not in the Chamber, said that when questions came into his constituency office, he sought the answers for people from the question and answer section of the nidirect website. To me, explaining that message is part of a public representative's job, because these are not easy messages to give out. Our first message was easy: stay at home. That was the easiest message to convey to everyone at one time.

However, we now have a more nuanced response to COVID-19 where we look for the exceptions, we look for clarity and we look to provide additional freedoms to those who need them, but we place additional restrictions where they need to be enforced. That is why this set of regulations, and the set that will be introduced from 6 pm tonight, is simple in what it wants to do. However, when we get multiple questions such as, "Does this mean I can do this?", it takes time to go through the multiple layers of what the precise implications are. Our team is not the same as those in other national Governments who are making regulations. However, these regulations have the same

requirements and purpose at heart: to save the lives of the people of Northern Ireland.

Mr McGrath: Will the Minister give way?

Mr Swann: I will give way.

Mr McGrath: We are all coming from the same perspective on this. However, having the opportunity to ask questions is critical. The answer you have just given to Mr Allister contradicts what is on the nidirect website. The website says that you can have a social bubble and, in the next line, that you can go into a house for the purpose of childcare, and that it is not the same thing. We need to tease out that information because the public will read that and get confused. It is good to talk and ask questions if we are in the Chamber, and if you cannot answer them then your officials will know exactly what questions we will email to you at the end of the sitting, which would be worthwhile.

Mr Swann: If it was about social bubbles for their own sake, that would defeat our purpose of trying to prevent the spread of the virus. This virus does not spread itself: we spread it. So the number of interactions that we have in a day increases the possibility of this virus spreading. If we all take time and think about where we are going to be in the next seven or 14 days and cut down the number of interactions, we cut down the opportunities for the virus to spread. That is what the regulations are about. I will repeat this again: it is about support for our loved ones, our families and also the healthcare workers.

When Members commentate in the media that people feel confused, let us be careful that we, as politicians, do not insult the general public of Northern Ireland. Mr Butler also made this point. When the general public of Northern Ireland see and hear these messages, some understand them. For the most, they understand and comply with the messages, as they did in July and August. Again, I thank Mr Butler for his support.

In an intervention, Mr Sheehan said that it was good to see the Ulster Unionist party circling its wagons around me. Trust me, I was leader of the party for two years and it was not always so, Pat. *[Laughter.]*

Dr Aiken: We love you. *[Laughter.]*

Mr Swann: I will move on to Ms Bradshaw's contribution. I share her concerns about the risks associated with student and multiple

occupancy households. I am disappointed that our students have ignored all of the health messages and held house parties in the Holylands area of Belfast. However, I do not think that they represent young people across Northern Ireland who have made sacrifices to protect their families and friends. The scenes that were witnessed in the Holylands demanded swift and coordinated action by the relevant authorities, the city council and the universities. I am glad that the PSNI have moved in and have started to take those actions. Mr Aiken also made the point that it is necessary for those people to realise the implications of their actions, but I do not want young people to be the scapegoats for an increase in COVID-19 in Northern Ireland. That is why I also welcomed the establishment of the Executive working group to tackle the enforcement of the regulations to ensure compliance.

I apologise to Pat Sheehan for what he and his family had to go through. I apologise to all those families across Northern Ireland who found themselves in a similar situation when it came to testing. Testing is at the forefront of how we defeat the virus and how we arrest that second challenge. We have been working with our colleagues in the Department of Health and Social Care (DHSC) on the specific issue of postcodes, so I am surprised to hear about the Newry situation. We were told that that has been sorted because it was all to do with postcodes and the closest testing unit. People in the east of the Province were being sent to Stranraer because the computer said that that was the closest testing site without realising that there was a body of water in between. My Welsh colleague, Vaughan Gething, was seeing the same thing there because the computer was sending people across the Bristol Channel. I was assured that that had been addressed, but I will pick up on that.

I will now turn to the opportunity for further exploration of issues with Community Pharmacy. I want to take time today to commend the work that is being done across our health and social care system, including by Community Pharmacy and those people who stepped up at the height of the pandemic to make sure that there was access to a supply of medication and that prescriptions were delivered. They went the extra mile for many small local communities.

Órlaithí Flynn talked about face coverings and while we have been in here, I have had guidance from the Chief Scientific Adviser. A face covering means a covering of any type that covers a person's nose and mouth; so, a face shield may be used as a face covering.

However, we advise the use of cloth face coverings as they provide better protection from the risk of the COVID-19 virus. The face shields may be used and that is recognised in the regulations.

Mr Deputy Speaker (Mr McGlone): I am sorry, Minister, but I am going to have to interrupt you. The Business Committee has arranged to meet at 1:00 pm today. Therefore, I propose, by leave of the Assembly, to suspend the sitting until 2:00 pm. The first item of business when we return will be Question Time. This debate and the Questions on the motions will resume following the question for urgent oral answer.

The debate stood suspended.

The sitting was suspended at 12.58 pm.

On resuming (Mr Deputy Speaker [Mr Beggs] in the Chair) —

2.00 pm

Oral Answers to Questions

Justice

Paramilitarism/Organised Crime: DOJ Update

1. **Mr Allen** asked the Minister of Justice for an update on her Department's work in addressing paramilitarism and organised crime. (AQO 709/17-22)

Mrs Long (The Minister of Justice): Members will be aware that, while the Executive action plan is co-ordinated in my Department, the programme is a cross-Executive one. The five-year funding period for the Tackling Paramilitary Activity, Criminality and Organised Crime programme ends in March 2021. Consistent with commitments in 'New Decade, New Approach', the Executive have confirmed their support for an extension of the programme contingent on financial support from the UK Government.

Good progress has been made, but we must do more. Lessons learned from the first phase underline the enduring, pervasive nature of paramilitarism and the need for a long-term, genuinely collaborative approach. Extending the programme will facilitate a renewed focus on keeping people safe from harm by building resilience and creating fairer, safer communities free from paramilitarism, criminality and coercive control and, at the same time, help to ensure the success of the wider Executive objectives. Planning for the new phase is under way across the Executive. The newly reconvened political advisory group, which I chair, will provide fresh political leadership on those important issues and ensure that the programme and Executive actions are focused on delivering a positive impact in communities.

As part of that wider Executive effort, my Department is pressing ahead with legislation on committal and the commencement of the Criminal Finances Act 2017. Two public consultations are also under way: one on legislative proposals for new organised crime offences and another on a new multi-agency draft strategy to protect individuals, communities and businesses from organised crime.

Mr Allen: As the Minister is well aware, paramilitarism and organised crime have affected far too many lives across Northern Ireland. Organised crime bosses prey upon many of our impressionable young people and get them to do their bidding. What engagement has the Minister had with her colleague, the Minister of Education, around creating an education programme to prevent our young people getting caught up in organised crime and paramilitarism?

Mrs Long: Clearly, diverting young people away from the criminal justice system and tackling the underlying vulnerabilities in the community is something that the Education Minister, the Health Minister, the Communities Minister and the Executive Office are engaged in as part of the programme. It is hugely important that we look not only at education to build resilience but at the community conditions that lead to people being vulnerable to paramilitary activity and being vulnerable, as the Member rightly says, to exploitation and abuse by those behind paramilitary organisations.

Mr Givan: The Minister knows that paramilitaries seek to exert control in many facets of our society and, indeed, in our institutions. She will be aware of the ongoing efforts at Maghaberry prison at Roe House. Efforts are being made to hold a mass protest outside Maghaberry prison on Saturday. Will she assure the House that, in no circumstances, will any protest or 24-hour camp be facilitated within the compounds of her facilities at Maghaberry prison? In doing so, she can be assured of my full support in stopping it.

Mrs Long: The Member refers to the situation that has developed in Maghaberry over recent weeks. It is important that I clarify the situation in respect of that before I move to his substantive point.

Members will be aware that there are prisoners in the republican separated unit at Maghaberry who are refusing prison food. We are now at approximately day seven of that protest. It is in response to the fact that a prisoner had to be removed from the prison for medical treatment and, on return, had to go through the normal COVID procedures of entering an isolation unit for two weeks. The situation has developed in protest at that.

We put the safety of our prisoners and staff at the forefront of all we do in the prisons. It is hugely important that we keep COVID out of the prison, and, for that reason, it is vital that

people go through that process. Over 1,000 prisoners have gone through that process already, and we have been very successful in that only one prisoner has tested positive for COVID.

I am aware of the protest. We will liaise with the PSNI and other statutory agencies to ensure that it is handled appropriately.

It would be inappropriate for me to give guarantees ahead of those discussions on what may or may not be the appropriate way forward. As with all protests, the focus will be on ensuring that public order and life are protected throughout all stages of the protest. We will liaise with the police to ensure that those living in the immediate area and those going to and from the prison for work or other purposes are not disrupted.

Dr Archibald: The Minister's original answer referred to a "collaborative approach". Will she confirm that community involvement in the development of strategies to tackle paramilitarism and organised crime will be at the centre of her Department's approach to the issue?

Mrs Long: It is hugely important that the tackling paramilitarism programme has been successful to date in building those bridges into communities and working with local communities in how we develop our proposals. The political panel gives an added impetus to that in that there is political leadership, elected by communities, to oversee what happens and to feed back into those communities the sort of actions that we want to take.

It is hugely important work. It is not just about punishing those who are guilty but about building resilience in communities so that they can resist the lure of paramilitarism and have full confidence in the police, the councils, the Housing Executive and Members of this place to help them in their resistance to paramilitary activity, which damages their local community.

Mrs D Kelly: Tackling criminality and paramilitarism is not just down to the Minister's Department. I declare an interest as a member of the Policing Board. The Minister may be aware that the director general of the National Crime Agency (NCA) is due to give an updated report to the Policing Board in December. Will she support the Policing Board in calling for the NCA to start to target, in particular, organised criminal gangs that might be below the threshold at which the NCA gets involved in

organised crime elsewhere? It is imperative that those resources are available to us.

Mrs Long: In answering that question, I first pay tribute to the PSNI and the NCA for their excellent work in tackling organised crime. Over recent weeks and months, they have had major successes that we should welcome.

I certainly have no issue with the NCA working in close cooperation with the PSNI under the scrutiny and direction of the board in how they want to go about their work. It would be inappropriate for me to give direction on operational policing matters, but they are well aware of the priority that I place on tackling paramilitarism and organised crime. I think that most people in the House and an increasing number of people outside would readily admit that, in many cases, there is a paper-thin distinction between those who are engaged in organised crime and those who claim to be paramilitary organisations.

Mr Deputy Speaker (Mr Beggs): I advise Members that question 3 has been withdrawn.

Drug Misuse: East Antrim

2. **Mr Hilditch** asked the Minister of Justice what action her Department is taking to address drug misuse in East Antrim. (AQO 710/17-22)

Mrs Long: My Department is working on a number of levels to address the issue of substance misuse across Northern Ireland. In partnership with the Northern Ireland Policing Board, we provide funding for policing and community safety partnerships (PCSPs). Those partnerships, in each district council area, have a lead role in identifying and addressing community safety and policing issues. The PCSP covering East Antrim has identified drugs misuse as a high priority and is delivering various initiatives to tackle misuse, including the provision of information and support to those at risk in order to raise awareness of the effects and risks of using and misusing illegal and/or prescription drugs. The PSNI is also involved in the delivery of a multi-agency drugs strategy in the mid and east Antrim district. That ensures that collaborative working is in place and that there is information sharing on threats, harms and risks so that they can be identified and enforcement action is taken against those intent on harming our communities. Since the introduction of the strategy in the mid and east Antrim district, PSNI supply and possession detections have increased. The PSNI is also referring more people to the relevant agencies to help them to get the support that they need

to deal with the root causes of their vulnerability. That multi-agency approach also enables a range of support services to be directed to those identified as vulnerable and in need of protection. The Executive action plan for tackling paramilitary activity, criminality and organised crime supports a number of projects operating in mid and east Antrim to address the harm caused to communities by paramilitary organisations, and the paramilitary crime task force (PCTF) is a specific resource that is focused on tackling the criminality associated with paramilitary groups, including the supply of drugs. Finally, the successful operational partnership working of the drugs subgroup of the Organised Crime Task Force was very clearly demonstrated only last week, when the PSNI, National Crime Agency and other partners successfully removed £1 million of cocaine from the drug supply entering Northern Ireland, disrupting the activities of that group of criminals.

Mr Hilditch: I pay tribute to those who are working on the front line in a difficult situation.

Anyone who watched the local news last night will be aware of the specific difficulties that criminal gangs bring upon East Antrim. The area is currently awash with the drug MDMA. There have been serious incidents involving young people, and we are lucky that we have not had a fatality. If it had not been for the emergency services, there may well have been at least two fatalities. Will the Minister use whatever influence she can bring to bear to rid our communities of these criminal drug-dealing gangs?

Mrs Long: The Member has my assurance on that regard. I want to see those drugs off our streets, and I want to see those who are vulnerable supported in such a way that they are no longer vulnerable to those who deal drugs on the streets. It is clear that, for many young people, even one experiment with drugs can end in tragedy. It is important that we get the message out that there is no safe amount of drugs that people can take. There is no safe threshold for experimentation with drugs. Young people should not risk their lives. People who are feeding that habit and feeding those drugs to young people need to take responsibility and be dealt with proportionately.

Ms Rogan: As the Minister will be aware, drug misuse affects all communities in all constituencies. Often, it derives from a more deeply rooted cause. That was recognised with the introduction of a trial of the substance

misuse court. Can the Minister give an update on that court?

Mrs Long: The substance misuse court is one of a number of opportunities that we have taken in the Department to try to tackle the causes of crime as well as the outworkings of it in the community. It provides an opportunity, as a problem-solving court, to pilot more innovative ways forward and to address those issues. The substance misuse court is part of an overall strategy that is there to help individuals tackle the issues directly or indirectly associated with substance misuse.

We also have support hubs, enhanced combination orders that operate in specific areas, a family drug and alcohol court that is currently being evaluated and the mental health court, which is currently subject to a scoping study. We are finalising a draft problem-solving justice five-year strategic plan based on evidence from the independent evaluations of those initiatives that includes consideration of options for their roll-out to other areas to produce the right outcomes for individuals, families and communities.

Mr Beattie: Having received another phone call this morning from the police outlining a new threat against me from the south-east Antrim UDA because I dared challenge them about their drug activities in that area, I ask the Minister to confirm absolutely that any of those people who are arrested for drug offences will not find themselves in a separated prison regime?

Mrs Long: First of all, I condemn those who are behind the threats against the Member. It is completely unacceptable that any Member of this or any other House, is subject to threats by illegal organisations for speaking their mind and representing the people who elected them to do so. I find it particularly invidious when they are being threatened for standing up for the rule of law. I condemn those who are behind those threats and offer my support to the Member in question for what he has been put through on the issue.

With respect to the allocation of people to the separated regime, as the Member is well aware, the decision on whether a prisoner enters the separated regime is not one for the Department of Justice; it is a decision that is made by the Secretary of State according to the rules laid down by the Northern Ireland Office. The duty of the Department of Justice is to support those in our care once they have been committed to our care.

Brexit Transition Period: DOJ Preparations

4. **Mr Muir** asked the Minister of Justice for an update on her Department's preparations for the end of the transition period in December 2020. (AQO 712/17-22)

Mrs Long: My officials are working at pace with law enforcement partners, other Northern Ireland Executive Departments and the UK Government on operational readiness to ensure that my Department and our justice partners are as prepared as we can be for the end of the transition period on 31 December.

Relations between our Northern Ireland justice agencies and their counterparts in Ireland are also good. However, a non-negotiated outcome remains a possibility, and there remain unresolved issues around what measures will be available to law enforcement partners to tackle pan-EU crime and cross-border crime in Ireland.

2.15 pm

Until we have more clarity on the outcome of the negotiations, and until the outworking of the Northern Ireland protocol is fully implemented, we will be unable to prepare fully for exit from the transition period. The Internal Market Bill, recently introduced at Westminster, has created further confusion and uncertainty. The UK Government's intention to undermine the withdrawal agreement and the Northern Ireland protocol has the potential to impact upon the negotiations on the future security partnership with the EU. That is to be regretted.

I met the Home Secretary on 10 September, and, as part of a very constructive meeting, I took the opportunity to reinforce that a lack of detail about the negotiations and about the implementation of the Northern Ireland protocol is hampering our ability to plan fully for exit from the transition period.

Mr Muir: I thank the Minister for her response. The clock is ticking to the end of the transition period; we are running out of time. Does the Minister agree that lack of agreement thus far on data adequacy and civil justice measures poses a real risk?

Mrs Long: The Member is correct: there is currently no agreement on data adequacy. I have reinforced to UK Ministers the need for measures to mitigate any negative impacts that

might arise from a loss of unrestricted cross-border data flows.

Data sharing is crucial to law enforcement in Northern Ireland, particularly in tackling cross-border crime. It also underpins many of the EU criminal justice tools and measures relied on for the detection and prosecution of pan-EU crime. I am concerned about the potential loss of access to those justice measures that support the fight against such crime. Loss of access to vital tools such as the Schengen information system (SIS2), the Prüm Convention, and the European criminal records information exchange system (ECRIS) would be detrimental, with the potential to seriously compromise Europe-wide investigations. Therefore, adequate, efficient and effective data sharing with EU countries in the future will be vital in maintaining operational capacity, particularly with Ireland. The PSNI share and receive data with other law enforcement partners daily. We have been engaged with Home Office colleagues to ensure that that future security partnership will be able to take things forward.

With respect to the issue of civil justice, it is being negotiated not as part of the future security partnership but as part of the wider trade negotiations, and, as such, is not a priority for the UK Government at this time.

Mr Sheehan: Gabhaim buíochas leis an Aire as ucht a freagra. I thank the Minister for her answers so far. Brexit will probably mean the loss of access to some of the important EU justice and security cooperation mechanisms. I wonder, in the light of that, whether the Minister has had any meetings with her Southern counterpart. If so, can she detail what those meetings have been?

Mrs Long: I thank the Member for that question. I have, indeed, had discussions with Minister McEntee, and, obviously, Brexit is one of the issues that has been highlighted. It is also worth Members noting that should the future security partnership not be agreed, as it is coupled at present with the trade negotiations — both have to be agreed for either to be implemented — we would be entirely reliant on the protocol to be able to negotiate bilateral arrangements with Ireland in order to move forward. Therefore there are challenges if we do not have the protocol, in that we move back to the cliff edge.

There are about 40 EU justice and security measures that would fall under a no-deal Brexit. Their loss would impact significantly on the ability of the UK law enforcement agencies to

address pan-EU crime, including cross-border crime on this island.

Mr O'Toole: It seems, from what the Justice Minister is saying, that we face a crisis at the end of this year in law enforcement if we crash out without a deal. Will the Minister confirm that the protocol does not cover justice and security measures? Will she further confirm that her permanent secretary told the House of Commons Select Committee this time last year that not having the European arrest warrant would increase the burden on law enforcement agencies to swap information across the border? Will she further raise as a matter of urgency at the North/South Ministerial Council the need to ensure that we have adequate protections in North/South law enforcement on 1 January next year?

Mrs Long: There are a number of threads to the question. First, the future security partnership is making much better progress in negotiations with the EU than the trade partnership appears to be making at this remove. The future security partnership is in everyone's interest. Much of the crime that we have in Northern Ireland is not generated here; equally, crime that is generated here can happen anywhere in the rest of the EU, so there is mutual benefit to us finding an agreed way forward. The difficulty comes if it remains coupled to the trade negotiations and those trade negotiations are unsuccessfully concluded, because we will end up with neither a trade agreement in place nor a future security partnership. It is true to say that, if we do not know exactly what the trade arrangements will be, we risk creating a much more complex landscape for our justice agencies, because we will have layers of non-compliance, from those who are ignorant of the requirements on their business, to those who are deliberately ignoring the requirements on their business, to those who are in the black market. What we do not want to do is punish people who genuinely want to comply with the law by creating any grey areas and forcing them into an area of non-compliance.

It is a hugely important and serious issue. We could end up in a situation where, for example, European arrest warrants and other key tools that we have been able to use have to be renegotiated under bilateral agreements with each individual country, if we are not able to do that as part of the overall agreement that is reached with the UK at that level. I do not believe that that is a helpful way forward. We have those tools in place. I think that our focus has to be on getting an agreement on, if nothing else, the future security partnership so that we

can at least secure the future and make our population feel safe, even if we do not get to the point where we have an agreed trade agreement.

Mr Deputy Speaker (Mr Beggs): I encourage Members to continue to rise in their place if they still have a question to ask.

Miss Woods: Can the Minister outline what budget has been allocated in the Department of Justice to address Brexit issues and whether any funding issues have arisen in the last couple of months?

Mrs Long: I do not have figures to hand on the amount allocated so far to EU developments, but I know that, at the moment, we do not have any additional budget issues. However, we, as responsible account holders, have raised with the Department of Finance the potential for this to become a very expensive process if we end the transition period without an agreement, because, obviously, it will become very difficult and, potentially, more cumbersome for law enforcement agencies as well. At this point, we are not in that situation. As you know, Brexit issues are being handled separately from the normal Budget, so it is not causing pressures in the Department's budget at this point.

Legal Costs

5. **Mr Frew** asked the Minister of Justice what plans she has to support those facing the cost of professional legal representation due to repeated legal action by an ex-partner. (AQO 713/17-22)

Mrs Long: Legal aid for some family cases is subject to a means test and a merit test, which means that there are circumstances when only one parent will be entitled to legal aid. There are, however, a number of protections in place to reduce the potential for abuse. When considering a legal aid application, the Legal Services Agency may consider an applicant's legal aid history and other factors such as inter-party correspondence, information from the instructing solicitor and previous proceedings or court orders. Anyone concerned about the use of legal aid funding in a case can also write to the agency. It is also possible to make an application to the court, or for the court, of its own motion, to make an order preventing further applications for contact or residence without leave of the court. While it is important to have those checks in place, it is equally important to recognise that parental disputes that revert back to court can involve a degree of acrimony that makes it unlikely that

arrangements for children will be sustained. Supporting relations between parents is key to avoiding that acrimony and the potential negative and financial consequences of parental disputes. I am working with the Department of Health to consider actions that might be introduced to improve outcomes for families and children.

Mr Frew: I thank the Minister for her response. This encroaches on the issue of access to justice for many people, and I understand that. Given the fact that some use court as a weapon against an ex-partner by running down their resources and savings, which can hurt and affect children in the short term and long term, is there anything that the Minister's Department and the court processes can do, apart from what she has outlined here, to protect those people who find that their, in many cases, lifelong savings are dwindling? Is the Minister actively looking at her Domestic Abuse and Family Proceedings Bill to try and achieve something in that regard?

Mrs Long: Of course, the Member is right. All of us, as Members of the Assembly, will have been approached by parents who believe that there are vexatious returns to the family courts to try to exacerbate loss of income and earnings and the cost of legal representation. To be clear, the family courts, in general, are supposed to be there to try to get mediated solutions, and should not be a combative place. However, you are correct that, once somebody has legal representation, things will dramatically escalate. The merit of applications and how they progress is a matter for the judiciary and they are best placed to assess the need for an adjudication and to manage how parties engage to guard against such vexatious behaviours. In considering applications relating to children, the paramount consideration under the legal framework — The Children (Northern Ireland) Order 1995 — is the welfare of the child. The impact and the degree to which litigation furthers child welfare will inform those judicial decisions. It would, therefore, be very difficult to develop an alternative framework for moderating the exercise of parental rights and responsibilities or preventing applications being issued. However, as part of the work that we are doing around the Domestic Abuse Bill, you will be aware that we want the family courts to be able to take cognisance of the fact that, if someone has had a conviction, under the Domestic Abuse Bill, that should be taken into account when they are making their decisions.

Ms Flynn: Does the Minister have any plans to reform the legal aid system?

Mrs Long: The legal aid system was extensively reformed by David Ford, during his tenure as Justice Minister, and it is not my intention to undertake major reform of the legal aid system at this time. However, there are some areas of legal aid that do require further consideration and the Department is taking those forward at the moment to ensure that the system is fair and accessible to those who need it, but also that it does not create the sorts of disparities and issues that Members have already referred to during this session.

Mr McNulty: Further to Mr Frew's question and supplementary question, what protections are in place to protect someone who has been subjected to persistent unfounded legal action?

Mrs Long: I have already referenced that the judge can, of their own volition, decide that the case is vexatious and can make an order that, for any further hearings to be brought before the courts, they will require leave of the court to do so. If that is not happening as a result of the judiciary acting independently, the person who feels that they are being vexatiously pursued through the courts can, of course, appeal to the judiciary; they can write to them to ask them to do that.

Antisocial Behaviour Review: Update

6. **Ms Sugden** asked the Minister of Justice for an update on the antisocial behaviour review. (AQO 714/17-22)

Mrs Long: My Department carried out a consultation in 2018, inviting public opinion on a number of legislative proposals aimed at addressing antisocial behaviour. A full summary of responses was published on the Department's website in December 2019. Since then, my officials have established a multi-agency review group to consider the effectiveness of current antisocial behaviour legislation in managing antisocial behaviours, as well as any new legislation that may be required. In parallel, my officials have commenced a scoping exercise to identify, where possible, an evidence base that will indicate how successful some of the proposed legislative measures, as introduced in the Anti-social Behaviour, Crime and Policing Act 2014 and as set out in the consultation document, have been. Recognising that legislation alone will not resolve this issue, the review group's work is also seeking to inform discussion on the barriers and solutions to managing non-legislative responses to antisocial behaviour, including greater use of preventative and early

intervention initiatives to address behaviours and any structures to allow for partnership and collaborative working.

Ms Sugden: I thank the Minister for progressing this really important work. Does she have capacity in her legislative programme to strengthen the law in this area before the end of the mandate?

Mrs Long: It is very important to say that responses to the consultation were very mixed. There were no conclusive areas where everyone agreed that we should take forward additional legislation, which is why the cross-sectoral working group has been set up. As a result of that, there is some complex work going on to develop an evidence base. It is, therefore, unlikely that we will bring forward new legislation in this mandate to deal specifically with antisocial behaviour. However, the non-legislative approaches, which I have referred to, may be able to take that forward.

2.30 pm

Mr Deputy Speaker (Mr Beggs): That is the end of our time for listed questions to the Minister, and we now move on to topical questions.

Illegal Dumping: Border Areas

T1. **Mr Boylan** asked the Minister of Justice what action she has taken to prevent illegal dumping in border areas. (AQT 401/17-22)

Mrs Long: Responsibility for illegal dumping lies primarily with the Department of Agriculture, rather than the Department of Justice. However, there have been a number of operations that have taken place jointly over many, many years, particularly where that illegal dumping is also related to organised crime or other illegal activity.

Mr Boylan: I thank the Minister for her answer. I believe that there is an area in Newry and Armagh which is known as the Carrigatuke viewpoint, which is at Fews Forest. There have been a number of dumpings over the last number of years, but more so over the COVID period, and commercial waste has been involved. I ask the Minister to engage with her Southern counterpart and the Agriculture Minister to try to prevent that kind of illegal dumping at Fews Forest.

Mrs Long: I will be more than happy to do so. It would be helpful if the Member could write to

me giving more detail of the particular allegations. I can get those followed up with the Department of Agriculture and, indeed, on a cross-border basis.

Contempt of Court

T2. **Ms P Bradley** asked the Minister of Justice, while following up Paul Frew's question and referring to questions that she has previously asked the Minister, whether a more streamlined contempt of court system could be introduced, given that, especially during the COVID restrictions, with the issues going on and on and on, the time during which absent parents cannot see their children is growing longer. (AQT 402/17-22)

Mrs Long: The first thing to say is that the handling of individual cases is a matter for the judiciary and not something in which I can intervene. When cases take slightly longer than is perhaps ideal, that is not something on which I can intervene personally. However, we are making every effort, given COVID, to recover the system as rapidly as possible, and we have focused on those areas where there are particular harms that could accrue from not being able to access a judgement.

As you will be aware, earlier during the coronavirus crisis the Lord Chief Justice's office published guidance for families who are struggling with family contact in order to put in place measures where they could actually seek the support of the judiciary where orders were being broken. These are very sensitive matters, and they require sensitive handling. I understand the point that is being made, but it is really for individuals who find themselves in that situation to pursue that with their own solicitor and with the judge who is in charge of their case.

Ms P Bradley: I thank the Minister for her answer. On the second point that Mr Frew made about the Domestic Abuse and Family Proceedings Bill, we know that at Westminster children are part of their domestic abuse Bill. We also know that, for many parents out there, there is good reason why an absent parent should not be seeing their children; there certainly is good reason behind that. However, for many there is no good reason. Will the Minister look at that in the domestic abuse Bill? Not seeing their other parent is abuse against a child.

Mrs Long: There is obviously an issue where the court has already made a ruling. I think it would be fair to say that relationships between

parents have already broken down, and so the children are already disadvantaged in that regard. It is much to be preferred if, at the break-up of a relationship, parents can work together in the best interests of the children and form a cooperative relationship at that level. Once it gets to court, things always get more fraught, and that is part of the challenge that we face.

With regard to the domestic abuse Bill and children, we do have issues. Children are an aggravating factor within the Bill; if a child is exposed to domestic abuse in the home, that will be taken into account. We have also listened very carefully to the Committee with regard to the importance of the family courts, recognising that where someone has, for example, been found guilty of a domestic abuse offence in the past, that should be considered in looking at things like child contact and how that may be arranged. However, as I said in answer to Mr Frew earlier, it is hugely important that we recognise that the family contact arrangements that are operating in the courts are there for the benefit of the child, and solely the benefit of the child. Often they are not welcomed by the parents, but they are there in the best interests of the child and protecting their access to both parents.

Charlotte's Law

T3. **Mr Muir** asked the Minister of Justice, given that she will know that Lisa Dorrian's family is from North Down, and that she will have received correspondence from that family and from the family of Charlotte Murray as part of their campaign for Charlotte's law, for an update on her position on the proposal to change the law. (AQT 403/17-22)

Mrs Long: I thank the Member for the question. First, anyone who has heard the story of Lisa Dorrian and of Charlotte Murray will recognise the huge pain and the added anguish that not knowing where their remains have been laid creates for the families as they deal with their grief. I had planned to meet Charlotte's and Lisa's families prior to COVID restrictions being introduced, but those meetings have had to be postponed. My office has been in recent contact to try to reschedule those meetings as soon as regulations and guidance permit us to do that.

I acknowledge that such matters are routinely considered by the Parole Commissioners for Northern Ireland when assessing prisoner suitability for release on licence. However, I have already commissioned a focus consultation with key stakeholders on Charlotte's law, or Helen's

law, as I think it is known in England, to run in parallel with finalising the outcome and next steps flowing from the sentencing review, including legislation where that is appropriate. As part of that, I have asked my officials to very urgently engage with the Parole Commissioners and with other stakeholders, and I will give detailed consideration to the way forward in light of those discussions. There is an Assembly motion scheduled for next week seeking the introduction of legislation similar to Helen's law, so I will also be listening to that debate very carefully and reflecting on the points made there as we seek to take this forward.

Mr Muir: I thank the Minister for her response. The body of Lisa Dorrian has never been recovered to date. There is a bench in Castle Park in Bangor in memory of Lisa, and one of the hardest moments for me is when people ask what the bench is for. It is to remember somebody whose body has never been found. Will the Minister join me in encouraging anyone with any information whatsoever to bring it forward to the police so that we can enable the recovery of Lisa's body?

Mrs Long: I have no hesitation whatsoever in doing so. It is part of the grieving process for any family that has been subjected to such a traumatic loss to be able to bury the remains of their loved one and also to be able to revisit their grave, to be able to spend time there and to come to terms with the loss that they have suffered. To not only rob a family of their family member but to rob them of that opportunity for grief and for healing is, I think, a despicable act. I encourage anyone who can help any family in that situation to come forward and be of assistance.

Case Processing Times

T4. **Ms Sheerin** asked the Minister of Justice for her assessment of the findings of the statistical bulletin published last week by her Department on case processing times for criminal cases dealt with in courts in 2019-2020. (AQT 404/17-22)

Mrs Long: I think that everyone will recognise that this has been an incredibly difficult period for the court system, and it has been a challenging period for us in being able to take forward the normal justice system. We have had to work through that, and we now, as you know, have been able to restart work on jury trials. We have also now been able to start to reopen courts in addition to the first one that reopened in Laganside last month. We are

intent on being in a position to start to deal with the backlog, but there are many moving parts to that. It requires the cooperation of the police, the PPS and the judiciary itself in scheduling those cases. We are working through that, and, thankfully, to date, through the Criminal Justice Board, we have been able to achieve a stable way of going forward.

I think that the criminal justice system has had to respond very rapidly and innovatively, because we need to maintain confidence in the system not just with our own staff but with the public who use the system and those who are in our care. We are looking at a model for when backlogs will be cleared so that we can give people some certainty around that. In general, there is clearly a significant backlog, but it is one that we are determined to try to work our way through, and we are using some innovative means, including looking at alternative venues, to be able to expedite that process, particularly focusing on those vulnerable victims for whom long waits may lead to higher attrition rates with those convictions.

Ms Sheerin: Minister, thank you for your answer. Although on paper there is a 10.8% decrease in the median time taken for a case to be dealt with, in reality, for most Crown Court cases, the average reduction was only from 866 to 861 days, which is not much of an improvement for victims. Will the Minister take steps to ensure a significant improvement in these case times?

Mrs Long: Post-COVID we expect those times to increase and I think that that is the reality of where we are at. I think that we were very fortunate going into the crisis that we had had that 10% reduction in terms of with regard to case progression. It is also worth noting that in the autumn I intend to bring forward a committal reform Bill, which should expedite the system and allow for cases to be heard much more quickly than is currently the case. The Assembly and the Committee will have an opportunity to scrutinise that Bill, and hopefully not before too long.

Interfaces: North Belfast

T5. **Mr Humphrey** asked the Minister of Justice, after associating himself with the Minister and Mr Muir's remarks about the Dorrian family — indeed all families who find themselves in that dreadful situation — whether she agrees that interface structures, whether gates, walls or fences, can be removed only with the support and agreement of the community on either side, given that she will

know that there are more interfaces in North Belfast than in any other constituency in Northern Ireland and that, in a normal society, we would want those interfaces to be removed. (AQT 405/17-22)

Mrs Long: We in the Department are committed to working on interface structures and, of course, not all of them are in the ownership of the Department. We are committed to working with people on the ground to build the trust and confidence that is necessary. I think that we also need to be honest and to say that we cannot always wait for the slowest moving part to agree to those interface barriers and structures being amended and changed, because to do so would mean that no change would ever happen. There is, of course, anxiety when we remove those structures because people rely on them for a sense of safety and security. Therefore, it is important that, as we move towards the removal of structures, we bring the community with us, and also that we put in place alternative mechanisms for people to deal with their anxieties and with community and dispute resolutions in a way that is more constructive than perhaps has been the case in the past.

Mr Humphrey: I thank the Minister for her answer. The Minister used the word "trust" but in many cases that trust is not there for very obvious and understandable reasons. I thank the Minister for her words but there can only be — and we will only support — the removal of those structures if that trust is there in both communities. I want to see society normalised as much as the Minister does, absolutely. Last night I visited lower Oldpark where three homes have been attacked in the last eight days — there have been sustained attacks on that community. People are very nervous right across North Belfast, where we had a very difficult summer, and the Department and the police must take those views, concerns and fears into consideration.

Mrs Long: I thank the Member and I assure him that we absolutely do take those fears into consideration. We also have to be conscious that this is not a normal society — much as we wish that it were — and we recognise that there are huge anxieties which stem from historical — and also current — incidents of intercommunal violence in those neighbourhoods. We always try to proceed with the precautionary principle in that we want people to be confident and to feel safe in their homes. That is the purpose of the work that the Department does and I assure the

Member that people's fears will not be disregarded by my officials.

Prisons: Segregation

T6. **Mr Nesbitt** asked the Minister of Justice what actions she is taking to address the inconsistency of the fact that, as party leader, she opposes segregation, division and duplication and, yet, as Justice Minister, she presides over segregated prisons. (AQT 406/17-22)

Mrs Long: There no inconsistency because I inherited a system seven months ago that is as it is, and it is my duty to ensure that everyone who is committed to our care, whether they in the separated system or they are in the main body of the prison, are properly cared for, and that responsible measures are put into place to take care of them. I, like the Member, would like to see an end to separation because I recognise that it is an anomaly, and an unhelpful anomaly within the system. It is also a costly one, so I by no means try to diminish it. However, I believe that the solutions to separation in the prison do not just lie within the walls of our prison system, they also lie with the community outside.

Mr Nesbitt: I ask again, what steps is the Minister taking to address this issue?

Mrs Long: Again, I remind the Member that the arrangements on separation lie with the Northern Ireland Office and the Secretary of State. When they commit someone to our prisons and to the separated regime then my duty is to ensure that that person's wishes are respected and that the prison system does its job. It is not my duty to direct the Secretary of State.

2.45 pm

Agriculture, Environment and Rural Affairs

Potato Crop: Wet Weather

1. **Mr Nesbitt** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the impact of the recent wet weather on the potato crop. (AQO 724/17-22)

Mr Poots (The Minister of Agriculture, Environment and Rural Affairs): My Department's assessment is that the recent wet weather in August has caused some localised

flooding in parts of the Kilkeel and Newcastle areas and has led to some disruption of blight control programmes and difficulties with the desiccation of potato crops across Northern Ireland. As we now move into the main period for potato harvesting, DAERA staff will continue to monitor the situation as the effects of waterlogging on a potato crop are difficult to evaluate until a number of weeks later, usually at harvest. Furthermore, the DAERA staff will continue to provide technical advisory support to Northern Ireland potato growers to maximise business performance.

Mr Nesbitt: I believe that there has also been flooding on the Ards peninsula, but, of course, flooding is not a responsibility of the Minister's Department. How well does he think the relevant Departments are coordinating and coming together to help the growers?

Mr Poots: Well, thankfully, we have had a couple of weeks of drier weather, and, for some people, potato harvesting has already started. There is an outstanding issue over an EU-imposed obligation that material that was previously used to burn off potatoes is no longer available. That has caused considerable problems in the desiccation of the potato crops. One suggestion was that, if the plants do not desiccate properly and the stem does not separate from the potatoes, the farmers could flail the potatoes, flail the tops. However, the wet weather has a consequence for that, and it is clearly unsuitable to put heavier tractors and flails in to do that. Farmers would not be capable of doing that, so that is a cause of significant concern.

Ms Dolan: Will the Minister update the House on the application for approval for an emergency use of diquat for 2020?

Mr Poots: I have had several submissions on that. I had a conversation yesterday, and I am to receive a further submission today. The chemicals regulation division (CRD) is the advisory body, and CRD has advised that we should not use it at this stage for a number of reasons. It has come from the European Union, in the first instance, that it is not something that it wishes to be used any longer. However, the recommended replacements are not working, and therein lies the problem. When farmers go to harvest their potatoes, they find that it has not done the job properly. Therefore, this year, I need to consider whether I can allow farmers to use diquat as a means to burn potatoes off. That is something that I am giving consideration to. I know that a number of countries in Europe

have already given exceptional consideration to that and have granted its use.

Mr Allister: On the same theme, Minister, I would certainly encourage you to take that step on the diquat. Denmark, Finland and Austria have all given approval. What is the timescale for you reaching a conclusion? Time is now of the essence as far as potato harvesting is concerned.

Mr Poots: As has the Republic of Ireland. Two applications have been made to CRD, and it has rejected both applications. However, it is very apparent that the materials that have been recommended are not fit for purpose for the job that is required. Diquat was not removed from the market because of the danger to consumers; it is more about its users. However, these are all significant issues. There has to be another material found to replace it, and I have to take all those matters into consideration but have asked for further updates so that I can take everything into account and give a final decision on it very soon.

Flora and Fauna: Invasive Species

2. **Mr Easton** asked the Minister of Agriculture, Environment and Rural Affairs what action his Department is taking to address invasive species of flora and fauna. (AQO 725/17-22)

Mr Poots: My Department is aware of the negative impact that invasive alien species (IAS) can cause to the local environment, with an invasive alien species strategy launched by the then DOE in 2013 detailing actions such as targeted eradication, awareness raising, research and development. The ongoing strategy has brought together many different stakeholders, including local councils, NGOs and other Departments and agencies such as the Department for Infrastructure, Forest Service, the Agri-Food and Biosciences Institute (AFBI) and the Loughs Agency to work towards dealing with the threat of IAS.

The Invasive Alien Species (Enforcement and Permitting) Order (Northern Ireland) 2019 came into force in December 2019, giving the Department more effective enforcement powers to take action against 66 species of European Union concern, including 11 widely spread species. The underlying EU regulation not only makes it an offence to permit the spread or release of any of those species but makes it illegal to sell, keep, import, breed or cultivate any of the 66 — 30 animal and 36 plant species — with a special emphasis on the 11 widely spread species. There is now an expectation,

as part of a national obligation, on landowners to manage and remove those 11 species from their land. The Department has commenced working proactively with landowners in relation to the 11 widely spread species, to advise them of their responsibilities and to secure management measures from those landowners on how they plan to manage and remove the species from their land. My officials are currently following up on over 60 of those queries with a variety of landowners, including farmers, business owners, councils and other Departments and agencies.

My Department has also produced multi-agency plans for high-risk species that have not yet arrived in Northern Ireland, such as the Asian hornet, along with pathway action plans with a biosecurity focus to endeavour to close down potential routes for IAS to arrive in Northern Ireland. The Invasive Species Ireland website, managed by departmental officials, provides full guidance on confirming ID, management techniques and legislation, and the associated social media streams provide up-to-date news and information. My Department continues to encourage and fund, via the environment fund and environmental farming schemes, many community groups, non-governmental organisations, farmers and landowners to carry out management and removal of invasive species from their land, prioritising designated and high-value biodiversity sites.

Mr Easton: Will the Minister outline what the Department is doing to help control giant hogweed?

Mr Poots: Giant hogweed was recently designated as a widely spread species (WSS). For WSS, the regulation requires effective management measures to be put in place, so that their impact on biodiversity, the related ecosystem services and, where applicable, human health or the economy is minimised. Management measures consist of lethal or non-lethal physical, chemical or biological actions aimed at the eradication, population control and containment of a population of species of Union concern. My Department is, therefore, being proactive and following up every record of giant hogweed entered via the official monitoring scheme and is requiring detailed management measures to be supplied by all landowners.

Miss Woods: The Minister will be aware of the devastation and difficulties that are caused by Japanese knotweed. Will the Minister outline whose responsibility it is to deal with and remove Japanese knotweed at Northern Ireland

Environment Agency (NIEA) sites, such as Redburn Country Park in my constituency?

Mr Poots: The EU Invasive Alien Species Committee is responsible for the listing of species of Union concern, as opposed to my Department. The EU IAS Committee explains that some well-known IAS are not listed, either because they do not have a risk assessment, the risk assessments do not include some of the information required by the regulation or there was insufficient evidence that the species met the criteria for listing. In this instance, there was insufficient evidence for the committee that inclusion of Japanese knotweed on the Union list would effectively prevent, minimise or mitigate its adverse impact. As a result, the IAS Committee decided that the listing would not be able to make a significant difference to a species that was already so widely spread throughout the European Union.

Mrs Barton: Minister, can you please detail what action the Department is taking to address the invasion of zebra mussels in our inland waterways, particularly Lough Erne?

Mr Poots: Again, all these species are, first and foremost, the responsibility of those who have ownership of properties. The zebra mussel issue has been going on for some time, I understand, particularly in Lough Erne. It is a big problem for boat owners, and it is certainly something on which I am happy to correspond further with the Member.

Plastics: Food Packaging

3. **Ms P Bradley** asked the Minister of Agriculture, Environment and Rural Affairs how his Department will promote a reduction in the use of plastics in the packaging of food. (AQO 726/17-22)

Mr Poots: We must be careful not to demonise all plastic. Plastic packaging has many beneficial properties, such as prolonging the life of food, which reduces harmful carbon emissions from food waste. Plastic packaging not only protects food from damage but is very light and significantly reduces the transport-related climate emissions of the many food items that are shipped around the UK. That said, DAERA has joined the other UK Administrations in becoming a member of the UK Plastics Pact (UKPP). In contributing to the pact, the Department is directly funding the work of its organisers, the Waste and Resources Action Programme (WRAP), to develop and disseminate approaches to reduce the environmental impact of plastic packaging.

Membership of the pact also enables the Department to use its contact networks to share innovations, data, analyses and reports with businesses.

Packaging technologists at DAERA's College for Agriculture, Food and Rural Enterprise (CAFRE) have assisted the local food and drink sector with 50 knowledge and technology transfer projects this year. As well as helping local businesses to select the most appropriate packaging type for their product to optimise its quality, shelf life and cost-efficiency, CAFRE's technologists actively support businesses wishing to explore sustainable alternatives to plastic packaging. CAFRE is working with food and drink processors from the Northern Ireland Food and Drink Association (NIFDA) to facilitate better engagement between the manufacturing sector and policymakers to help create an improved, shared understanding of the use and potential reduction of plastic in food packaging.

A further significant area of work by the Department is on the reform of the UK-wide packaging system, leading to an extended producer responsibility (EPR) scheme. That places responsibility on producers for the full net cost of managing their products once those products reach their end of life. Producers will be incentivised through the introduction of modulated fees to reduce unnecessary and difficult-to-recycle packaging and to design and use packaging that is recyclable.

Ms P Bradley: As a shopper, I am becoming increasingly aware of the overuse of single-use plastics and of aluminium cans that we use every day. We all have a responsibility there.

I notice that Scotland is to introduce a deposit return scheme (DRS) by 2022. When are we likely to see something similar in Northern Ireland?

Mr Poots: My Department has consulted already on a deposit return scheme. We have asked for further evidence and analysis to inform a decision on the way forward. I want to make sure that any deposit return scheme is right for Northern Ireland, draws on the evidence and on what works elsewhere in the world and achieves our goal of reducing litter from drinks containers and improving their recycling. Specific details on a scheme will be developed and presented in a second consultation.

I know that there are concerns in the industry about the DRS. I have seen evidence of other ways of doing it. For example, a barcode could be put on an item. You could then deposit it in

your green bin, but that would mean that it was going to be recycled.

There is potential to do it other ways, such as returning the barcode to reclaim your deposit. It may not be about sending all the material back to the initial manufacturer. There may be other and better ways of doing it.

3.00 pm

Ms Mullan: Considering that, globally, we dump 8 million tons of plastic into our oceans each year and that, unless we act decisively, there will be more plastic than fish in our oceans by 2050, is the Minister willing to go a step further and consider a total ban on all non-essential plastics?

Mr Poots: I would consider it, but, as I indicated in the first paragraph of my initial response to this question, plastics are not exclusively bad. Nonetheless, we need to reduce the amount of plastic that we are using, particularly plastic that is used from virgin materials, and we need to ensure that that plastic is recycled and reused and does not end up in our oceans or landfill. It is important that if we are going to use plastic, perhaps on occasions when there may not be a better alternative, that we ensure that it is used appropriately thereafter and does not end up in our oceans.

Mr McGlone: I thank the Minister for his answer. The thread of what he is saying is that it is important that businesses are informed and incentivised, as is happening, thankfully, through CAFRE. Has he considered the third option, which is where Ms Mullan was taking us, of enforcing a reduction in the use of plastics that are not required?

Mr Poots: Absolutely. That is something that the Department will look at. CAFRE provides the most amazing services to businesses, including in food development. We are privileged to have the facility at Loughry college in Cookstown, which is in the Member's constituency. A lot of work is done there on packaging, because it is critical that we do packaging well and in a way that has least impact on the environment. That is the goal of everyone in the House.

Mr Blair: I thank the Minister for the range of information that has been provided. I do not think that I missed this piece of information. Is there a date or time frame in which we can expect to see a proposed plan to eliminate

plastic pollution, as promised in New Decade, New Approach over eight months ago?

Mr Poots: There is no date as yet, but it is a course of work that the Department is doing. There has been a considerable reduction in the use of single-use plastic bags, for example. I need to consider the reusable bags, because there is a fair bit of evidence that a lot of people are not using them a lot more than once. They may buy a reusable bag but use it only once. I need to look at those issues and consider upping what we are charging for single-use plastic bags, as well as putting an additional charge on reusable bags so that we can encourage people to reduce the number of bags that they use. That has been a big success story so far, and I trust that we can build upon it.

Ms Sugden: Has the Minister considered hemp as an alternative to plastic and an opportunity for farmers to grow a versatile, sustainable crop now that licences are available in Northern Ireland?

Mr Poots: People and businesses are looking at a range of products, including hemp and eucalyptus, and the opportunities that they offer. Some of the alternatives will use huge volumes of water, which is not good, and some will be considerably heavier and therefore have a greater impact on the transport industry, take up more space and, in turn, be less efficient. All those things will be looked at. Some larger companies are working hard to ensure that they can meet their environmental obligations. We will support, chivvy along and encourage — and seek to enforce, where necessary — companies to do their bit to ensure that we produce a better environment.

Mr Deputy Speaker (Mr Beggs): I encourage all Members, and the Minister, to use the microphones so that Hansard can pick up everything that is said, and Members can hear clearly.

At the commencement of Question Time, I omitted to advise Members that questions 6 and 9 have been withdrawn.

Air Pollution: Impact of Homeworking

4. **Mr Carroll** asked the Minister of Agriculture, Environment and Rural Affairs whether his Department has carried out an assessment of the impact that homeworking has had on air

pollution in our towns and cities. (AQO 727/17-22)

Mr Poots: Apologies, Mr Deputy Speaker. I like to look at the person who I am responding to.

My Department continually monitors the quality of air across Northern Ireland. That includes monitoring pollutants such as particulate matter and nitrogen dioxide. Given the respiratory nature of COVID-19, my officials continue to monitor air quality levels across Northern Ireland on a daily — and, if necessary, hourly — basis. Where necessary to protect public health, a high air pollution alert is issued.

Throughout the lockdown period, officials provided weekly updates to the departmental operations centre and to the Committee, as required. Officials are working with external contractors to look more closely at the trends in pollutants during lockdown to consider the relevant atmospheric chemistry and reactions that occur between pollutants, and to assess the extent to which any changes brought about as a result of lockdown, such as an increase in homeworking, have had any influence on trends in air quality.

My officials will continue to monitor the data collected. I encourage everyone to download the new Northern Ireland Air app to receive the most up-to-date information on the quality of air across Northern Ireland.

Mr Carroll: I thank the Minister for his answer. I hope he agrees that homeworking, although forced upon us because of the pandemic, is, potentially, hugely beneficial in dealing with transport and associated air pollution problems, which kill too many people in my constituency, and in other constituencies, every year, especially when it comes to those who are able to work from home and prefer to do so. Will the Minister, with his Executive colleagues, commit to exploring the benefits of allowing people to work from home in the long term if they so wish?

Mr Poots: What has been forced upon us, in terms of people working from home, has demonstrated that there was a much greater opportunity to work from home than was recognised before COVID-19. It is important, however, that people are brought back to their places of work, where it is possible to do that safely. Even in the Departments, by not having as many people in our offices, we are not fulfilling our roles just as well as we otherwise would. At the same time, there are massive opportunities for people to be at home for two,

three or four days a week. That will, obviously, have significant benefits in reducing travel, pressures on the roads and all of that.

I am totally with you on people working from home but not to the detriment of the service that they are providing. Government and, indeed, others need to reflect on that.

Dr Archibald: Although the pandemic has been an international tragedy, one side effect has been a brief reprieve for the environment. Global carbon emissions fell by as much as 17% at the height of lockdown. Greenhouse gas emissions are predicted to be down by as much as 8% over the year. What steps are you taking, with your Executive colleagues, to ensure that we do not lose some of those gains as we restart the economy?

Mr Poots: As part of my green growth strategy, we will look at all opportunities where we can support businesses and agriculture to continue to grow but in a more sustainable way. I want to see growth on the one side and a reduction in emissions on the other, so that we are reducing greenhouse gases and the carbon that goes into the atmosphere whilst allowing growth to take place. That is essential for our economy and it is essential for our young people as they go out looking for jobs. We cannot go backwards and be regressive when it comes to creating opportunities for our young people to get jobs here. It is important that, on the one hand, we get that growth but, on the other hand, seek to challenge issues around the environment.

As part of the green growth strategy, we will be setting up — I will certainly be requesting that it is set up — an inter-ministerial group that will oversee that. Through that group, we will work appropriately with the other Departments to ensure that we have a cleaner and greener Northern Ireland going forward. We should all aspire to that.

Mr Catney: I have seen this at first hand because my children have been lucky enough to be able to work at home. Does the Minister intend to encourage and support working from home as we try to recover from the COVID-19 pandemic?

Mr Poots: The Government's instruction remains that people should work from home if they can, and many people across the Province continue to do that. On the one hand, I am very supportive of people working from home, but I also want to ensure that we get 100% productivity, and, for many people, that will be

case. However, in some areas, it is a little more difficult if we do not have people in offices. With some of the services that we provide — for example, DAERA Direct offices — we need people in offices to provide that face-to-face service, with social distancing and all of that. That is critical going forward.

Ammonia Emissions

5. **Miss Woods** asked the Minister of Agriculture, Environment and Rural Affairs for an update on his Department's work to reduce ammonia emissions. (AQO 728/17-22)

Mr Poots: My Department is developing a comprehensive strategy to address the ammonia challenge. The draft strategy will propose a series of farm measures to reduce ammonia, conservation actions to improve the condition of habitats, and a revised operational protocol for the assessment of air pollution effects. We intend to publish these proposals for consultation soon.

Miss Woods: I thank the Minister for his answer. The Minister stated in AQW 256/17-22:

"The Department's current operational protocol for the assessment of impacts of ammonia emissions"

was based on

"best practice guidelines ... rather than on specific legal advice."

Is the Minister confident that the policy in question and his instruction to Shared Environmental Services (SES) on how to assess ammonia from any potential development are lawful under the EU habitats directive?

Mr Poots: I believe that they are, yes, particularly in the light of the fact that we are working extremely hard to bring forward proposals that will, in actual fact, reduce ammonia. In instances where ammonia could actually be reduced because a new building was replacing an older building and better practices were in place, SES was arriving at decisions and refusing those proposals. That was entirely illogical, because you were getting an investment in a business and reducing the ammonia coming out of that business but the business was still getting a refusal. That type of thing has to be knocked on the head. We are working to ensure that, over the next number of years, we will see real reduction in ammonia.

Why continue with a planning procedure that is not working when you have the opportunity to put in place something that will work? I would have thought that the Member from the Green Party would want to ensure that we have a better environment and would be supportive of what we are doing in this instance, because we are working to ensure that we get a significant reduction in ammonia.

I should add one other thing in reference to our peatlands and bogs. A bigger issue than ammonia in our bogs is the dryness, on many occasions, of our bogs, and the wetting of peatlands would achieve more in capturing carbon than what was being proposed on ammonia, what was being done on ammonia and even what we would do on ammonia.

Therefore, a series of tools has to be used to reduce the carbon footprint and protect the environment.

3.15 pm

Mr McAleer: I thank the Minister for his response. He will be aware that any proposal that is brought forward to reduce ammonia could have a disproportionate impact on smaller hill farms. As the Department begins to assess the impact of proposals, does the Minister have any mitigations in mind to avoid a disproportionate impact on those small farms?

Mr Poots: I am happy to work with the farming community and other parties on how we bring this forward. Doing nothing is not an option. We need to reduce the amount of ammonia that is currently going into the environment in Northern Ireland. We also want to encourage people to be able to have a business that will support their families. I believe that both are achievable. I will work with the hill-farming community and other members of the community to deliver on that.

Mr Deputy Speaker (Mr Beggs): I call Justin McNulty for a quick question.

Mr McNulty: In the '80s, there were 5,000 breeding pairs of curlews. Now, there are 130. That is a 97% reduction. Many other species are also threatened. The disproportionately high level of ammonia production on this part of these islands is having an adverse impact on the environment. Given the destructive impact of ammonia on the environment, and the threat that it presents to many species, is the Department exploring any innovations to ensure that that destructive agricultural by-product is

utilised in an environmentally safe way? I know that reduction is probably less difficult —.

Mr Deputy Speaker (Mr Beggs): I had asked for a brief question, or we will have a very brief answer. I ask the Member to finish his question.

Mr McNulty: Reduction is probably less difficult than utilising a different approach.

Mr Poots: I encourage the Member to visit Glenwherry hill farm, where there has been a massive increase in the number of curlew, hen harrier, snipe and all the other species. That has been done on the basis of good management. I would like to see that spread out right across Northern Ireland.

Mr Deputy Speaker (Mr Beggs): That is the end of the period for listed questions. We will now turn to topical questions.

SPS Checks: Points of Entry

T1. **Ms Ennis** asked the Minister of Agriculture, Environment and Rural Affairs whether he is committed to implementing those elements of the protocol that will ensure that his Department is operationally prepared at the end of the transition period in relation to sanitary and phytosanitary (SPS) checks at points of entry, and whether those designated points of entry will meet EU specifications. (AQT 411/17-22)

Mr Poots: A good question is whether everybody is prepared to do that, because, at this stage, one of the issues outstanding relates to IT. There seems to be an issue with an IT system that has been used in the UK for many years and the EU's non-acceptance of it, which will almost certainly ensure that we are not operationally ready. There is quite a number of issues where that is a live problem.

Ms Ennis: The Minister will be aware that Warrenpoint port resides close to an area of special scientific interest (ASSI). Can he give assurances that any point-of-entry infrastructure at Warrenpoint port will not intrude on the ASSI?

Mr Poots: That is not a matter that I am taking forward. The senior responsible officer is looking after it. I do not wish to see any further point-of-entry developments at Warrenpoint port. I have made that clear to George Eustice and others. However, the UK Government wish to see it. They want to pay for it. They have given very clear expectations to the senior civil servant in this case who is taking it forward.

That is the case. I have no legal remit to stop it, in that all the advice that has come from the Departmental Solicitor's Office and indeed the Attorney General indicates that a ministerial direction to an official which would oblige that official to break the law is not one that would have any standing.

Native Species: Ammonia Pollution Levels

T2. **Miss Woods** asked the Minister of Agriculture, Environment and Rural Affairs, given that he will be aware of the devastating biodiversity loss arising from ammonia pollution levels exceeding critical nitrogen thresholds across our special areas of conservation (SACs) and protected habitats, to detail how his Department is working to prevent any further ecological damage and to reverse the declines that are evident in native species. (AQT 412/17-22)

Mr Poots: Yes, we can. I would like a wide and potentially all-embracing means of addressing those issues, and ammonia is a key part of that. We believe that we can reduce ammonia emissions by, for example, stopping slurry spreading that uses the traditional splash plate in most instances and moving to a low-emissions spreading operation by 2025. We are giving people some time to acquire the appropriate equipment. That is a course of work that will help.

Covering open tanks would also reduce the amount of ammonia, and there are opportunities from having more separation of slurry because it is when the urine and the faeces mix that you get the greatest release of ammonia. So, if we can have more separation in the slats that are provided for animals to lie on, that will be part of a range of work that will proactively reduce ammonia levels.

We can probably get a reduction of 15% to 20% quite quickly, which is significant in and of itself, but getting much further than that will require significant investment. The capacity to make that investment does not exist in agriculture, and it will therefore require support from the Government if we are serious about it.

I have asked my officials to bring forward proposals that would look at how we can get to net zero in agriculture. Those proposals will include ways for us to deal with the ammonia issue at the same time. That will involve a capital infrastructure programme, which will mean that we, as an Executive, will need to support it financially.

Miss Woods: I thank the Minister for his answer. The fact that 86% of our special areas of conservation exceed critical nitrogen levels by over 200%, and in some cases by over 300%, raises serious questions over how that was allowed to happen. Will the Minister outline what failures in monitoring and enforcement have been identified by his Department and how they will be addressed?

Mr Poots: Northern Ireland has seen a lot of growth in agriculture over that period. The Member must remember that Northern Ireland, as small a country as it is, produces around 10% of the food for the needs of the United Kingdom. So, we are punching well above our weight in agriculture. We can also punch above our weight in delivering our agriculture in an environmentally responsible way. That is something that we can work on with the farming community. Going into a circumstance and starting to direct people on what they should be doing generally does not get the best response. Going in with a spirit of cooperation, assisting and helping where possible, will deliver real results. That is what I am about: results.

We can make a really big impact for good on a lot of the reductions, and not just in agriculture. We can do a lot to become carbon neutral in Northern Ireland over the next 20 or 30 years. For example, over 40% of our power comes from renewable sources, which is way above the proportion in any other part of the UK. We can go much further than that. If you want to make big savings in terms of environmental benefits, agriculture, the energy that we use and transportation are the three key areas. We can tackle all three areas and make this one of the greenest places to live in the world over the course of the next generation.

Ordnance Find: Ardglass

T3. **Mr Chambers** asked the Minister of Agriculture, Environment and Rural Affairs whether he agrees that the comments of the Member of Parliament for South Down, Mr Chris Hazzard, regarding the World War II ordnance that was accidentally picked up by a trawler out of Ardglass were, at best, unhelpful and appreciates the bravery and skill of our Army bomb disposal teams who dealt with the incident and who, during the years of the Troubles and beyond, had to deal with many unexploded and volatile devices that were left under cars, in roadside ditches and in close proximity to schools by people such as those after whom the MP's office is named. (AQT 413/17-22)

Mr Poots: I thank the Member for the question. I suggest that it is more embarrassing than anything for the Member of Parliament for South Down to come out with the statement that he did, given that, as I believe, the ordnance dates back to the Second World War. We should be glad of anybody who was prepared to risk their life in order to make the ordnance safe. I am greatly appreciative of the people who served in the Second World War, such as Captain, now Sir, Tom, who demonstrated bravery to us not only back then but bravery and resilience to us now in their response to COVID-19. Perhaps the MP from South Down could learn something from someone who served in the British Army, like Captain Tom.

Mr Deputy Speaker (Mr Beggs): I again encourage the Minister to use the microphone so that everyone can hear clearly.

Mr Chambers: I thank the Minister for his response.

Rural Uplands: Biodiversity

T4. **Mr Easton** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the rural upland areas and the role that they can play in building biodiversity. (AQT 414/17-22)

Mr Poots: The rural uplands have many opportunities. We have a lot of blanket bog in Northern Ireland, which captures vast amounts of carbon. Sometimes that blanket bog has been undermined by, for example, inappropriate tree planting, and the trees have absorbed a lot of the water that would end up in the bog. The drier the bogs, the more carbon they release and the less carbon is captured. We are looking at that. However, for those farms that have reclaimed land around bogs and are benefiting from it, that land will end up being wetter and therefore not as useable, so we need to identify and compensate those farmers so that we can ensure that the carbon capture takes place and that it is not one individual or a number of individuals who take the pain of doing that through loss to their business.

Mr Easton: I thank the Minister for his answers so far. What biodiversity success has been achieved in Glenwherry hill farm?

Mr Poots: Glenwherry hill farm is very exciting in that it has straightforward good management practice. We have seen the reintroduction of

many species such as the hen harrier, snipe, curlew, red grouse and many other bird species indigenous to Northern Ireland that were lost or whose numbers were way down. In fact, we recently had a golden eagle at Glenwherry.

Agricultural practice on the farm is done in a way that still delivers growth rates of, for example, 1-2 kg per day for each suckled calf whilst delivering huge environmental benefits. It is about how we can develop and use that skill base on facilities like that and apply it to other farms so that they can maximise what can be achieved environmentally whilst maximising what they can achieve agriculturally by producing good-quality food.

Puppy Sales: Coronavirus Pandemic

T5. **Mr Lyttle** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the apparent boom in puppy sales during the coronavirus pandemic. (AQT 415/17-22)

Mr Poots: Unfortunately, puppy farming has not gone away, and I think that the Member and a number of other Members have asked questions about the export of pups through our ports here in Northern Ireland.

People's dogs produce pups, and many people are doing that in a very sustainable and appropriate way. They love their dogs, and a female dog may produce a litter or two in its lifetime. Those people sell the pups, and that is entirely reasonable. However, there are others who are exploiting dogs and selling them to people who do not realise that they are buying something that has come from a puppy farm.

More needs to be done. A number of Departments could be involved in that, as well as local government, to ensure that animal welfare is a high priority and, therefore, that the welfare of dogs and pups is made a priority.

3.30 pm

Mr Lyttle: I welcome the Minister's commitment to animal welfare. Does he acknowledge concerns that an apparent boom in puppy sales could see an increase in abandoned puppies? If so, what steps is he taking to encourage responsible puppy sales and to support animal welfare shelters?

Mr Poots: A range of Departments and, indeed, local government have a significant role to play in the registration of dogs, licensing and

all of that. It is critical that each of the Departments that have a role plays that role to ensure that we identify and address any issues. We have issues with people who produce pups in less than desirable conditions. Where that is brought to our attention in the veterinary sciences end, our vets will deal with that. They will follow that up and ensure that animals are kept in welfare-friendly conditions. I give the commitment that our veterinary division will follow up any complaints or where its attention is drawn in any way to animals being kept in less than appropriate conditions.

Mr Deputy Speaker (Mr Beggs): That is the end of the period for questions to the Minister. I ask Members to take their ease for a few moments.

(Mr Speaker in the Chair)

Question for Urgent Oral Answer

Health

COVID-19 Restrictions

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

Ms Sugden asked the Minister of Health whether the latest COVID-19-related restrictions apply to those working from and providing services at their home.

Mr Swann (The Minister of Health): I thank the Member for her question on the regulations. The restrictions exempt any person working from and providing services from their home. However, they must comply with the existing requirements to carry out a risk assessment and put suitable mitigations in place.

Ms Sugden: I remain disappointed that Members have to seek the limited opportunities to scrutinise Executive statements that should be made in the Chamber rather than in the Long Gallery. I am also disappointed that the First Minister and the deputy First Minister have not come to the House to respond, given that it was their statement yesterday that has caused confusion among the public. However, I appreciate the attention of the Health Minister, and I further ask him whether we can expect additional restrictions, particularly in public spaces, such as the cafe and restaurant restrictions that we heard about from the British Prime Minister today?

Mr Swann: I am not sure whether the Member is aware, but there is an ongoing two-hour debate on the regulations that are already in place. I said during that debate that I would take questions on the regulations that are being brought forward. Her point about the Executive Office previously heading up or answering these debates has been made numerous times. That duty was passed to me last week, and I responded to the regulations.

I will be frank with the Member: I did not hear what the British Prime Minister said today because I was in the Chamber all morning. However, I have said that, if these regulations and restrictions do not curb the spread of COVID-19, we will have to look to further measures. I do not know the detail of what has been announced for England, but I make it clear to the Member that any restrictions for Northern Ireland will be brought forward by the Northern Ireland Executive through the House. I assure the Member — I will do it in the debate about the regulations — that I brought forward all five regulations today so that we could get up to date with the regulations that are currently outstanding. Any regulation that is brought forward has to undergo due process through the Health Committee, which I am fully supportive of. I will be open to the House for questions at any time, as I have always been and as I have been every day since the House recommenced after the summer recess.

Mrs Cameron: I, too, have been inundated with queries about the NI-wide restrictions that come into effect at 6.00 pm tonight. Given the volume of criticism and the talk of confusion and mixed messages, will the Minister explore new ways of communicating the message on a country-wide basis and explaining the logic and the science behind every decision that is made?

Mr Swann: I thank the Deputy Chair of the Committee for that question. I apologise to any Member here who took part in the debate on the regulations: there will be duplication in my answers to the supplementaries to the question for urgent oral answer and my closing remarks in the debate on the regulations, which will take place directly after this question.

The communication plan was raised by Members in the debate earlier. There is an Executive Office budget and communication plan. There are further steps for wider communication on social media, and there will be radio and TV ads to emphasise the changes that have been made. The changes that we will make from 6.00 pm tonight across Northern Ireland were already in place across Belfast, Ballymena, BT43 and BT60 as of last week. The regulations are not new; they are new to the whole of Northern Ireland from 6.00 pm tonight.

Mr Gildernew: Go raibh maith agat to the Minister for coming to the Chamber to answer this important question for urgent oral answer, which is reflective of people's views and concerns. Given the new restrictions and measures that have had to be taken now, does

your Department plan to review or revisit the guidance around visiting in care settings, particularly maternity services and care homes?

Mr Swann: I thank the Chair of the Committee for that vital question. It is one about which I met the Chief Nursing Officer during the break. We are looking at specific guidance for hospital settings. We are all too aware of the restrictions that we need to put into hospital settings to protect patients and our staff. That updated guidance will come out. There will also be specific guidance for maternity settings. I said in answer, I think, to Chris Lyttle yesterday at Question Time that we are aware of the support that is needed for mothers coming into maternity units. That guidance will be updated. There will also be additional guidance for care home settings. We are aware of the challenges for residents and families, especially during this time when we see increased community transmission, and we want to ensure that visiting can proceed safely.

Mr Speaker: I call Pat Catney.

Mr Catney: My question has been answered, Mr Speaker. Sorry about that.

Dr Aiken: This is a point that has already been raised by the Member for East Londonderry; I had to get that right. I notice that the First Minister and deputy First Minister made themselves available to the media — one in the Great Hall and one outside the Building — less than two hours ago. Does the Minister agree that the Executive Office has been failing in its duty to provide messaging and communications appropriately to the Assembly and that, in some respects, bearing in mind that they have two junior Ministers, they are being disrespectful?

Mr Swann: I have made it clear in previous debates — I made it clear this morning — that I value the duty of the House to scrutinise all Ministers, all regulations and everything that comes forward. I have always made myself available to the House for questions for urgent oral answer, Adjournment debates and all-party debates and to take forward regulations such as earlier today. It was previously the work of the two junior Ministers in TEO to take the regulations through the House. However, I note from Hansard that what the First Minister actually said when she indicated to the House that the duty would fall back to me was that the junior Ministers would help to navigate the health regulations through the House. Given the pressures that TEO is now under, including developing the high street task force and in other areas, the duty to take forward the

regulations has come to me. I cannot shirk that duty. I cannot shirk that duty as Health Minister, given the aim of the regulations. I will not play politics with it. I never have, and I never will.

Ms Bradshaw: Following on from this morning's debate, Minister, I raised with the deputy First Minister yesterday the issue of sharing best practice around the memorandum of understanding. I came across this, which is what they have in Dublin around the restrictions. As you know, I pushed from the start for us to introduce sign language to the press briefings. I also think that we need very clear imagery. You hear a radio or a television, but it is hard to digest. Can we look at using something like this across all the websites and social media platforms?

Mr Swann: I apologise to the Member. I do not have my glasses on, so I cannot see the detail from here, Paula. I will happily take it from you. It is vital that we make the messages as clear as possible so that everybody can understand them and we get as much compliance as possible across Northern Ireland so that we set about what we aim to do, which is to prevent the spread of coronavirus. I will happily take that off the Member later.

Miss Woods: Mr Speaker, my question has been answered.

Mr Carroll: Considering that the Tory Government recently told workers to get back to work only to U-turn on that in the last few hours, does the Minister share any frustration at the zigzagging and U-turning going on at Westminster? Given that the Executive have followed their approach on a number of occasions, is the Minister concerned that some quarters of the Executive at least may be following the Westminster line too closely with little independent thinking?

Mr Swann: I have never been accused of not having independent thinking. Presbyterians from north Antrim are assured of our independent train of thought. I assure the Member that I do not follow direct direction from Westminster. I follow the guidance and advice of our Chief Medical Officer (CMO) and Chief Scientific Adviser (CSA) to make the right decisions for the people of Northern Ireland at every opportunity. That is why the Executive guidance is clear that those who can work from home should still work from home, especially as we get into this next phase of the pandemic.

Mr Easton: Is there a timescale in place to assess whether the new measures will work

and whether any further measures will be needed?

Mr Swann: The Member makes a valid point about timescales. The only timescale that is critical here is the timescale of the virus. It will not follow any calendar, any rule or any regulation that we set. We have always maintained that we will look at measures every two weeks. We review our regulations every 28 days to see if the two-week period of incubation that the virus has is having an effect.

In fact, as I said in this morning's debate, we were seeing a decrease in positive cases in BT43 and the Ballymena area due to the measures brought in over a week and a half ago. So, we have evidence that introducing and applying measures that are adhered to across Northern Ireland has an effect. I ask anybody listening to this, and anybody who wants to take a message from this question for urgent oral answer, please, re-engage with the vital health message of social distancing, good respiratory hygiene, good hand hygiene and face coverings.

3.45 pm

Ms Ennis: I draw the Minister's attention to the guidance issued for assisted living settings. I have spoken to various stakeholders over the last few days, and there seems to be a bit of confusion on the part of the Regulation and Quality Improvement Authority (RQIA) and the Public Health Agency (PHA) over the interpretation of the guidance. Meanwhile, places like Camphill in Kilkeel, which is in my constituency, are caught in limbo. Will the Minister commit to reviewing that guidance, taking cognisance of the fact that there is fundamental difference between a care home setting and an assisted living setting?

Mr Swann: Again, the Member has made a valid point. As I said earlier, I met with the Chief Nursing Officer, and it was specifically for care home and hospital settings. I will take the Member's point away and make sure that, if there is a need for clarification in future communications on the change in regulations, it is communicated.

Mr Durkan: I concur with the points that other Members made about the need for clear, concise and cogent messaging on what are, on the face of it, pretty complicated regulations. Will the Minister confirm what, if any, implications the introduction of the new restrictions will have for separated parents and their access and childcare arrangements?

Mr Swann: There should be no implications. From the beginning, it has always been clear that, in regard to separated partners having access to their children, the regulations should not be used as an excuse not to have access or as an excuse to deny access.

Mr Muir: I thank the Minister for his responses today. My clear view is that the First Minister and the deputy First Minister should be in the Chamber today giving us more details on this, but that issue has already been discussed.

The communication around the recent regulations has been, frankly, suboptimal. This morning, I had people on the phone who were in tears, not knowing whether visitors were allowed into homes if essential maintenance was needed, or whether they were allowed to bubble with single-person households or multiple-person households. Some of this arises from the fact that the nirect information does not mirror the legislation. Will the Minister commit to ensuring that the information on the website that people refer to mirrors what is in the legislation?

Mr Swann: Very much so. Now that this has been expanded across Northern Ireland, we are facilitating a further question and answer session on topics on the nirect website to cover all eventualities and a number of the questions that we have been asked today. That is to provide clarity and assurance to people who we are asking to follow this. It was Mr Sheehan who referred, in this morning's debate, to the contract. We have an obligation to make sure that the contract is understood so that people adhere to it. That work is ongoing. Will we cover every eventuality in our regulations and our guidance? I will say no, because there are so many peculiarities when trying to take a measured approach that allows certain freedoms in certain areas for the individuals who need them. However, when we see those peculiarities being raised and addressed, we will look to give the correct guidance and advice to those who seek them.

Mr Allister: If I understood the Minister's response to Ms Sugden correctly, when it comes to a domestic home that is used as a B & B, that service can continue and guests can still come to that house. However, that person's neighbours and wider family cannot come to the house. Is that correct?

Mr Swann: The Member is referring to the utilisation of a home as a business. The local restrictions allow those working from home to do that. Therefore, the regulations exempt any

person who is working and providing a service from home. However, they must comply with the existing requirements to carry out risk assessments and put suitable mitigations in place. If people are using their home as a B & B, meaning that it is operating as a business, those mitigations must be in place, and they must take all reasonable measures to limit the risk of coronavirus transmission.

Mr Sheehan: Go raibh maith agat, a Cheann Comhairle agus gabhaim buíochas leis an Aire as ucht a fhreagraí. I thank the Minister for his answers so far. Given the deteriorating situation, North and South, has the Minister had any communications with his Southern counterpart to coordinate measures and restrictions? Has the Minister any plans to publicise the new daily cases per 100,000 in the North?

Mr Swann: The new daily cases per 100,000 are published by local council area for the past seven days, and the seven days before that, so you can see a change in the trends and incidence of cases. The information is available on our dashboard.

I last spoke to the Minister of Health in the Republic of Ireland at 9.45 last night. I wanted to give him a specific indication of what we are doing in these regulations and to see what further steps he is taking, give the high incidence of the virus in Donegal and Louth. We are concerned and want to make sure that there are no interactions on either side of the border that are affecting the spread of the virus.

The Member may also be aware that a North/South Ministerial Council meeting in the health sectoral format is scheduled for 2 October. The meeting was due to take place in Armagh, and it will proceed. However, we will take cognisance of all the regulations.

Ms Flynn: My question has been answered.

Mr Gildernew: We have discussed the theme of confusion. Can I highlight the issue of the many foreign nationals who work and live here, and who are already struggling to keep up. They are often some of the most marginalised and vulnerable in society. I know you have indicated that materials have been issued in some languages. In my constituency of South Tyrone, there are, potentially, fourteen languages, though some are spoken by smaller pockets of people. What direct engagement has there been with those communities, or can you expedite communication directly with their leaders?

Mr Swann: The issue of foreign nationals was particularly looked after an outbreak in a meat processing factory. We are aware that those workers need additional support and information. The PHA provided leaflets — I will check this — in seven different languages to make sure that we covered everyone who was working in that facility and lived in the local area. Again, we are fully aware that no matter what we say in here, on the BBC, or in the 'News Letter', 'The Belfast Telegraph' or the 'The Irish News', it is not being picked up by our ethnic populations who are living in Northern Ireland. So the translation of the guidance is being provided by the PHA.

Mr McGrath: Maybe some of your departmental officials can help us with déjà vu as you have been answering so many questions in the last few days, and no other Ministers have been.

The question for urgent oral answer specifically asks about the restrictions applying to those working from and providing services at home. Have you had any conversations with the Minister for the Economy, given that there will be many tradesmen and others who will not be able to go into people's homes to provide services, which will leave them with a loss of income?

Mr Swann: The Executive brought forward these regulations. The Minister for the Economy is fully aware of these regulations. Some of the restrictions, mainly relating to household gatherings, allow building or maintenance work or the services of any trade or profession. However, that is taking into consideration all reasonable measures and a risk assessment to limit coronavirus transmission.

Mr McAleer: Do the latest COVID regulations have any implications for the use of community halls?

Mr Swann: The focus of these regulations is solely about restricting household gatherings. We may have to bring forward further regulations and restrictions for larger social and sporting gatherings should the virus progress over time. The regulations are to do all that we can to prevent the social actions that spread the virus in household settings. I hope that the restrictions will have the desired effect. If they do not, we will have to take further actions.

Mr Speaker: That concludes this item of business. Thank you all very much. I ask Members to take their ease for a moment or two.

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

Executive Committee Business

The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020

Debate resumed on motion:

That the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 be approved. — [Mr Swann (The Minister of Health).]

Mr Deputy Speaker (Mr McGlone): We will now resume the debate on the health protection regulations. I call the Minister of Health to continue his winding-up speech.

Mr Swann (The Minister of Health): Thank you very much, Mr Deputy Speaker. If you missed the highlights from this morning, I am sure that you can catch up with them and the answers to the urgent oral question in Hansard. I will try not to repeat any answers that I gave in the debate this morning because we are debating a serious issue.

In my responses to Members, I got round to answering Justin McNulty, who signalled the concern that we have been echoing for quite some time, which is about complacency. We saw throughout the summer months that when the weather was good, the number of cases was low and very few people were in hospital. The feeling was almost as if we were through the worst of it. That feeling started to set in and, at that stage, it was an easy message to understand and an easy position to accept. However, it was the wrong one, because we now know that we are where we are. Mr McNulty recognised the importance of a community effort, because we have relied on community groups throughout the pandemic.

Pat Catney talked about the mental health challenges that are out there. We know the challenges that we have faced and we know about those that will come after the pandemic. That is something that the Health Committee has kept bringing back to the table. From the very beginning, when we started to speak about the pandemic, Órlaithí Flynn sought the reassurance that our mental health action plan and mental health strategy are still on course. It is still on course, and we have added COVID-specific detail to it. We have appointed an

interim mental health champion, who is doing sterling work across the sector.

Alan Chambers spoke about the need for a common-sense approach. If common sense was in such abundance that we did not need the regulations, I would be assured and would be more than glad that we could take that approach. Unfortunately, it is not, and we are seeing the outworking of that — in a very small minority — across Northern Ireland. However, those actions have repercussions where people think that it is OK to do that, and that is where we see the spread of the virus.

Mr Chambers also mentioned one notable musician from Northern Ireland who has made some interactions. To paraphrase him, the regulations are about bringing us from the dark end of the street to the bright side of the road. It is not an easy move to make and that is why we are asking the people of Northern Ireland to stick with the message that the health professionals give.

4.00 pm

Moving on, Mr Allister referred to the challenges that come with delivering a message, and he is right. After six months, this message is not easy to keep giving and it is one that is not easy to keep hearing. However, it is one that I need to give and that people need to hear, because we are seeing an increase in cases. He rightly spoke of proportionality. Just to realign the focus on cases, when we see an increase in the number of cases, that leads to an increase in the numbers of hospitalisations, people in intensive care beds and deaths. The regulations we are bringing are in proportion to those increases. Today, 33 people are in hospital and five are in ICU. I want to arrest that increase now. We are doing that by advance testing, so we are seeing more cases, but it is about the translation from positive cases to hospitalisation and ICU. As I said in response to Alec Easton's question, there is a two- to four-week time lag. So there are —.

Mr Allister: Will the Minister give way? The Minister said that all this, Province-wide, limited restriction is about suppressing the spread of the virus, but how and when do we ever get off this roundabout? Is this virus going to die out? Are we going to have to wait for a vaccine? Or does there come a point when we face the fact that we are going to have to live with a virus which, frankly, is not adversely affecting the greater number. Certainly, it is serious for some, but not in the proportions of the past.

Mr Swann: I know where the Member's line of questioning comes from. The Member says it is not serious for the greater number, but my duty is to protect that small number. It is our Executive's duty to protect them, and the House should take reasonable steps to protect them as well. He talks about the roundabout. If I knew when this would finish, I would not be here. I would be somewhere else, making an awful lot more money and doing different work.

We are seeing the development of vaccines. Members recall where we were with seasonal flu vaccines, and that is important. This is about that six-month period of how we manage to live with this virus. That is the important phrase that often gets lost when people hear it. We live with this virus by bringing in regulations, like these, to prevent the spread of it, so that more people get the opportunity to live. That is where the challenge comes with the messaging. The Member was right about that, and he highlighted the challenges that come with a five-party Executive. It is not all plain sailing, but there is one thing that reassures me. The message is that we do what we can to save lives, by bringing in these regulations and the support packages. I wish actions matched those messages as well. That debate has been had, and it is not something that needs to be expanded.

I turn to Mr Carroll's contribution. Gerry, I fully support your call for solidarity in the wearing of face coverings. I have no problem with that, or the advantages and benefits that it brings. Those who can wear face coverings should do so. We know, and have seen, the difference it can make.

Mr Aiken commented on the small minority. Unfortunately, these regulations, their enforcement and compliance, is about making sure that those in that small minority adhere to the message.

To conclude, much has been said about communications and messaging. Many Members have emphasised the need for clarity of messaging, and I agree. It is very important that we are careful not to create confusion. However, it is also important that everyone appreciates that we are responding to a very rapidly changing and dynamic situation. We have measured a significant increase in positive cases in the past week, and rapid changes in policy are required to address the increasing risk to the health of the public.

The Chair of the Committee raised a specific question. Discussions are regularly taking place between the four nations of the UK on a range

of matters, including the communication of public health information. Our overall messages should be aligned and consistent: regular hand washing, social distancing and the wearing of face coverings. The Executive have set out their own road map to recovery and renewal, and decisions on the unfolding local context are based on medical and scientific advice. The Executive Office will deploy a high-impact public information campaign, using television, radio, print and digital platforms, to ensure that people in Northern Ireland understand how to stay safe and to save lives. The Chair of the Committee asked about the funding for that in my Department. The money for that communication side rests in the Executive Office through the Executive information service.

I hope that I have answered as many as possible of the Members' queries and questions on the five regulations and as part of my response to the urgent oral question, which was part of and fitted well into the debate. I commend the regulations to the Assembly.

Question put and agreed to.

Resolved:

That the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 be approved.

The Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020

Resolved:

That the Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020 be approved. — [Mr Swann (The Minister of Health).]

The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment) Regulations (Northern Ireland) 2020

Resolved:

That the Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment) Regulations (Northern Ireland) 2020 be approved. — [Mr Swann (The Minister of Health).]

The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment) Regulations (Northern Ireland) 2020

Resolved:

That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment) Regulations (Northern Ireland) 2020 be approved. — [Mr Swann (The Minister of Health).]

The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 2) Regulations (Northern Ireland) 2020

Resolved:

That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 2) Regulations (Northern Ireland) 2020 be approved. — [Mr Swann (The Minister of Health).]

Mr Deputy Speaker (Mr McGlone): I ask Members to take their ease while we change the Chair.

(Mr Speaker in the Chair)

Private Members' Business

United Kingdom Internal Market Bill

Mr O'Toole: I beg to move

That this Assembly recognises that a trade deal between the United Kingdom and the European Union is critical in protecting the interests of everyone living in Northern Ireland; expresses deep concerns about the UK Government's approach to negotiations and the terms of the United Kingdom Internal Market Bill; rejects any argument that the Bill is necessary to protect the Good Friday Agreement; further rejects the unilateral move to undermine the authority of the devolved institutions contained in this Bill; affirms its commitment to upholding international law; mandates the First Minister and deputy First Minister to take a formal position opposing the UK Internal Market Bill; and calls on the Prime Minister to respect the will of the people of Northern Ireland and the principles of devolution.

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

Mr O'Toole: As I rise, I am again reminded that we are living in the midst of the greatest public health emergency of our lifetime. That, in turn, has caused a profound economic crisis. None of us yet know how big the proportions of that crisis will be. We are just 100 days from the end of the transition period and a potential further shock to our economy. That is for no reason other than unbending ideology.

In moving today's motion, let me first reiterate a message from a previous Assembly motion that I moved on Brexit that the transition period should be extended beyond the end of this year. It is both economically reckless and immoral that the UK Government refuses to do so.

4.15 pm

Today's motion is about the Internal Market Bill. First, it makes it clear that it is overwhelmingly in the interests of everyone living in Northern Ireland — indeed, everyone in these islands — that a trade deal be struck between the UK and the EU in the coming weeks. If a deal is struck, it is unlikely that it will be anything more than

the thinnest possible arrangement providing zero tariff and zero quota trade between the UK and the EU. Even that, however, would be better than the extraordinary act of self-harm that no deal would represent. If that were to happen, the UK would have the same trading relationship with the EU as is enjoyed by Mauritania or Mongolia, a remarkable position to end up in, given the claims made during the referendum campaign, including claims by some on the Benches opposite, that the EU would rush to give the UK unparalleled access to the single market. Anyone who thinks that we do not need the protections provided for in the protocol should consider that. If there had been no protocol and the UK had left the transition period without a deal, trade between businesses in Dundalk and Newry would have taken place on World Trade Organization (WTO) rules. In trading terms, the North would have had less access to the market on the rest of this island not just than Singapore or Canada but than Madagascar or the Solomon Islands, all of which enjoy preferential trade partnerships with the EU that go beyond WTO rules. All of that, Mr Speaker, is to state why the protections in the protocol, though imperfect, are essential. That is why the attempt by the UK Government to nullify the provisions in the protocol via the Internal Market Bill is so serious.

Over the past few years, the speed of events and the volume of information and change that all of us have had to process have been dizzying. That sense of bewilderment is, in many ways, one of the most effective tools of the populist, and Boris Johnson is certainly a populist. Therefore let us remember what he said about the deal that he is now repudiating via the Internal Market Bill:

"it is oven ready ... you just put it in the microwave and there it is."

However, anyone watching the House of Commons two weeks ago will have seen the Northern Ireland Secretary stand at the Dispatch Box and say that the UK Government intended to repudiate the Bill by undermining it and breaking the law in narrow and specific ways. That is not how international law works. The international rules-based order is not based on countries arrogating to themselves the power to break their obligations as and when it suits them. If you do not believe me, take it from none other than the Brexiteer former Attorney General, Geoffrey Cox:

"we simply cannot approve or endorse a situation in which we go back on our word, given solemnly not only by the British

Government ... but also by Parliament when we ratified this".

Take it also from that other famous closet pan-nationalist and liberal Remainer, Michael Howard:

"How can we reproach Russia, China or Iran when their conduct falls below internationally accepted standards ...?"

Many Brexiteers and, indeed, some Members opposite have been quick to criticise prominent US politicians, including the Democratic candidate for the presidency, who have warned against the UK breaching its obligations in the withdrawal agreement and, by extension, its obligation in the Good Friday Agreement. Let me say this: think about who is speaking out on this. Think about the reputation — I say this with the greatest of respect — of the country that you are passionate about remaining part of. The current UK Government are fast developing a reputation as an irresponsible actor on the world stage.

Let me move on to some of the specifics and specific problems of the Bill. First, it has been claimed loudly that it is about protecting the seamless flow of goods, especially food, from Great Britain into Northern Ireland. That is a remarkable claim, since nothing in the Bill makes provision for the movement of goods from Britain into Northern Ireland; it all relates to goods moving the other way. Just another casual lie and misrepresentation from Boris Johnson and his populist Government.

We want the protocol to operate as seamlessly as possible; I cannot state that enough. However, that is not what the Bill does. It gives UK Ministers the power to disapply unilaterally certain provisions of the protocol. That would plunge Northern Ireland into legal and administrative chaos. The protocol and its requirements would still exist — indeed, the UK Government claim that they intend to uphold the protocol, notwithstanding the specific and narrow breaches — but we would be left in an extremely invidious position in relation to our access to EU and UK markets. That is not a position that any of us should want our economy to get into, especially not in the current circumstances. I go back to what we have been discussing and debating in the Assembly today and in the House of Commons at Westminster. Does anyone think that it is acceptable for our economy to be plunged into chaos at the end of this year in the middle of the biggest global health emergency in a century?

There is a further fundamental problem with the Bill: it represents a clear undermining of the devolved settlement not just in Northern Ireland but across the UK. Part 6 provides UK Ministers with sweeping powers to spend money however they please on the full range of devolved competencies. That Part, which is less than half a page long in the Bill, is in fundamental contravention of the principles undermining devolution. It is no wonder that the Scottish and Welsh devolved Administrations are opposed to it. Let me say this: it was the Labour Administration in Wales, not a nationalist Administration, who opposed it. It also undermines the Good Friday Agreement and the Northern Ireland Act, which puts the provisions of the Good Friday Agreement into effect.

There has been much commentary about what is and is not in the Good Friday Agreement. Let me clear: a hard Brexit and all that goes with it, including the Bill, contravene the agreement in, to use the British Government's language, narrow and specific ways. For example, of the dozen specific areas of North/South cooperation mentioned in the agreement, all but a few are either underpinned by or interact with EU law; indeed, coordinating the delivery of EU funds is, in itself, one of the North/South implementation areas specifically mentioned in the agreement. The Bill, as I have said, attacks the devolved competencies provided for in the agreement. Paragraph 3 of strand one states:

"The Assembly will exercise full legislative and executive authority in respect of those matters currently within the responsibility of the six Northern Ireland Government Departments".

Paragraph 4 states:

"The Assembly — operating where appropriate on a cross-community basis — will be the prime source of authority in respect of all devolved responsibilities."

Clearly, Part 6 of the Internal Market Bill is in direct contravention of that.

More broadly, the Bill is another example of the shock to the central nervous system of the relationships and assumptions that underpinned the agreement and remain critical to the functioning of our institutions and the broader set of relationships across these islands. Those relationships are precious to us and to my party. To those who are frustrated and bored by us constantly talking about them in the Assembly and at Westminster I say that we are not going to stop. We will not stop talking about

them, we will not stop bringing motions to the Floor of the Assembly and we will not stop tabling amendments to the Bill at Westminster, using our colleagues there.

To unionist colleagues who are uncomfortable with the notion of checks in the Irish Sea, I want to say this: I acknowledge those concerns. I particularly acknowledge those concerns coming from members of the Ulster Unionist Party, many of whom sincerely voted to remain. I have said throughout the process that the entirety of a hard Brexit is a shock to the principles underpinning the Good Friday Agreement, but I ask this, given the conduct of the current UK Government and the red lines that they have set out since 2017 and particularly since Boris Johnson became Prime Minister: what is the alternative? To those considering whether to back the motion today, I say this: think about whether Boris Johnson is a man to be trusted; think about how he has lied to you before; think about whether the Bill is really what our economy or our institutions need.

The UK Government have repeatedly made great claims about respecting the consent of the Northern Ireland Assembly; they even had that written into the withdrawal agreement. Let us make it clear that the Bill does not have our consent. For obvious reasons, I will not hold my breath on a clear statement of intent from the Executive, but let us be clear that the Assembly rejects the Internal Market Bill, upholds the principles that have underpinned our institutions and affirms that commitments made in peace agreements and international treaties should not be the plaything of demagogues. I commend the motion to the Assembly.

Mr Givan: This feels like round two, as we debated the issue yesterday; indeed, the Member for South Belfast repeats the same arguments, and I have no doubt that we will hear the same arguments again from those on the Benches opposite and the Alliance Party, as part of the nationalist movement on the issue. Nevertheless, we will confront them and expose the hypocrisy around the issues being raised. The motion, to which, it goes without saying, we will object, because it is flawed in its content, talks about a UK-EU trade deal being "critical" — so it is, so it is — but, by 1 January, in three months' time, will that be achieved? There is a huge question mark over that. What else can the sovereign Government of the United Kingdom do but prepare for the European Union continuing to be intransigent and continuing to threaten and bully and be ready for any eventuality that does not do harm to its people or, at least, mitigates that harm? The

Internal Market Bill goes some way but not anywhere near far enough. The Government have given assurances that they will address further issues in the Finance Bill with more amendments. I do not trust Boris Johnson or the Conservative Party to do the right thing for this place, because, time and time again, they have let the unionist people down. That will not stop us advocating in the interests, we believe, of all our people and the unionist perspective.

We need certainty for our businesses and consumers, and that is absent. The withdrawal agreement and the protocol hands the leverage to the European Union to use us as a pawn in a much bigger plaything. Do Members really think that Michel Barnier and those who lead the European institutions care about Northern Ireland and the Republic of Ireland? Do you think that the French put a priority on this place over their fishing industry, as they seek to exploit every opportunity to get access to the UK's waters? That is the priority for your European comrades whom you seek to have greater allegiance to. They will always give precedence and priority to their people, as opposed to what we have to do, from all perspectives, which is to represent our people.

When we think about the protocol, we are talking about tariffs, increased paperwork around regulations, declarations and imports, regulatory checks on agri-food and manufacturing being subject to certification and inspections. We think of the fisheries aspect, which the Joint Committee may well be able to subject to rules and EU customs declarations. We think about the agricultural support, with the Joint Committee again holding the power to set upper limits on farm subsidies that would be in line with the common agricultural policy (CAP). We think about the state aid issues as well. The magnitude of this is not something that should be glibly commented on by Members opposite. When you consider that £355 million is being announced for a trader supporter scheme funded by the UK Government, that should crystallise the magnitude of what we are talking about. Members opposite, supported by the nationalist Alliance Party, continue to prioritise their political ideology over the reality of the implications for our business community and consumers.

When it comes to the Internal Market Bill, what business organisation has said that they are opposed to it? They may not like the tactics that have been deployed, but, when it comes to the substance of the Bill, give me a business representative organisation that has said that they do not like the substance of it. They may not like the tactics, but I have not heard them

saying that they do not agree with removing the potential for barriers. It is important that we deal with this and deal with it effectively.

I want access to both markets. I want access to our Great Britain market, and I want access to the European market. The Members opposite, supported by the Alliance Party, put precedence on the EU single market at whatever cost and in whatever circumstances. That is what they voted on yesterday. Members talk about consent and the Good Friday Agreement, but they did not worry yesterday that not a single unionist voted for their motion. No, they continue to ride roughshod over the concerns of the unionist community and their representatives. That is something that we will oppose.

Mr Middleton: I thank the Member for giving way. He talks about access to markets: does he agree that on the issue of free ports, for example, we should seize the opportunities that that can bring, especially for the likes of the Foyle port in my constituency.

Mr Givan: The Member makes a valid point. The UK Government have said that one of their objectives is to have special circumstances for free ports to maximise economic opportunities, but state aid rules would have implications for that and, of course, nothing will stop the predatory neighbour in the Republic of Ireland — that is what they are, when it comes to commercial activities, corporation tax, the way they go after our airports with Dublin Airport and when it comes to ports, including Warrenpoint, Foyle and Belfast — using European institutions to frustrate those economic opportunities. That is more important for the Members opposite and the Alliance Party.

We need to represent our people and act in their interests. The Belfast Agreement, whatever it is worth to the Members opposite, spoke about respecting the integrity of the United Kingdom for as long as the majority of the people of Northern Ireland wanted to.

The withdrawal agreement and the protocol breach it, but the Members opposite and the Alliance Party could not care less. I oppose the motion.

4.30 pm

Ms Anderson: Tá mé ag labhairt i bhfabhar an rúin seo. I speak in favour of this motion. The British Government, without doubt, should withdraw the Internal Market Bill immediately and retract the threat of replicating similar

provisions in future legislation. The Bill undermines the Irish protocol, it amends the 1998 Act — the legislative outworking of the Good Friday Agreement — and it is an attack on our power-sharing arrangements. These are the provisions that override the protocol, attempt to block judicial reviews and erode international and domestic law.

There is a clear attempt in this Bill to give priority to the British internal market over the future priorities of our power-sharing Administration. This could have a particularly severe impact on the work here to advance equality, human rights and environmental protections.

The dreams of future generations cannot be crushed by the imposition of a Tory nightmare vision of the internal market. The provisions of the internal market risk undermining the human rights and equality protections in the Irish protocol, which states that there should be no diminution of rights. Therefore, the Equality Commission, the Human Rights Commission and the Irish Human Rights and Equality Commission should use their powers under the protocol to raise concerns with the specialised committee. We need to hear a clear message from the commissions, and we need to hear it this week. They need to stand up for equality and human rights and use the powers that they have to maximum effect. Now is not the time to cross fingers and hope that things will not happen. Now is not the time for silence. We warn the NIO not to undermine the significant role that those commissions have under the Irish protocol. The commissions need to be effective and robust, so the NIO must not decimate institutions that are central to the Good Friday Agreement.

The British Government will not impose their cold-house vision for rights and equality here. There is an urgent need to hardwire additional guarantees — those unequivocal commitments that were made on the European Convention on Human Rights — into the future relationship agreement currently being negotiated between the British Government and the EU. The political declaration refers to both the European Convention on Human Rights and the Good Friday Agreement. We simply — the world, simply — does not trust the British Government, given what we know of their current threats to the human rights convention. The common travel area promises are still not adequately reflected in law, policy or practice. Many are going to discover that these guarantees, and the guarantees given, are meaningless in practice. We want to see the damage limitation guarantees implemented. The Irish protocol

needs to be protected, and it needs to be protected in full.

The shameful attack by the British Government has rightly been condemned around the world. It has even been condemned within the governing party. However, it does raise an additional question. We have another option. We certainly do have another option, and Sinn Féin invites all those parties that are committed to the return of the North to the EU to discuss the scope for the development of an agreed position. Sinn Féin endorses the recent proposals from the constitutional conversations group. Sinn Féin would welcome the opportunity to discuss common ground with others. We need to engage with each other on how we are going to share this island differently in the future.

Dr Aiken: I thank my friend from South Belfast and, indeed, my friend from the Finance Committee for tabling this motion, although, unfortunately, we will not be supporting it. The reason why we will not be supporting this motion is that we have a fundamental issue today that is being discussed, 100 days out, in London between Mr Gove and Mr Barnier. The discussion is an informal discussion about how we are going to resolve the problems that we have currently.

Many people have listened to the sterility of this debate over a considerable period of time, when, to many ears on this side of the House and, indeed, in my constituency, it sounds like Boris-bashing turning into Brit-bashing. That is not something that I think is conducive or helpful for the people of Northern Ireland, particularly the consumers of Northern Ireland, who will be faced with some really significant choices in a very short period of time.

The Ulster Unionist Party has a proposal for you, Mr Principal Speaker, the Members of the Assembly and its political parties that we as an Assembly write to both Mr Gove and Mr Barnier and say to them that we have real, significant concerns about Northern Ireland being used as a political football. We have 100 days before we have to have in position things that will prevent our goods from being stopped in coming across from our own country. We are going to have to be in a position where we will have to understand what the implications of state aid rules will be. We need to understand what the role of the European Court of Justice will be because that will be a fundamental issue.

Mr Principal Speaker, what we should be doing as an Assembly and what we can do through the Chairs of all the Committees is to come

together, through you, and write, as Chairs, to the First Minister and deputy First Minister in the Executive Office and to Mr Gove and Mr Barnier. As Chair of the Finance Committee, I will ask the Committee about this issue tomorrow. We will ask them to please stop using Northern Ireland as a political football. They have said right from the beginning that the single most important thing is the Belfast Agreement. The single most important thing is maintaining peace and security in Northern Ireland, and the best way to achieve that is to remove uncertainty. The best way to achieve that is to make sure that our traders, our businesses and our companies are able to understand what is going to happen on 1 January next year. That, Mr Principal Speaker, is what we as an Assembly should be debating, because the Executive Office is not bringing those things to us. We should be the ones who are now saying to everybody in the United Kingdom, Europe and the rest of the world, "Stop using Northern Ireland as a political football".

Let us do what is appropriate and what is right for Northern Ireland. Can any Member in this Assembly say that we will be better off on 1 January next year? No. Can anyone tell me, at our Tesco and ASDA stores and everywhere else, what the impact will be on the shopping basket of the consumer in Northern Ireland, all of whom are our voters, by the way? Can anyone tell me what that is going to be like? No.

Mr Dickson: Will the Member give way?

Dr Aiken: Just one second.

Can anybody actually tell me what the European Union and the United Kingdom have agreed in the specialist committee or the Joint Committee? Have we seen any output from them? Do we have any understanding of what it means to us? We are 100 days out, but nobody seems to be paying any attention to that. I think that we as an Assembly, with all of the MLAs here, should, through our Committee structure, because no one else is doing anything, be putting that through.

Thank you for bringing the note to bring it towards the Assembly, but there is something more fundamental here. We can tilt at windmills as much as we like, and we know that the withdrawal agreement and the so-called Internal Market Bill are both deeply flawed, but who will stand up for the people of Northern Ireland if it is not us? That is what we were elected to do. We are not standing up for the people of Brussels, and we are not standing up for the people of London. We should be

standing up for the people of Northern Ireland. Mr Principal Speaker, I have made a proposal, and I look forward to hearing from the rest of the Committee Chairs later.

Mr Speaker: "Mr Speaker" will be fine in future. Thank you.

Mr Dickson: There is a bit of déjà vu, but this is a slightly different debate today. It is a debate regarding the Internal Market Bill, which contains a series of provisions on the functioning of the internal market in the United Kingdom, which of course already had a part of the EU. There are issues with this, including the obvious and likely dominance of England in comparison with the other nations, as well as the impact on the devolved settlements. I realise that the Scottish and Welsh Governments rejected the Internal Market Bill's White Paper following its publication because of such concerns. Therefore, it is disappointing that it appears that there was no formal response compiled by the Executive in Northern Ireland.

However, for today we will focus on how progressing the Internal Market Bill interacts with the Northern Ireland protocol, and the arrangements to avoid a hard border with the Republic. I said yesterday, and I will be clear again, the protocol is not a perfect arrangement; the original backstop was a much better deal for Northern Ireland and the protocol —

Mr Beggs: Will the Member give way?

Mr Dickson: No, I want to finish, thank you. The protocol is a compromise of a compromise. It is an arrangement to negate some of the problems that, unfortunately, Brexit brings to Northern Ireland, and we all know who brought Brexit to Northern Ireland.

It is a matter of deep concern that legislation is being progressed in our national Parliament which undermines an international agreement that was signed less than a year ago, and which adds further unease about the future of businesses and people in Northern Ireland, and on that point I agree with Mr Aiken.

Mr Humphrey: Will the Member give way?

Mr Dickson: No, I want to continue.

It is totally disconcerting for businesses and for people who are in employment in Northern Ireland that we are being taken down this route. Upholding international law is the sign of a

responsible actor on a world stage. There is a certain amount — indeed, a great deal — of irony that the Government instructs others to follow the law and yet blatantly sets out to break the law, and is sadly followed by a number of Members of Parliament from Northern Ireland. Again, it is hard to work out what the Government is doing.

The reality is that it is within the power of the United Kingdom's Government to prevent barriers and friction by striking a comprehensive trade deal. If these issues were so fundamental to the Good Friday Agreement then why did the Prime Minister agree to these terms and then run a general election campaign on them? Even if this is a negotiating tactic, it undermines the UK's international reputation and credibility, and thus our ability to strike further trade deals.

Yesterday we heard, and it is worth repeating again, politicians from both sides of the Houses in the US that they are very concerned, and they have made it very clear that it compromises any chance of a US-UK trade deal. At this rate it seems that the UK will not have any trade deals on the table; not even one with the EU and no trade deal with the US. Of course, it is welcome that they have sealed one with Japan, but then why bother because they already had exactly the same deal with Japan through their membership of the EU. How will anyone benefit from the UK having next to no preferential trade partners?

It seems that all of the lofty aspirations of Brexit have evaporated and we are left with a gloomy, complex and uncertain future. That cannot be good for business and it cannot be good for employees, with piles of red tape and increasing barriers to business and people's lives.

Whether it is, as Mr Aiken says, our concern about the price of a bag of sugar in the shops in Northern Ireland or whether it is that they turn the south of England into a lorry park, all of those are very serious issues. We do not want borders and we do not want checks anywhere, but if a hard border happens then compromise must be made. That is where the protocol comes in because it is the basic structure to prevent a hard border with the Republic of Ireland. The UK Government should, and must, uphold its word to protect Northern Ireland from the harmful impacts of Brexit. Ministers here must ensure that the protocol is implemented before the end of this year.

Finally, I thank Mr Givan for being a cheerleader for the Alliance Party because every time he mentions our name I can hear the

cheers rising amongst all of those people who voted for Naomi Long and smashed it when we elected her to the European Union.

Mr Middleton: The Internal Market Bill is a step forward. It is a recognition by the UK Government that there were defects with the Northern Ireland protocol and the potential impact that it would have on the internal market of the United Kingdom. However, more work is required. We are focused on ensuring that consumer choice and costs are not impeded as a result of the Northern Ireland protocol.

It is important that goods arriving here, in Northern Ireland, are not subject to unnecessary checks, which, in turn, will lead to increased cost and reduced choice for consumers. It is vital that Northern Ireland businesses have unfettered access to the GB market, which is, of course, so important to Northern Ireland that it is welcome that the Internal Market Bill sets out potential helpful steps in that respect. With Northern Ireland's competitors able to support their emerging sectors through government aid, it would be wrong and would place Northern Ireland firms at a clear disadvantage if we were to be restrained in a state-aid straitjacket, unlike the rest of the UK.

4.45 pm

Mr O'Toole: Will the Member give way?

Mr Middleton: I will not.

The UK Government have stated that, through the Internal Market Bill, they are delivering on commitments to provide unfettered access between Northern Ireland and Great Britain and to maintain and strengthen the integrity and smooth operation of our internal market. We all signed up to the New Decade, New Approach agreement to restore this Assembly. The commitment in the 'New Decade, New Approach' document states:

"To address the issues raised by the parties, we will legislate to guarantee unfettered access for Northern Ireland's businesses to the whole of the UK internal market, and ensure that this legislation is in force for 1 January 2021."

We must ensure that we protect the £8 billion worth of goods and sales from Northern Ireland to GB and guarantee our place within the UK's internal market. These are not new commitments. The DUP has been consistent at all levels, including at Westminster, where a lot

of this really matters. We need certainty. We need legal certainty and clarity for businesses in Northern Ireland whose largest market is with the rest of the United Kingdom.

In relation to some of the specifics in the Bill for Northern Ireland, clause 40 places an obligation on the UK Government and devolved Administrations to consider Northern Ireland's place in the UK internal market when implementing the protocol. That applies to trade between GB and Northern Ireland in both directions. Clause 42 gives UK Ministers the power to disapply or modify export summary declarations for goods moving from NI to GB. The Government, again, yesterday, made clear that the declarations that would be disapplied through this clause would be those that do not recognise or respect the fact that Northern Ireland is part of the customs territory of the United Kingdom.

The Government talk about a "safety net". I think that "safety net" is a reasonable description, given the fact that, if these issues cannot be resolved through the Joint Committee, there absolutely needs to be a safety net in place. That is what any responsible sovereign Government would do.

My party colleagues at Westminster, yesterday, clearly articulated our position in regard to the Bill and, indeed, the amendments that were tabled in our name. The Government have indicated that many of these issues will be addressed through the finance Bill. We will wait and see what happens in that respect.

We will not be supporting the motion. Our views have been well rehearsed. I note that the Members opposite continue to table these motions. They are more than entitled to do so. However I would urge them to respect the fact that many businesses at the moment are struggling in a wide range of areas, and I think that we should be mindful that, whilst it is great that certain Members want to have their voices heard in this Chamber, the focus should be on ensuring that the United Kingdom's internal market is protected and that the businesses are properly heard through the relevant channels.

Mr Lynch: Just when we thought the issue of Brexit was sorted, with the withdrawal agreement and the protocol, the British Government announce that they are going to break an agreement that was made only last January. Their announcement to break international law was not surprising, although, this time, they did it publicly. As a result, we are in the midst of another British-inspired Brexit crisis: the Good Friday Agreement is under

threat; the fragile economy of the North is at risk; and we are facing a real possibility of a crash out of the European Union.

The power grab clearly outlined in the Internal Market Bill gives authority to British Ministers to directly impinge on the workings of this Assembly and ignore the protocol and the withdrawal agreement. The protocol stated that nothing is to enter or be on sale here unless it meets EU standards, even if it comes from Britain. However, clause 45 gives the British Secretary of State the power to ignore any EU requirements for goods coming here.

Like many Members, I have talked to many businesses, their representatives and individuals about Brexit, particularly in my constituency, and I hear no clamour from customers here to see the lowering of EU standards. In relation to the Good Friday Agreement, strand two, all-Ireland areas of cooperation like public health and environmental standards are not grounds for exemptions. Under the British Government's Internal Market Bill, Ministers of the British Government will be empowered to breach elements of the Good Friday Agreement and the withdrawal agreement.

The British Government have once again shown contempt for this part of Ireland and, indeed, for all the people of this country who voted for and ratified the peace agreement. They are bringing this Bill forward to suit their own domestic political agenda. These are the same people who supported, campaigned for and financed Brexit. To say that they are protecting the Good Friday Agreement could not be further from the truth. With British Ministers like Michael Gove viewing the Good Friday Agreement as wicked, it is little wonder that Britain, as a co-guarantor of the Good Friday Agreement, can breach it and boast about it at the same time. The reality is that Tory Governments have been undermining the Good Friday Agreement since they entered power in 2011. Therefore, to argue that the Internal Market Bill is to protect the agreement is nonsense.

Despite what Members on the opposite Benches say, there was never a good Brexit. It must be remembered that the majority of people in this part of Ireland voted against it. The protocol is not perfect, but it mitigates the worst aspects of Brexit. Brexit itself is the problem. People in the North want certainty, and I know that people opposite have said the same. They need clarity as well. They want to know that their families and jobs will be safe next year. Their priority is to avoid any border

on the island of Ireland, protect the peace process, the Good Friday Agreement and the all-Ireland economy. We in Sinn Féin will defend those as we have done in the last four years.

Mr Beggs: Will the Member give way?

Mr Lynch: No, I will not. We will work with those who share those priorities in the Assembly, the Dáil, Europe and the United States Congress, in addition to standing firmly against the British Government's intention to tear up what was an international agreement. I support the motion.

Mr Humphrey: Here we are, act two, take two of this drama, and it is very clear that the Northern Ireland protocol is not good for Northern Ireland plc. The Democratic Unionist Party at Westminster opposed and consistently voted against that legislation. We warned Her Majesty's Government, and now we recognise and are glad to see that they accept the pitfalls and defects in those protocols. The Internal Market Bill is a step forward but it is not perfect.

Yesterday, in this House, during act one of this drama, we heard that many parties across the way were concerned about a hard border. Those who were claiming that there was going to be a hard border would not give way to those of us who were challenging who was going to make a hard border. The only person talking about a border on this island of Ireland — the frontier between Northern Ireland and the Irish Republic — was the former Prime Minister of the Irish Republic when he claimed at the World Economic Forum last year that he could see customs returning and uniformed people — police and army — potentially returning to the Irish border. No one in the United Kingdom Government, in the Northern Ireland Executive or in this House wants to see a hard border, so let us nail that. That is just nonsense.

Then, we also had the situation on the Sinn Féin Benches that the peace process was potentially being undermined. By whom is it being undermined? I will give way to those who want to tell me by whom. The reality is that the Belfast Agreement —. Are you going to undermine it?

Mr O'Toole: I am very grateful to my colleague on the Public Accounts Committee for giving way. Just as a point of information, he said that no one in the UK Government had ever said anything about a hard border. He will recognise that, in early 2016, during the referendum campaign, numerous Members of the UK

Government, including the subsequent Prime Minister, then Home Secretary, Theresa May, said that there was no way that the UK could leave the European Union in a specific way without there being the recreation of border posts.

Mr Speaker: The Member has an additional minute.

Mr Humphrey: That is why my party rejected her proposals, and where is she now?

The reality is that that great golden cow of the Belfast Agreement that your party sets up there — it is absolutely untouchable; we must not damage the Belfast Agreement — but, in January, the SDLP leader in the House of Commons talked about joint authority, saying that we will not go back to direct rule — such was his arrogance — we will have joint authority. Your party voted in support of the Belfast Agreement. I did not. The principle of consent is absolutely enshrined in that agreement. Where is the consent for joint authority? I will give way if you tell me from where the SDLP gets the consent of the unionist people for joint authority.

Mr O'Toole: I am grateful to the Member for proactively giving way. We are not debating that statement today. We are debating the motion before us. Let me say clearly, however, the principle of consent is absolutely at the heart of the Belfast/Good Friday Agreement, and we support it. That is what the motion is about.

Mr Humphrey: You are contradicting your party leader and are not on the same page as him. Yesterday, we even had the potato famine invoked as a great wrong done to Ireland. Of course it was, but we are in 2020. Let us be clear: the reality is that anything that hinders or impedes Northern Ireland plc trading from Northern Ireland to GB and in return is not good for Northern Ireland business. As Mr Givan said earlier, Northern Ireland business organisations are not on the same page as the parties across the way.

I understand nationalists and republicans supporting the protocol, because they want to destroy and end the Union. They cannot cost the utopian united Ireland that they talk about. They cannot cost it: none of them can. They have never been able to do it. You cannot, because it is simply impossible.

We stand for free movement and free trade. We want to see the free movement of goods across the North Channel and the Irish Sea. Northern

Ireland businesses must be given unfettered access to our largest market, Great Britain. The Bill is helpful in that regard. It is not a panacea, but it is helpful. Northern Ireland parties therefore need to decide on this basis: do you want what is best for Northern Ireland, what is best for the Northern Ireland people and Northern Ireland business and what is best for your constituents and mine, or do you want to disadvantage permanently Northern Ireland business?

The withdrawal agreement is bad for Northern Ireland economically. It is also bad for Northern Ireland constitutionally. You may welcome that, but the fact of the matter is that I hear much talk about the damage to the United Kingdom and to international law. What about the damage to the free movement of people, the free movement of trade and the equality of rights for people that came from the Acts of Union of 1707 and 1800? What about those? When you are Brit-bashing, and on that basis I agree with Mr Aiken, and attacking the Prime Minister, let me be very clear —.

Mr O'Toole: Will the Member give way?

Mr Humphrey: I have given way to you twice. I am not giving way to you again, so do not even think about it. You are Brit-bashing, but the reality is that the vast majority of the people of Northern Ireland want to remain part of the United Kingdom. It is your job to convince them otherwise, including economic unionists. You are not able to do that, because you cannot. That is the truth of the matter. As we move forward, I want to see business in Northern Ireland protected. I want to see the Union protected: the Union of Great Britain and Northern Ireland. That is where success and everything else flows from for Northern Ireland.

Mr Speaker: The Member's time is up.

Mr Humphrey: The protocol is not perfect, but this Bill, which is going through the House of Commons, will improve it.

Mr Speaker: The Member's time is up.

Mr Humphrey: It will not make it perfect, but it will improve it. Thank you, Mr Speaker. I oppose the motion.

Mr Sheehan: I welcome the opportunity to speak in the debate. The Internal Market Bill is a full-frontal assault on the Good Friday Agreement. I do not think that there is any doubt about that. The actual problem is Brexit, however. When the Members opposite were

supporting with gusto the campaign to leave the European Union perhaps they did not have the foresight to see what the repercussions were going to be. Brexit was going to undermine the Good Friday Agreement. There was no doubt about that. We had the protocol as a far-from-perfect solution to the problems that Brexit was going to create for the Good Friday Agreement.

Now we have the Internal Market Bill. Everybody believes the Internal Market Bill undermines the Good Friday Agreement. Even the British Government understand that, but, of course, they say otherwise. They actually turn things on their head and say that the Internal Market Bill protects the Good Friday Agreement. This is a Government that would tell us that black is white and that night is day. They are a bunch of unvarnished liars.

5.00 pm

Who did they send to the United States to convince Americans that the IM Bill protects the Good Friday Agreement? Dominic Raab. Dominic Raab is the man who appeared before the NI Affairs Committee and admitted to Sylvia Hermon that he had not read the Good Friday Agreement. He was sent out as some sort of expert to explain to Americans. Luckily, the Americans are more learned than Dominic Raab. They understand the repercussions of the Internal Market Bill for the Good Friday Agreement.

I say this to unionists: try to break away from the Stockholm syndrome that you are caught up in. It is sad to see once proud unionists like Gregory Campbell and Sammy Wilson on their hands and knees, with their ears down and their tails between their legs, licking the boots of people like Johnson and Cummings. It was Cummings who said:

"I don't care if Northern Ireland falls into the [effing] sea".

That is the man you are dealing with. That is the man you are kowtowing to *[Interruption.]* Why do you not —.

Mr Speaker: Will the Member resume his seat for a moment? I ask Members to keep the debate on a temperate level. I do not want this to descend any further.

Mr Sheehan: Go raibh maith agat, a Cheann Comhairle. Certainly, I will try to be as temperate as possible.

There is a fundamental issue. The English Tories do not care about here. That is reflected in what Dominic Cummings said and in the jingoistic English nationalism that has driven the whole Brexit debate. I say this genuinely and honestly to unionists: the English Tories will never consider you as their equal, never. I say this to you, as a friend and a fellow countryman: join with us. The ground is shifting under your feet. Join us to build a new country, a country of equals where we will all have the same rights and freedoms. Let us join together. Let us forget about the unvarnished liars and the other people who yank your tails. Let us — all of us together — build a country where we can all live as equals.

Ms McLaughlin: The British Government have a long history of treating people with contempt, and you do not have to look too far to see examples of that. My friends in the DUP can affirm that. In my city of Derry, we suffered greatly due to the wrongdoing of the British Government, but we had hoped that the British Government had moved away from that shameful past. It has been clear during the negotiations with the European Union that the British Government have reverted to the bad old days of treating nations, neighbours and friends with complete and utter contempt. The Prime Minister had already shown that contempt in how he played with the truth during the Brexit referendum. Now, he is going further by rejecting the withdrawal agreement protocol that he signed up to and negotiated just a few months back. By doing that, he has shown contempt for the EU, contempt for the citizens of the UK and contempt for the rule of law, and he has shown utter contempt and disregard for every person in Northern Ireland.

Do not be fooled by the further lies that are being peddled. Actions have consequences, and the protocol, as signed, is the consequence of the UK voting to leave the EU and to reject the single market and the customs union. Make no mistake: it is the UK that has put a border in the Irish Sea, not the EU. More than that, Boris Johnson and his Government are showing absolute contempt for this Assembly, the Scottish Parliament and the Welsh Parliament. The Internal Market Bill is a naked power grab by a power-hungry, right-wing English nationalist Government.

Our powers as an Assembly will be badly cut by the Bill. It is no wonder that Nicola Sturgeon referred to it as a "full-frontal assault on devolution". Boris Johnson and his inner cabal want that power to themselves, to have the most-centralised UK Government there has been for decades. He wants to limit the powers

to govern Northern Ireland, and that should make every person in the Assembly angry. Under the Bill, any legislation that we pass that impedes the internal market will have no effect. That means that, if we want to protect the health and well-being of livestock, we may not be able to. If we want to eliminate zero-hours contracts, we may not be able to. What happens if we confirm a policy of no fracking and one of the other nations says that fracking is OK? The Welsh Government are concerned that even their building regulations could be replaced by those of England. Regulation sits at the heart of the Assembly. Without our ability to regulate, the Assembly becomes little more than a talking shop. Boris Johnson is ripping up the devolution settlement. It is the old colonial way and attitude: "If they do not like it, punish them". We want more powers, and the response from Westminster is to give us fewer. You can see the same in Whitehall. Senior civil servants give the Government advice, and, if they do not like it, they get sacked and are replaced by yes-men — and, predominantly, they are men.

Just as we hoped that we were making progress, we find ourselves going backwards, slapped down by a Government who want to exert as much control as possible. I ask the Chamber to support the motion and ask the First Minister and deputy First Minister to make clear our rejection of the Internal Market Bill. The Executive need to take a formal position opposing the Bill. We know that the Government intend to ignore us if we refuse to approve a legislative consent motion. That is just one more illustration of their contempt for the Assembly and for the people of Northern Ireland of every tradition and none.

Mr Beggs: I, too, oppose the motion. I reiterate the point made by my colleague Steve Aiken: we are 100 days away, and motions that do not garner support from all sides will be ignored. We need a reality check on that. A particular phrase in the motion irks me, namely where it:

"rejects any argument that the Bill is necessary to protect the Good Friday Agreement;"

There has to be a recognition that the Northern Ireland protocol drove a coach and horses through the Belfast Agreement. I quote from paragraph 1(iii) of the "Constitutional Issues" section:

"the present wish of a majority of the people of Northern Ireland, freely exercised and legitimate, is to maintain the Union and,

accordingly, that Northern Ireland's status as part of the United Kingdom reflects and relies upon that wish; and that it would be wrong to make any change in the status of Northern Ireland save with the consent of a majority of its people".

It continues, at annex A, paragraph 1(1):

"It is hereby declared that Northern Ireland in its entirety remains part of the United Kingdom and shall not cease to be so without the consent of a majority of the people of Northern Ireland voting in a poll"

and it goes on to explain how such a poll would happen.

Why do I say that the protocol breaches the Belfast Agreement? It creates a border down the Irish Sea. It cuts us off from other parts of the United Kingdom. We will not be governed by the Assembly or Westminster. Many decisions will be taken out of our hands and determined by the Joint Committee and the Specialised Committee, arbitrated on at a European level. It significantly alters our constitutional position. There has been no recognition of that, not by the British Government, not by the EU, not by others who claim to be guarantors of the Belfast Agreement. The Americans have taken a single-sided approach. The protocol breaches the Northern Ireland agreement, and that needs to be recognised if we are to have a solution.

Going forward, we have to recognise that, if we do not reach an accommodation, we will all be losers — all Northern Ireland consumers, all Northern Ireland workers and our businesses. We are 100 days away, and what are we doing about it? We are continuing to throw brickbats and blame Brexit. Whether you voted for or against Brexit, it is coming on 1 January. We need solutions, and, until we speak collectively and move towards solutions, applying pressure to both sides in our interests, they will ignore us and we will continue to be pawns. That is why I agree with Steve Aiken: we collectively need to take action, speak to both sides and highlight how this damages Northern Ireland, damages the Belfast Agreement and potentially damages our consumers. The cost of importing goods will go up, the prices in our shops will go up, delays will cost jobs and trade will be disrupted unless there is an agreement, so this is urgent. What are we doing about it? We are blaming one side or the other. We need to apply pressure to both sides to try to bring about a solution. It is not good enough to continue to take a single-sided approach.

I will remind you about the trading aspect. Some £13.4 billion of our trade in 2018 came from Great Britain, and £5.2 billion came from the Republic and the rest of the European Community. A border down the Irish Sea is two and a half times more dangerous unless we get free trade flowing that way. It is not just about free trade flowing North/South; we need free trade flowing east-west. Look at our sales and our exports. Similarly, £11 billion — sorry, let me get my figures right — £6.7 billion of our goods move to the Republic or to the EU, but a much larger amount, £10.6 billion, moves to GB, so that will potentially have a huge bearing on our exporters and our jobs. We need free flow. I think of simple things. For example, there is an Asda distribution store in my constituency. If goods arrive in and are meant to have a three-day shelf life but only have a two-day shelf life, they get dumped, so the cost of transport and the cost of goods go up.

We need solutions, and we need to work together. The sooner we get together and argue against the views being brought forward by the European Community and by the United Kingdom Government —

Mr Speaker: The Member's time is up.

Mr Beggs: — in cutting us off and we begin looking after ourselves the better.

Dr Archibald: I rise to speak in support of the motion. First, let me say this: it is not rehashing the Brexit debate to reiterate that the people of the North voted to reject Brexit. They did so because the contradictions of Brexit in the context of our relationships across our small island and on these islands were apparent.

In recognition of the unique and special circumstances of the North and the need to protect the Good Friday Agreement, the EU prioritised it in negotiations, and the protocol was painstakingly negotiated with the British Government over three years in recognition of the need to offer those protections to the all-island economy, North/South cooperation and the Good Friday Agreement. As many Members outlined yesterday afternoon and again today, the protocol is a clumsy and imperfect tool, and the best outcome for it to operate in an efficient way is a comprehensive free trade agreement between the EU and the UK. As Members also outlined yesterday, safeguarding and dispute-resolution mechanisms are built in to the protocol. All efforts — "best endeavours", to use the term — should be focused on achieving an outcome that results in a free trade agreement.

We in the North have been through many negotiations, and we know only too well that they are difficult and complex. These negotiations have been going slowly, with little progress reported on key issues, but, instead of applying themselves to resolving the issues in the process, the British Government have decided to throw the toys out of the pram and, like a petulant child, have a tantrum to get their own way. This is no childish game. The stakes for our businesses, our economy, our communities and our peace agreements are much too high to be used as a pawn in negotiations by the British Government.

As was highlighted at length in yesterday's debate, the Bill undermines the devolved institutions. It has also been described as a "power grab" by the Scottish and Welsh Governments. It limits the ability of the Assembly to make regulations. The three Finance Ministers for the North, Scotland and Wales have outlined their concerns about the powers that it gives Westminster to bypass the devolved institutions in funding allocations.

5.15 pm

However, what has caused a great deal of concern in the international community is the freely admitted intent to break international law. The utterances of "specific and limited" mean nothing and wash with no one. It is a clear admittance that the British Government think nothing of breaking an agreement when the ink is hardly dry. The approach that they have adopted is reckless for people and businesses here. Of course, Boris Johnson is not worried about what new red tape it will cause for his small business and whether it will be able to survive. David Frost is not a young person who hopes to study in the South and wonders whether they will be able to afford the fees. Michael Gove does not have the hassle of applying for a settlement scheme permit to keep his family here, or concern about whether he will still be able to cross the border. Those are the realities that are faced by people here. What I care about is those realities. What Members in this Chamber should care about is giving businesses and communities certainty to plan for what is only 100 days away.

What will unfettered access actually look like? What will be the definition of "at risk" goods? What will the VAT regime be? What will SPS checks actually look like? What are the labelling requirements? Those are the types of practical questions to which businesses desperately want answers, but, as yet, do not have them.

As I said in yesterday's debate, the argument that the Bill is, in any way, designed to protect our peace agreement is absurd. I say it again: it is ridiculous. The protocol in the withdrawal agreement was negotiated to protect the Good Friday Agreement and mitigate the contradictions of Brexit on the integrated arrangements across these islands. The Bill seeks to undermine that with the flimsy excuse of giving certainty to businesses when we all know that it is simply about the British Government trying to have their cake and eat it, and not live up to commitments that they made.

The Bill has caused havoc instead of providing certainty. It has muddied the waters further and created distrust when calm heads and rational thinking were actually needed. The reality is that the clock is ticking down and time is running out to provide that much-needed clarity and certainty before the end of the year. Businesses and communities are already struggling with the impact of COVID-19. They will be devastated further if there is no trade agreement. As it is, the time frame for implementing any arrangements that were agreed is already far too short. All efforts are needed now by the British Government to ensure that there is no cliff edge come 31 December.

Mr Blair: I rise to support the motion and express my deep concerns about the UK Government's threat to breach international law over the Northern Ireland protocol. It suggests that the UK Government have not yet come to terms with the implications of their choices and red lines on Brexit. Their claim to be doing so on behalf of the people and businesses of Northern Ireland and to protect the Good Friday Agreement is risible. The framing of the Internal Market Bill is, in fact, at odds with the view of most people in Northern Ireland; the Irish Government, of course; and the European Union. Northern Ireland remains a divided society and contested space. The agreement brought a semblance of structure to manage those fault lines. It was made easier, many people believe, by already established relationships, including that of the UK and Ireland both being members of the EU customs union and the single market. Twenty years on, the situation in Northern Ireland remains delicate, and work to promote integration and reconciliation continues. Essentially, Northern Ireland works best through interdependence, which includes —.

Mr O'Toole: I am very grateful to the Member for giving way. In response to some of the points that have been made across the Chamber, does he agree that British and Irish

citizens in Northern Ireland voted to remain, and that it is wrong to turn this into a narrow, one-identity-versus-another debate?

Mr Speaker: The Member has an additional minute.

Mr Blair: Absolutely. I thank the Member for the intervention. Indeed, some branding was done of me earlier. I ignored it because it was incredible. Democrats should accept my position as stated, and not question it or brand me in that way. With regard to the numbers that are involved and support for the Belfast Agreement or against Brexit, we have heard a lot about the will of the people and the majority of the people. Anybody who spoke about that should look back to the 2016 referendum and the 52% of the vote.

I was talking about the interdependence, which includes the free flow of people and goods east-west and North/South. Any border drawn across the island —.

A Member: Will the Member give way?

Mr Blair: No, I will not give way so soon.

Any border drawn across the island or down the Irish Sea brings emotional and political implications. However, in pragmatic terms, although east-west trade is greater in value than North/South trade, there is more movement on the island than across the Irish Sea plus there are around 270 crossing points to consider on the island versus seven across the sea.

Separate to that, any reneging on the terms of the protocol could see that customs frontier pushed back onto the island, with pressure for checks as the EU naturally seeks to protect its economic integrity. Threatening to breach the withdrawal agreement is self-defeating both in the narrow terms that I have referenced and to the UK's ambitions to have a future relationship with the EU and get a trade deal with the United States.

As a member of the AERA Committee, it is important for me to stress the agri-food sector's importance to the Northern Ireland economy. It represents around 10% of activity, which is considerably higher than the UK average, making the sector a much more important component of the regional economy than it is for the UK as a whole. Furthermore, the profile of agriculture and associated industries also varies across the UK. The Northern Ireland sector is built around quality rather than scale;

standards really matter and they are a matter of pride and priority for all stakeholders. Environmental, food safety, animal welfare and labour issues are all critical considerations. With 100 days to go and with the clock ticking, it is not a good time to start rewriting the rules and redrawing the boundaries.

It is important to also acknowledge the unique situation that Northern Ireland finds itself in with the implication of the protocol. That is, of course, the inevitable outworking of Brexit, in particular the decision taken by the UK Government and Parliament to rule out a softer Brexit based on a customs union and continued membership of the single market, and the ongoing need to ensure an open border on the island of Ireland and protection of the Good Friday Agreement. Northern Ireland will, consequently, remain aligned to large aspects of EU regulation. The all-island context on matters such as food safety and environmental considerations should be, to all involved, self-evident. It would be a strange thing if the Northern Ireland Assembly did not want to shape policy within its own area of competence.

Guided by my belief in open and liberal international trade and, more importantly, by many expert voices from our vital sectors, I support the motion and urge others to do likewise.

Mr McAleer: I commend those who tabled the motion. Over the course of the debate, there has been some quite intemperate language used such as "Brit-bashing". That is not what the motion is intended to do. The Internal Market Bill is one of the greatest acts of internal self-destruction that I have seen, and it has caused huge damage, if more damage could be caused, to the international reputation of the British Government. That analysis comes from within the British establishment; it is not coming from these Benches. We have already had Blair, Major and May — three former Prime Ministers — expressing huge concerns about it, as has Norman Lamont. We have had the House of Lords' Constitution Committee saying that it unravels the withdrawal agreement and brings the British Government into conflict with international law. In the USA, Nancy Pelosi and members of the Ways and Means Committee have expressed concern. Indeed, the Lord Chief Justice, Sir Declan Morgan, has said that it shows a flagrant disregard for the rule of law and undermines confidence in the legal system. So, this is not a Brit-bashing exercise where we are trying to get at the Brits. The Bill has huge implications, and it is quite right that we debate it because it could have huge implications for businesses here. As Chair of the Agriculture,

Environment and Rural Affairs Committee, I have a special interest in that aspect of our society.

Turning to the actual legislation, it is important to look at a number of its clauses. I took a look over the legislation earlier, and clause 42, for example, disapplies the EU declaration exit procedures and gives a commitment that there will be no new checks on goods that are going from here to Britain. It does not address unfettered access, because it has not set out what a "qualifying" good is. We do not know. We had imported 41,000 cattle and 350,000 pigs into the North by August this year. If the products that come from them are not to be qualifying goods, will they be able to go to the British market? While the Internal Market Bill aspires to have no exit declarations, it does not state that there will be checks on what goods qualify and do not qualify.

Clause 43 is about the disapplication of state aid, which might sound good to some people, but when Britain leaves on 1 January, World Trade Organization rules will kick in. The WTO rules post-transition are hugely different to the state aid rules that govern our payments and subsidies here. For example, the WTO does not set any limits at all on coupled and decoupled support for farming and agriculture. That will create a huge imbalance in the playing field for our producers compared with those across the water in Britain. As Seán Lynch said a while ago, clause 45 overrides all the other relevant laws.

To draw attention to a couple of other things that I noted, I will point out that, in clause 48, the British Government have completely and unilaterally amended the NI Act 1998. That is written into the Bill. It amends the NI Act in relation to what they term "Distortive or harmful subsidies". They tell us that they decide what so-called distortive or harmful subsidies are, so if mother England is telling us what is good and what is bad, we cannot make up our own mind. Clause 49 amends the NI Act as well. The entrenched amendment restricts the Executive and the Assembly's competence to modify aspects of the Bill that could have implications here. It is about the protection of the Act against modification. Again, that completely and utterly rides roughshod over our ability here to have any input. That NI Act was unilaterally amended without any consultation with or recourse to this devolved Assembly. It undermines every single one of us.

As has been said, there is no good Brexit. The best option for seamless east-west trade and North/South was to remain in the EU.

Unfortunately, the democratic wishes of the people of the North of Ireland were completely discarded, and we did not get that. The backstop might have facilitated a freer flow of east-west trade. That was undermined by the DUP in Westminster when it was in hock to the Tory Government. Now we have the protocol, and the Internal Market Bill has added confusion to a huge level of uncertainty. There is no good Brexit, but, at this stage, the protocol is probably the least-worst option that there is to try to deal with a very complicated situation, so —.

Mr Speaker: The Member's time is up.

Mr McAleer: I support the motion.

Mr McGlone: It was clear, even before the COVID-19 pandemic, that a trade deal between the UK and the European Union was critical in order to protect the interests of everyone living in Northern Ireland. Securing an economic recovery from the impact of the pandemic would be difficult enough in the best of circumstances. The withdrawal agreement that was reached between the UK and the EU may not be the best of those circumstances, but it is the only circumstance that both sides could agree on.

The implementation of that agreement in full remains an obligation under international law and is an obligation that the current British Government, under Boris Johnson, signed up to. Crucially, it addressed the prospect of the chaos and uncertainty that would accompany a no trade deal between the EU and the UK. It was always recognised that a no trade deal with the EU would cause chaos, particularly on the island of Ireland, and a number of Members referred to agri-food and its importance for our local economy and to the free flow of those economies and trade in Ireland, which, in fact, happens daily. That is why it was necessary to include the Northern Ireland protocol in the withdrawal agreement. That protocol was the balance and produce of long, difficult and detailed negotiations and represents a delicately balanced compromise by all sides. It was necessary because of the many complex and sensitive issues that Brexit raised for everyone living on the island of Ireland.

The UK Internal Market Bill plans to drive a coach and horses through that delicately balanced compromise.

If the Bill is enacted, it would seriously damage political trust between the EU and the UK and, I should add, the USA, where prominent

politicians have recently pronounced on the difficulties with the direction that the UK is taking and where that will wind up. It threatens to unilaterally replace that agreed approach with measures that will further erode the authority of the Assembly and the other devolved Administrations. The Bill's measures would create more difficulties for the agri-food sector on the island, damage our economy and undermine political stability. No doubt, some would look to profit politically from that instability, whatever the cost, just as there would be those who would look to profit financially from the economic chaos and uncertainty of no trade deals with the EU. The risk involved is why the UK Government's current approach to negotiations is of such concern.

5.30 pm

For all his bumbling public persona, Boris Johnson understands that perfectly well. He understands the well-founded concerns of the Irish Government and the parties in the Assembly, as well as those of the other devolved Administrations. He also understands the concerns of the EU regarding the difficulty of maintaining the single market in a no-deal scenario. It is one of the reasons that he is threatening to tear up the protocol. It is, in effect, an attempt at extortion rather than negotiation.

Even without the serious implications for everyone living on this island, there would rightly be concerns about the tactics of the British Government; tactics that were demonstrated by the introduction of provisions in the Bill that are designed to break international law. That is why Boris Johnson faces a rebellion in his party, by those on both sides of the Brexit debate, and criticism from former UK Attorney Generals. It is why the UK Government's Advocate General in Scotland was unable to reconcile his obligations as a law officer with the policy intentions of the Internal Market Bill. It is also why advice has been given to civil servants in London about what to do if they are asked to work on a policy that breaches the Civil Service code, which makes it very clear that civil servants must comply with the law and uphold the administration of justice. It also raises the question of whether the support for the Internal Market Bill would breach the Northern Ireland Executive's ministerial code of conduct, which, similarly, requires Executive Ministers to support the rule of law unequivocally in word and deed.

If we are to believe the British Government, they will seek the legislative consent of the

Assembly for the implementation of the Bill. In those circumstances, I would expect, first, that the Executive would seek legal advice on that question and, if they do not, perhaps the Speaker's Office and the Assembly should seek advice. Following a plethora of statutory instruments being foisted on the AERA Committee, we have had to seek legal advice on those and the manner in which the Department seeks to pursue them. In the meantime, the First Minister and deputy First Minister should commit —

Mr Speaker: The Member's time is up.

Mr McGlone: — to opposing legislative consent in the Assembly for the UK Internal Market Bill when or if that is presented.

Mr Speaker: The Member's time is up. I call Rachel Woods. The Member has two minutes.

Miss Woods: Thank you, Mr Speaker. I do not have anything prepared for two minutes, but I will try to get through as much as possible.

As many in the Chamber have explained, and will no doubt continue to, there is no such thing as a good Brexit for Northern Ireland, and the latest shambles surrounding the UK Internal Market Bill only underlines that. The misleading claims and mistruths of ardent Brexiteers are beginning to unravel, while the future of Northern Ireland makes the front pages again and again and we all scramble for the latest scrap of detail on the post-transition plans from Boris and the Executive. Nothing new then.

Analysts consistently pointed out that the UK internal market White Paper would not be workable in full for Northern Ireland unless the rest of the UK remains aligned with the EU's regulations for goods. Given what the UK Government says that they want to achieve, it is simply impossible to satisfy both the internal market and the protocol.

What is the Executive doing? They are the Ministers who are elected to represent businesses, livelihoods, families and the best interests of people here. In July, I tabled a priority question for written answer to the First Minister and deputy First Minister to ask for their assessment of the UK Government's approach to the UK internal market in relation to the protocol and whether they had even responded to the consultation on the White Paper. Two months later, I am yet to receive a response. Judging by moves in the other devolved regions, the power grab that is the UK Internal Market Bill will be fiercely resisted. One

just has to look at Scotland and the efforts of my Green Party colleagues there. Yet, there is no strong, collective voice standing up for the legislative competence of this Assembly and the principles of devolution.

As the political pantomime over the Internal Market Bill continues, livelihoods are being lost and the hope for Northern Ireland's post-transition future is fading. Post-Brexit trade deals will see the rich getting richer and the most disadvantaged suffering more. There is a perfect storm coming in Northern Ireland when it comes to food poverty, with increased grocery costs, especially for those in rural communities who rely on small retailers; the impact of COVID; the reduction in employment; and the growing numbers on universal credit. It is time for the Executive to step up —

Mr Speaker: The Member's time is up.

Miss Woods: — and represent the interests of those who elected them.

Mr Allister: On a point of order, Mr Speaker. Why were 11 Members who support the motion called to speak and only five who oppose it? Bearing in mind the exhortation of Standing Order 17(5) to reflect "the balance of opinion", how does 11:5, plus the 12th Member about to be called, do that?

Mr Speaker: The Member will also be aware that speaking rights are through d'Hondt, by and large, as is everything in the Assembly and this institution. That is to guarantee the democratic rights of every single voter out there so that their representation is proportionate. All of the Members who indicated that they wanted to speak were on the list as of right. I cannot determine how everyone is going to vote or argue when they participate in a debate. The speaking list today was agreed on the basis of the proportionality rule that, by and large, governs how we do our business in the Chamber. I have exercised discretion in previous debates, but there was no need for it here because you could not have done so during the debate this afternoon. All of the Members who spoke here today had a valid right to do so. You would have been the next Member called to speak had other Members not taken the additional minute. I cannot guarantee how everybody is going to speak or vote. That is the decision.

Mr Allister: Further to that point of order, Mr Speaker. Each Member who spoke declared whether they were speaking for or against. Standing Order 17(5) refers, although not

exclusively, to the desirability of a "balance of opinion". How can there be a balance of opinion with 11:5?

Mr Speaker: As you say, they may have declared how they were going to vote when they began to speak. Anyway, we are moving on. All those who spoke had a valid right to do so under the proportionality principle. I stress again that I have, on past occasions, called Members, including you, Mr Allister, to speak out of turn in the Chamber to ensure some type of balance. It cannot be exercised in every single debate, but all of the Speakers do their best to do that when possible.

Mr McGrath: It is now 12:5. I shall continue. I welcome the opportunity to speak on the motion before us today and wind on the debate.

There can be no doubt that the entire process of Brexit — of taking back control and English nationalism gone mad — has been an unmitigated disaster. Just like the SDLP motion that called for an extension to the transition period in June, this debate is an essential opportunity for the Assembly to make our voice heard again. We were denied that opportunity for too long. We are able to signal to the British Government that we do not agree with the Internal Market Bill.

Since the initial Brexit vote in 2016, we have seen three United Kingdom Prime Ministers, all from the one Tory Party, and all with differing views on what Brexit really means. Brexit has rocked international relations and how the United Kingdom is viewed the world over. All the while, the public here wonder what it means for them.

Members can say what they want. Many have stated many times that the Brexit vote was UK-wide and that we must accept the will of the people. I categorically say that I do; I accept the will of the people of my constituency of South Down, an overwhelming 67% of whom voted to Remain. I accept the will of the people across the North; 56% voted to Remain. I accept the voice of the Good Friday Agreement, whose authors understood and appreciated our place in the European Union and all the assistance that the European family provided us, whether economic, social or cultural, as we clawed our way out of so many troubled years and into a time of peace.

What I will not accept, however, is the voice and will of a UK Government that ran roughshod over their own MPs, their own Ministers and their own Prime Ministers. They negotiated another deal and then threw it out

because they simply could not sell it to their own Brexiteers. I do not accept the Northern Ireland Secretary of State, who openly declared in the Houses of Parliament that his Government will have to break international law — but just a bit. That is all to say nothing of how abysmally they have treated the negotiating team from the European Union.

Mr Speaker and Members, how can we ever trust the perpetrators of such a shameful abdication of responsibility? Make no mistake, if this Internal Market Bill passes at Westminster — SDLP MPs are working hard with others to try to prevent that from happening — it will confer pariah status on this Tory Government. If this Bill passes and the United Kingdom foolishly believes that it can tailor the Good Friday Agreement to suit its needs, there will be no US-UK trade Bill. That is not open to discussion and that is not negotiable.

I will highlight a few remarks that a number of Members made during the debate. We started with my colleague Matthew O'Toole, who referred, amongst other things, to the fact that we could still be looking into the face of a no deal scenario and that that would be totally and wholly disadvantageous for us here. He mentioned, as did many others later, the internationally reckless and diabolical approach that is being taken by this British Government. He then asked a really key, critical question: do we want to be plunged into an economic crisis whilst we are in the middle of the greatest pandemic to impact on us in living memory? Is that really where we want to go?

Dr Archibald: Will the Member give way?

Mr McGrath: Go on ahead.

Dr Archibald: Last week at the Economy Committee, we heard from Richard Ramsey about how it could take us until 2024 to recover from the economic crisis caused by COVID-19. That was not taking into account a no deal outcome. Does the Member agree with me that we really need to see a focus on achieving a free trade agreement?

Mr McGrath: Absolutely. We cannot control COVID in the sense that it will have the impact that it has, and that will be terrible for our economy, but some control can be exercised over the Brexit outcome. We have seen the British Government try to opt for one of the worst possible outcomes, and that will have an even bigger impact on us.

Talking of that British Government, Matthew made this very valid point: is Boris Johnson somebody who we really want to trust with our future? Boris Johnson.

Mr Beggs: Will the Member give way?

Mr McGrath: I am going to make moves. I am over halfway through my time.

Paul Givan highlighted how this feels like it is round two today after a similar debate yesterday. What is wrong with that? What is wrong with having a conversation every day about the biggest, most seismic constitutional, economic and cultural change that there will be to these islands, impacting on everybody who lives on them? I think that we would be neglecting our duty if we were not talking about this every day.

I also note that we are not having a debate at any stage on a ministerial statement by the First Minister or deputy First Minister. For the second time today, I get to make the point that they must be in hiding because they cannot agree on an approach. Mr Givan also asked which business group disagrees with the content of the Internal Market Bill. What about this: how many of those business groups agree with Brexit? They were all pretty vocal in saying that Remain was the best way forward.

Martina Anderson detailed the importance of the protocol and the protection of equality and rights and how those were underscored in the Good Friday Agreement. They are protected there, yet the Internal Market Bill rides roughshod over the protections of previously agreed international agreements. We need to see our commissions effectively challenge the attack and grab that there could be on our rights.

Steve Aiken referred to Boris Johnson and the potential for "Brit-bashing".

Mr O'Toole: I am grateful to the Member for giving way briefly. Can I set down in absolutely clear terms, and does he agree with me, that not only are there hundreds of thousands of British citizens in Northern Ireland who did not support Brexit, but there are people across the island of Britain who utterly reject Boris Johnson's Government and what he is doing?

I speak as someone who, until earlier this year, lived in London. It is all well and good for the Member to put his head in his hands. I lived in London, and my son was born there. I utterly reject and am offended by the suggestion that it

is "Brit-bashing" to oppose the conduct of Boris Johnson and his Government, which is damaging people across these islands.

5.45 pm

Mr McGrath: I thank the Member and totally agree with what he said. I agree that it could not be further from the truth. We are interested in here. Whether it was Johnson, May, Cameron or whoever, if they do not have the best interests of here at heart, we will not support what they are going to do.

Dr Aiken also suggested that we write to Mr Gove and Mr Barnier. We did. Back in July, nearly 100 days ago, the Committee for the Executive Office, which I chair, wrote, and we still await a reply from Mr Gove. So, I am not so sure that our writing will achieve anything. However, if it is something that we can do to try to mitigate the impact of Brexit, we will certainly be agreeable to that.

He also said a few —.

Dr Aiken: Will the Member give way briefly to allow a short comment?

Mr McGrath: Very quickly. I am down to two minutes.

Dr Aiken: I thank the Chair of the Executive Office Committee for doing that. I am in the process of writing to all Committee Chairs. Bearing in mind that we have only 100 days left, it is very appropriate that we do that.

Mr McGrath: You mentioned a few times that it is 100 days away and that we are in peril and need to move quickly. I have to say that that is why the SDLP asked for an extension to the transition period. We would not be staring at 100 days; we could have been looking at a year plus 100 days, if we had all supported that back then. I am sorry, Mr Dickson, that I will not get to refer to what you said because my time is moving on.

The people of the North voted to remain in Europe and, in so doing, reject Brexit. The SDLP has been steadfast in that view and its commitment to it. We are proud Europeans. We are steadfast in our commitment to our place in Europe because we know that our relationship with Europe is a mutually beneficial one. We hold the Good Friday Agreement as sacrosanct, so we will vehemently oppose this UK Internal Market Bill. We call on the Prime Minister of the United Kingdom, just for once — for once — to show some genuine leadership, respect the will

of the people here and realise that the Brexit agenda that he is recklessly pursuing — regrettably, an agenda that is aided and abetted by some MPs from the North, who, in the run-up to the Brexit vote in 2016, agreed with the statement that we needed to "Get the ethnics out" — will not be good for anyone. Brexit will not be good for anyone, and it will be worst of all for the people of the North of Ireland.

I am proud to support my colleague Matthew O'Toole and the motion.

Question put and agreed to.

Resolved:

That this Assembly recognises that a trade deal between the United Kingdom and the European Union is critical in protecting the interests of everyone living in Northern Ireland; expresses deep concerns about the UK Government's approach to negotiations and the terms of the United Kingdom Internal Market Bill; rejects any argument that the Bill is necessary to protect the Good Friday Agreement; further rejects the unilateral move to undermine the authority of the devolved institutions contained in this Bill; affirms its commitment to upholding international law; mandates the First Minister and deputy First Minister to take a formal position opposing the UK Internal Market Bill; and calls on the Prime Minister to respect the will of the people of Northern Ireland and the principles of devolution.

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

Members, before we resume our business, I see that Doug Beattie has entered the Chamber. Within the past couple of hours, Mr Beattie has been told that he is under threat from a loyalist paramilitary organisation. On behalf of all Assembly Members, I extend our solidarity and support to Douglas and his family at this time.

Motion made:

That the Assembly do now adjourn. — [Mr Speaker.]

Adjournment

COVID-19: Craigavon Area Hospital Outbreak

Mr Speaker: Mr John O'Dowd has been given leave to raise the matter of the COVID-19 outbreak in Craigavon Area Hospital. Mr O'Dowd will have 15 minutes to speak on the topic.

Mr O'Dowd: I doubt that I will take the entire 15 minutes because there is considerable interest in the debate and I want to let other Members speak. I concur with your remarks about Mr Beattie and condemn the threats against him. I know that he has faced threats before and that it will not deter him from his task. I wish him and his family well at this time.

I also acknowledge that the Health Minister has been in the Chamber a lot today. I acknowledge the work that he has been doing over the last number of months on COVID-19. His task is not easy. I am not here to berate the Minister; I am not here to make his task any more difficult. I am here to support the Minister, his Department, the staff of Craigavon Area Hospital and the other hospitals that have been dealing with COVID-19. However, the task of an MLA and the Assembly is to hold Ministers to account, and that is how I present myself to the Assembly and the Minister today.

Minister, I am going to take a step back from Craigavon Area Hospital and look back a few months. Over the last number of weeks, when we have been debating this issue, families from other areas have been in contact with me, and I want to highlight an issue. In previous debates, I have told you that I was not aware of any other acute hospital that had a COVID-19 outbreak. That was my position until yesterday, when I was contacted by a family who said that they have been impacted by a COVID-19 outbreak at Antrim Area Hospital in April of this year. April was the height of the COVID-19 outbreak, which will probably become known as the first wave as we enter another serious era. The family are now engaging with the health authorities and have been in correspondence with your Department and office. I will go into greater detail with you outside the Chamber as I do not want their family name to be in the public realm.

However, they have informed me that there was an outbreak in Antrim Area Hospital. The media reported that there were at least two deaths associated with that outbreak in wards C6 and C7 of Antrim Area Hospital. I will raise that outbreak in conjunction with the Craigavon Area Hospital case, as I was not aware of any other incidents. However, the family have now informed me that after significant engagement with the Northern Trust, a level 2 serious adverse incident (SAI) investigation is being carried out into that outbreak. Strangely enough at the time, the media reports referred to the fact that 24 members of staff had tested positive but there was no reference to patients at that time. The reason that I highlight that is because the serious adverse incident, which the family have now got the trust to call, was announced to the family in or around 5 or 6 August, yet no chair or panel has been appointed and the investigation has not started.

Moving forward to the last week of August, there was an outbreak in the emergency department of Craigavon Area Hospital in which two members of staff were affected and others had to isolate. On 25 August, it was announced that there had been an outbreak in Craigavon Area Hospital's haematology ward. A significant number of staff and 14 patients were affected. A week or so later, it was announced that there had been an outbreak in ward 3 south, in which a number of staff and patients had been affected. I questioned the Minister about that in the Chamber on 7 September and I asked him what his plans were. He announced a level 3 serious adverse incident in relation to that outbreak — the highest level that there can be.

However, as I said to the Minister yesterday, no chair or panel has been appointed and the investigation has not started. Since 7 September, when four patients had died, six patients have now died. Daisy Hill Hospital has had an outbreak and five patients have died there. I understand that there is evidence, though not proven, that there is a relationship between the outbreaks at Craigavon and Daisy Hill. I have provided further information to the Minister outside the Chamber in that regard.

I am beginning to question whether a serious adverse incident is the best way to deal with the situation. I am looking into the matter more and more, and when I listened to the chief executive of the Southern Trust this morning on the airwaves, I was concerned when he said that the trust had not yet agreed the terms of reference or the appointment of a chair. I am asking myself: is the trust agreeing the terms of reference? Is the trust to confirm the chair? The chair is supposed to be independent. I would

like to think that it was the Minister who appoints the chair, not the trust, and that the Minister, in conjunction with the chair, will approve the terms of reference. The investigation has to be thorough and independent. That is why I question whether, perhaps, we need to move this beyond the trust.

It is not that I have any evidence to suggest that the trust has mishandled the issue or is to blame for the outbreaks; I have not. I am not pointing fingers of responsibility at anybody in the senior management or the executive of the trust, but given the scale of the outbreaks and the number of deaths involved, the investigation may have to be moved beyond the trust to be carried out by another body, agency or group of individuals.

My other concern, then, is time. It has been two weeks since the announcement; there have been multiple deaths since then and lessons have to be learnt. The Minister said that the trust has been engaging with Public Health England and that it is giving advice, but is that advice going out to the other hospitals? The Minister may want to respond to that. Can the source of the outbreak be identified? As I said to the Minister yesterday, it is either a person, equipment or a process. I accept that COVID-19 is in the community, so it can and will get into our hospital settings. If we do not know how and we do not know why and we have not set up an investigation, there is a danger of it happening again.

6.00 pm

While researching for the debate, I looked at the deaths from COVID-19 in hospital over this last period. On 25 August, when it was announced that there was infection in the haematology ward, deaths in hospital stood at 561. Today, they stand at 577. Therefore, the death toll during that period grew by 16. Of those deaths, 11 are associated with the outbreak in Craigavon hospital and Daisy Hill. That is, 75% of hospital COVID-19 deaths are as a result of patients catching COVID-19 in the hospital, which is shocking.

I come back to my point. We need the investigation up and running. I have concerns as to whether the serious adverse incident procedure is the right way to do it, but my bigger concern is that time is not on our side. I urge the Minister to appoint a Chair, and in agreement with him or her, set terms of reference and get the investigation up and going. In that way, our health service, health workers, patients and communities can have

confidence that the matter is being tackled in an independent manner and that lessons will be learned from it very quickly, so that we minimise the risk of further outbreaks in other hospitals.

I will end on this point. Figures are available for deaths and infections in hospital, but I am having difficulty in establishing how many people have suffered secondary infection from outbreaks in hospitals. I am aware of a number of cases, including at least one death, where the partner of someone who has died has been infected. I suspect there are other, similar cases. In the Antrim case, the wife of the patient who died of COVID-19 died herself of COVID-19, several weeks later. COVID-19 not only impacts on the patient, but on the family.

I said that I would not take up all my time to allow other Members to speak, but I leave those points with the Minister.

Mr Speaker: I thank the Member for that. There is obviously lots of interest in the debate. Three Members representing the constituency are present, and they will have five minutes each to speak. All other Members called on to speak will have three minutes. There can be no extra time given for interventions, so take interventions at your peril.

Mrs Dodds: I speak in my capacity as MLA for Upper Bann.

I also associate myself with remarks addressed to my colleague Doug Beattie. I had not heard of the threat. It is reprehensible that a public representative should have such threats levelled against him. I trust that all will be well.

I would like to extend my sympathies to the families of the six patients of the haematology ward in Craigavon Area Hospital, who tested positive for COVID-19 and, sadly, lost their lives, and also to the families of the five patients in Daisy Hill, who also lost their lives. This is a devastating time for them and our thoughts and prayers are with them at this very difficult time.

As other Members have rightly said, on behalf of the people of Upper Bann, I express my gratitude and thanks to the doctors, nurses and support staff at Craigavon hospital who have been to the fore in protecting our community during the COVID-19 pandemic. They have been at the front line of the battle against COVID, and their commitment has saved so many lives during a difficult and uncertain time. We all owe them a huge debt of gratitude.

However, given what they have done for us, we need also to ensure that there is no repeat of

the events that we witnessed at Craigavon and Daisy Hill. We also owe it to the families of those impacted by these events to get to the bottom of what happened and to learn and take action so that such a tragedy does not strike again.

It is also essential that we instil confidence back into the community and hospital users, reassuring them that the hospital is a safe environment. I have been contacted by a number of patients, some of whom are incredibly ill and fearful because they may have to go into hospital. That is not a good situation for us to be in. During the pandemic, we witnessed a huge drop-off in those attending hospital, even when they needed to do so. We need to avoid a situation in which people feel unsafe using the hospital, as the long-term consequences would be absolutely devastating. My message to people in Upper Bann is simple: if you require medical attention, you should seek it immediately and use the hospital resources that are there for you.

The Minister's decision to announce a level 3 serious adverse incident is an important step in ensuring that we get answers about what happened at the hospital and what measures we need to put in place to ensure the safety of patients and staff. However, I am extremely concerned that this has not moved forward, and I look forward to the Minister outlining further details of the investigation to the House at the close of the debate. We also need to know about any issues that have already been identified and any early findings from preliminary investigations that have so far been carried out by the trust; I know that some of that has taken place. In these uncertain and difficult times, it is important that we find out the truth for patients and constituents in Upper Bann and, indeed, throughout the Southern Trust area.

The Minister has my support, but I believe, like all Members here this evening, that we need to get answers and that the families involved deserve answers — indeed, the front-line staff deserve answers — and that the importance of restoring trust and confidence to patients at the hospital is absolutely to the fore of our concerns this evening.

This is a very difficult time, and, over the past 24 hours, we have seen how this pandemic continues to impact our community and, indeed, all our services. Hospitals are not immune to those issues any more than any other environment, but we need to make sure that our patients, the most vulnerable among us, are protected and taken care of. I look forward to

finding out where the investigation is at, and I urge that we proceed with haste in finding out the answers and providing solutions so that these dreadful things do not happen again.

Mrs D Kelly: I thank Mr O'Dowd for securing the debate this evening. It is to be welcomed that the Minister is here to respond. Like Mrs Dodds, the Minister has my support. I am sure that he has had many sleepless nights over trying to deal with this pandemic and, in particular, in dealing with grieving families and staff on the front line. I place on record my sincere condolences to the people who have lost loved ones, both in Craigavon and Daisy Hill. It is not only the loss of a loved one but the whole rite of funerals and grieving, some of which has also been stolen. Mrs Dodds is right to point out that people need security about feeling safe when someone whom they know and love has to go to hospital.

It is my understanding that, so far, the emergency department has seen a significant drop in people accessing care. There is a huge communication and confidence-building issue that needs to be addressed by the trust. Other Members commented on the imperative of getting answers and giving reassurance to families, which, hopefully, the investigation will bring.

I want to concentrate on the staff as well as the people attending. It is my understanding that many staff are very distressed, not only about the outbreak of the pandemic but about the second spike that is coming and the implications for them and their families. I have family members who have to gown up and wear all the uncomfortable gear to protect themselves and others. As Members will know, doctors and nurses suffer outbreaks on their skin. There is a huge emotional and physical cost to the staff.

I know that infection control has worked really hard and I hope that, in any review, staff are consulted on what they think needs to be done. Craigavon Area Hospital is an award-winning hospital for infection control. I know that this is a very unusual pandemic and we are still learning about the disease itself, but something has happened for it to go from being an award-winning hospital to one in which there has been a number of deaths and people infected whilst in the hospital. There must be answers and reassurance must be given.

In the brief time available to me, Minister, I want to draw your attention to relatives and the clamp down on people visiting. That is also having an impact. For example, there is an

issue that needs to be addressed of people not having that occasion of joy at being present at the birth of a child.

From what I hear on the ground, there is a wee bit of clamping down and bolting the stable door after the horse has bolted. There are also issues with end-of-life care, letting visitors in and how that is defined. I know of one family who recently were not able to be at the bedside of a loved one at the end of life because of how that was defined. There has to be greater clarity. I have also had constituents contact me who have had problems with contacting the ward who want to know about the status of their loved one.

I know that staff are run off their feet, but there are some management issues that need to be addressed. Simple things that can help to reassure people who are in distress, worried and who even want to know simple things like, "Can I collect my mother's night pyjamas", stuff like that and being able to be able to bring home and replenish toiletries and all of the rest of their items. How is all of that managed? From what I hear on the ground, the trust has a wee bit of work to do with some of the practical measures.

I also know that some staff feel that a lot is being asked of them by managers, without those managers actually experiencing at first-hand what it is like to be in the red zone. There is a need for some of the senior staff to step up to the plate and to go in and see what they are asking, and what we as politicians, others and the public are demanding of the nurses and doctors on the front line.

I will end on this point: we all have a civic responsibility, as others have said, around the public health messaging and about looking at ourselves and what we are doing to try to diminish the spread of this infection.

Mr Beattie: I thank you, Mr Speaker, and also other Members here, for the kind words of support in the face of the threats that I have received, which I pay little attention to. I would like to thank the Minister for yet again being in the Assembly to listen to the debate. Finally, I would like to thank John for tabling this debate because it is important and it is a microcosm of what could happen in Northern Ireland if we do not adhere to the health regulations that are being put before us by the Executive.

Without a doubt, what is going on in Craigavon Area Hospital is of real concern. These are life and death issues that we are talking about. We are not just talking about an issue with infection

control; we are talking about people who are dying, families who are grieving and trust that is being damaged.

At the height of this COVID pandemic, it is worthwhile noting that Craigavon Area Hospital dealt with more patients than the Nightingale hospital. Labelled as having an ICU with impressive recovery rates, they are a trusted COVID service deliverer. They set up two emergency departments, respiratory and non-respiratory, in order to provide high levels of care and stop the spread of COVID. It was focused, it was diligent, it was deliberate, it was rigid and it worked.

What am I trying to say? I am trying to say that the staff in that hospital have made a huge effort to protect the people in that area and in Northern Ireland more widely.

6.15 pm

Sadly, we have had an outbreak with disastrous outcomes. We all feel for those who have lost their lives and for their families. As we have said, there is a level 3 serious adverse incident investigation being initiated. The Member says that it has not yet started, and that is a worry. However, to be really honest, I am slightly more worried about making sure that we contain the outbreak. Yes, the investigation is important; yes, we need to find out the reasons why; yes, there needs to be learning account. However, as we stand here right now, there needs to be a curtailment of the outbreak to save lives. If we can save lives, we can deal with the issues afterwards.

Where did the outbreak emanate from? The answer is that we just do not know. Did it emanate from somebody who refused to wear a mask, somebody who refused to wash their hands or somebody who went into a crowded space and passed the virus on to somebody who works in the hospital? We do not know. We are surmising. That is all that we can do until we get the results of the investigation.

I want to ensure that the commentary around this does not demoralise the staff in Craigavon Area Hospital. I have spoken to some of them, and some of them feel demoralised. More than 4,000 people work in Craigavon Area Hospital doing a Herculean job. That is clinical and non-clinical staff: doctors and nurses, cleaners and porters. They work day and night. I do not want to demoralise them, but I agree with the Member that we have to get to the bottom of the outbreak. It cannot happen again, and I certainly do want to see it happen anywhere

else in Northern Ireland. However, I also want to make sure that the people who work in Craigavon Area Hospital have confidence in the hospital and its leadership. I also want to make sure that people have confidence in using the facilities. What I do not want is sick people staying away.

In trying to find out what went on and why we had this awful tragic outbreak, I do not want to throw the baby out with the bath water. I want to make sure that we nurture those who work there and acknowledge what they have done for us previously and what they are doing for now. I want us to address the issues through an investigation. First and foremost, however, I want to see the outbreak contained and stopped in order to save lives. The learning account can come later.

Ms Bradshaw: Mr Speaker, I did not realise that I had only three minutes, so I will have to skip through my speech. I thank the Member for bringing the issue to the House and giving me opportunity to record my sincere sympathies and those of my party for the relatives of those who have sadly lost their lives. Hospitals should be safe places, and I am sure that those working in them will be devastated by the deaths.

Months ago, the surge plan came in from the Department of Health. I suppose that, at that time, it had been put together in great haste and that it had learnt from previous pandemics and outbreaks. In the Health Committee, we came across the new term of "institutional amplifiers". I suppose that a lot of work went on in trying to keep this hospital and other hospitals free from infections and that that work was put in place very readily. What has the trust responsible for Craigavon Area Hospital and for Daisy Hill Hospital learnt and what is it doing in quick time to move from the original plans to keep hygiene controls in the hospitals in place and what is it doing now? I am concerned about the serious adverse incident process. Over the years, I have spoken to bereaved parents and relatives who are so concerned about SAIs. They say that it is about marking your own homework, they are always delayed and that only certain people get involved in them and that they really do not get to the nub of the problem. My concern is that this is kicking the can down the road in many ways and will not put in place, in quick time, changes to infection-control measures.

My second point is about the fact that, as John O'Dowd referenced, we had incidents in Antrim Area Hospital and these two hospitals, and I am sure that there have been others. As a member

of the Health Committee and as a health spokesperson, I have always been keen to ensure that there is transparency about outbreaks and clusters so that the general public, the people who work in the hospitals and the relatives of the people staying in them have access to that information. It is so important that we all act responsibly, even more so when there are incidents such as this going on. As I say, we need to be assured that, going forward, things will be done differently at those hospitals. We know that there is a lag between being infected and then suffering from the disease, so I would like to hear from the Minister about what additional measures are being put in place at the two locations to stop the spread of the virus.

Before I draw my remarks to a close, I thank the Health Minister for being here today. He has had two very long days, and it is not an easy job.

Mr Speaker: I call William Irwin. Remember that all Members will have three minutes. Thank you.

Mr Irwin: I welcome the opportunity to speak on the matter today. Given that Craigavon Area Hospital is part of the Southern Trust area and serves my constituency, Newry and Armagh, this is an issue of importance to my constituents. First, I sympathise with the families of the patients who have sadly passed away in a hospital setting as a result of the virus. My thoughts and prayers are with those bereaved families at this difficult time.

As we know, there has been a concentration of COVID-19 outbreaks in the clinical setting of Craigavon hospital. Patients and staff have tested positive for the disease, and, following the sad deaths of six patients, the Health Minister has instigated an investigation, via a level 3 serious adverse incident, of the circumstances surrounding the outbreaks. That investigation is vital to establish the reasons why the outbreak occurred. There have been three identified outbreaks at Craigavon. We all realise, of course, that, given the complexities of the virus, no one can give a cast-iron guarantee that, even with the highest regard for safety, it is possible to completely prevent spread. However, in a hospital setting, there is an understandable public expectation that such outbreaks will be prevented or, at the very least, minimised. Therefore, how the situation has escalated so quickly needs to be established. We acknowledge the good work that has been undertaken over many months by all hospital staff to prevent outbreaks. However, people will be concerned by the developments at Craigavon and now Daisy Hill. They will be

concerned about the deaths that have occurred, and they will rightly enquire about how they happened. In the past few days, a level 3 serious adverse incident has been declared at Daisy Hill following the infection outbreaks. Sadly, there have been five patient deaths there.

These are certainly worrying times for everyone in the hospital. It is important to quickly establish the reasons why we have experienced this type of outbreak in two hospitals in the Southern Trust. If the causes are identified, they can be acted on to prevent further outbreaks. Is testing sufficient? Are wards regularly getting the deep cleaning that they require? Are rules being adhered to rigorously? Those are all questions that need to be answered.

The effect of an outbreak, with someone potentially dying as a result, is, of course, the greatest concern, and, sadly, that has happened across both sites in recent days. However, there are many more factors to consider: for instance, the impact on hospital services such as planned surgery and other treatments being cancelled, with staff having to isolate and the massive impact that that has on patient outcomes. I raised that point yesterday with the Minister, and I thank him for coming before the House again today. The number of staff now in isolation is a major and concerning knock-on effect of the outbreak across the two sites. It is a huge worry that necessary medical procedures that were due to take place —

Mr Speaker: The Member's time is up.

Mr Irwin: — have been postponed as a result. I call on the Minister to act as quickly as possible to ensure that the situation is rectified as soon as possible.

Mr Speaker: The Member's time is up.

Mr Irwin: I hope that everyone can return to work as soon as humanly possible.

Mr Gildernew: Go raibh maith agat, a Cheann Comhairle, agus go raibh maith agat arís, a Aire, as bheith i láthair. I thank the Minister for attending the Chamber on what have certainly been a couple of very long days to address major health issues. On behalf of the Health Committee, I extend sincere sympathy to those who have contracted COVID-19 in Craigavon and Daisy Hill hospitals and, in particular, to the families of those who have died following hospital-acquired infection. I know that their loss is compounded dreadfully in these

circumstances and that there is so much hurt and understandable anger among relatives.

I must also acknowledge the distress and disappointment felt by the health care staff and leadership, dozens of whom have also been infected in the line of duty. Having worked tirelessly throughout the pandemic, the workforce must be feeling demoralised and upset that harm should come to the very people that they are trying so hard to help. I realise that they are also bearing greater pressure due to the resulting staff absences.

The Committee has welcomed the announcement of the level 3 serious adverse incident inquiries in the Southern Trust. The process, however, can be lengthy and has been challenging for families in the past. It is important that families are involved centrally from the outset, updated regularly throughout and provided with all the support that they need at this time and in the future. While we must allow the SAI to run its course and not prejudice its findings, nevertheless, I hope that the opportunity will be taken for early and widespread sharing of any preliminary lessons learned, with a view to reducing the risk of outbreaks elsewhere. I was pleased to note the Minister's commitment to that rapid learning process in the Chamber yesterday.

The Health and Social Care workforce and leadership have been on a rapid learning curve with the virus since the start, and so much more is known now than six months ago. That mindset has never been more valuable. The Committee will want to know what has been learned or is still to be learned about the type and use of personal protective equipment (PPE) in these circumstances, for example, or about other infection control measures, the interaction between health professionals or the approaches to testing and monitoring: essentially, what is required to ensure that patients and staff have the protection and support that they need as we face into the coming challenging months.

The Committee has sought to play a positive role in scrutinising the pandemic response, feeding through the challenges on the ground and seeking to hold public bodies to account while making a constructive contribution to decisions. In keeping with that, the Committee will want to see the report of the inquiry as soon as possible and support and highlight the lessons learned and key public health messages arising. It is also important to state that, as we see increasing transmission of COVID-19, learning the lessons of outbreaks will be vital.

I have been contacted by families, and it is not an exaggeration to say that they have been devastated.

Mr Speaker: The Member's time is up.

Mr Gildernew: The best tribute to those who have died and promise to those who are suffering must be that we act together to prevent further incidents at all costs. I wish the Minister well and look forward to detailed engagement.

Mrs Cameron: First and foremost, we must remember that at the heart of the debate this evening are broken hearts and grieving families. My sympathies go to all those who have lost family or friend in Craigavon, Daisy Hill and, indeed, beyond.

I am also cognisant that we await the outcome of the action taken by the Minister in announcing a level 3 serious adverse incident inquiry. That is the right route for the Department to take. It is best to let that investigation determine what exactly happened and what the failings were, and then we can learn from that. There is clearly a problem here, but rumour and innuendo serve no purpose in establishing concrete fact. Facts are needed so that they can be acted on, the unanswered questions from families answered and the lessons learned.

I urge the Minister to proceed with haste and to ensure that the investigation is swift and thorough. There is also an important point to make. Let us also remember that there are considerable numbers of staff who are also broken-hearted, anxious and deeply moved by what has happened to patients in their care. I know that many nurses, doctors and, indeed, those who work in the haematology ward will be deeply distressed by the loss of their patients. Their dedication to their job is second to none, and their awareness of the need for impeccable infection control is also clear.

We need to be measured in what we say this evening. We all want answers. However, we need to reinforce the public health messages that can save lives whether that be in a hospital ward, an office, a restaurant or at home. The virus will be with us for some time, and we need to protect our hospitals and care homes in order to save lives. We need staff to be diligent, we need the public to be diligent and, as legislators, we need to ensure that they have the resources and the support to be diligent.

There are serious questions that need to be answered in this sad case; that is very clear.

The families need answers, the trust needs them, the wider health service needs them, and we need them. I thank the Minister for his action and await the outcome of the investigation. I trust that there will be the very minimum of delay in going forward with the SAI investigation.

6.30 pm

Ms Kimmins: I thank my colleague John O'Dowd for bringing this Adjournment debate this evening. I, too, wish to extend my condolences to all the families of the deceased, both in Craigavon and in Daisy Hill in my constituency. I thank the Minister for coming here, because I do appreciate that it has been a very tough couple of days. Without going over what everyone else has said here this evening, I, too, welcome the fact that there will be an SAI review, but, like others, I have concerns about the effectiveness of this, particularly as we need to get answers as soon as possible to ensure that this does not happen again. I believe that there is immediate learning that we can be looking at around key issues.

Just today, I have been contacted by family members of patients on the male medical ward in Daisy Hill who stated that they were not made aware at any stage of an outbreak on the ward. This has had major implications for their families. Their family member is currently in Craigavon, and the associated members are self-isolating while they await test results, which obviously has wider implications. Similarly, staff have been in contact with me to say that they first found out about the outbreak through the media, which is concerning. At a time when we want to ensure that staff feel valued, this can damage that too.

I think, Minister, that there needs to be more transparency to ensure that rumours do not circulate, that people are getting the correct information and that staff, patients and their families have better awareness and are more diligent in their day-to-day activities. We feel that there needs to be better communication, from the trust and from here in the Assembly, to ensure that people remember the stark message that this has not gone away. We know that this can get into our hospital settings — nothing is impossible — but it is important to keep that message live.

One of the biggest things that I have learned over the last number of days is around testing.

There have been issues, and I have raised them with you, Minister. I do not want to go over those points again, but particularly for staff, patients and their families, accessing testing has proved really challenging, and it is obviously impacting on staffing levels within the hospital and on people in their wider lives.

Coming out of today, in the immediate aftermath of this, we as elected reps, and the senior management of the trust, need to work very, very hard to rebuild confidence, because confidence has been damaged here. For me, we were advised that Daisy Hill would be a COVID-free hospital, and there has been a serious upheaval as people were moved to Craigavon. We have lost our ED for a number of months now. This proves the need for the ED to come back, as we see that Craigavon is almost bursting at the seams with the workload that the staff are managing at present. We have a huge job of work to do, and we can do it, but it is important that we get a rapid response and that this is communicated clearly to the public.

Mr McNulty: I thank the Member for Upper Bann for bringing this important Adjournment debate today. I cannot stand here today and pretend that the outbreaks at Craigavon Area Hospital are not connected or linked to the outbreak at Daisy Hill Hospital. Twenty-five patients have tested positive; 11 patients have passed away, tragically; 44 staff have tested positive; and 112 staff are isolating. Eleven families are in the depths of grief, and my sympathies are with those families. They need answers. The words of Yvonne Stewart, who I spoke to, are ringing in my ears. Her father, John Fleming, was admitted to hospital for routine medical treatment. He has since been buried. She deserves answers. Yvonne Stewart could not thank the staff, doctors and nurses at Craigavon Area Hospital enough. She said that the level of care that her father got was exceptional.

There are 112 staff off isolating between the two hospitals. Can you imagine the duress that that puts on wards and on the remaining staff? Those staff need to be reassured that the lessons that need to be learned will be learned, and learned fast. Patients and their families need to be reassured, and the wider community needs to be reassured, that their hospitals are safe. I welcome the announcement of a level 3 serious adverse incident review and the investigations that will take place in both hospitals. Those investigations must take place post-haste, and I am not filled with confidence having heard the chief executive of the trust on the radio this morning talking about still deliberating over the terms of reference.

I hesitate to pre-empt some of the findings of that investigation, but I believe that a fundamental finding will be that staff were not listened to. Staff were not listened to. Why did they have to come to me with concerns around testing and delays to testing? Why did they have to come to me with concerns about deep cleaning of the ward and deep cleaning of the canteen? Why did they have to come to me concerned about why infection control was not engaged fast enough? Why did they have to come to me concerned about staff being moved from a COVID ward to a clean ward? Staff were not listened to.

I want to finish by paying tribute to those staff, the doctors, nurses, porters, cleaners and cooks. Where would we be without them? Craigavon Area Hospital is an exceptional hospital, and Daisy Hill Hospital is an exceptional hospital. I agree with the Member for Newry and Armagh that we need to see the ED opened at Daisy Hill Hospital to ease the pressure on Craigavon Area Hospital.

Ms S Bradley: I, too, support Doug Beattie, and I thank the Minister for being here. I acknowledge the huge challenge that you face along with your team. It cannot be an easy day any day.

I thank the Member for bringing this debate to the Floor of the House, and I appreciate that, since it was presented to the Business Office, the situation has changed and now includes Daisy Hill, which is a recipient hospital for south Down. Both it and Craigavon Area Hospital have quite a big intake from that area.

From my perspective, Minister, I see that there are two channels at work here. There is that retrospective piece that needs to happen regarding the serious adverse incident. Unfortunately for those families who have lost loved ones, that will bring nobody back, but what it will do is provide them with the answers that they so rightly deserve at this time. I do share the concerns of the House that that process may be laboured and slow. It may be that the old tool in the box was quickly grabbed in these uncertain times. It may be that it is not the best tool for this job but it was the easiest to grab, and I would work with the Minister on any suggestions that he has to inject some speed into the process of bringing forward anything that needs to be learned quickly to move on to the second channel that I will refer to, the piece where we have to act fast and respond quickly to lessons that could be learned that could save future lives.

On that note, as my colleague from Newry and Armagh referred to, staff and patients need reassurance. I do not want to find out from the Floor of the House that cleaning has happened because we asked. I do not think that that is how staff should be finding out these reassuring words. There appears to be a real breakdown in communications from the trust to the staff and the patients. They need to know that everything that can be done is being done, and, if that communication channel opens up more rapidly and it is a two-way communication channel, I think that that will put an end to the room where rumour has grown.

Having spoken to people working on the ward and to families who have patients on the ward, I urge you, Minister, to please use this opportunity to reassure them. It is all that they seek at this time. They need to know that they are safe and that the most that can be done is being done to keep them safe. They need to hear it from you.

Mr Speaker: The Member's time is up.

Ms S Bradley: They need to hear it from the trust, and they need to hear it from management in the hospital. I thank all those staff, and I thank you.

Mr Carroll: Thanks to Mr O'Dowd for bringing this important discussion to the Floor of the House. I think that it is important that even MLAs outside of the area give their thoughts on the issue. I begin by offering my condolences, sympathy, solidarity and support to the families who have lost loved ones due to the recent outbreak at Craigavon Area Hospital. My thoughts are obviously with all those who are battling for their lives and their health. This is obviously a highly sensitive issue and, because of that, I think that it is important to choose words carefully.

Of course, I do not claim to know the full details of what has happened in Craigavon Area Hospital or, indeed, in Daisy Hill Hospital. However, it is a deeply worrying situation when highly vulnerable patients who are free of COVID are admitted to a hospital where they then come into contact with the virus, to be met with the most tragic of fates in some circumstances. Like our care homes, these hospitals should have had the maximum protection from the virus at the very start, but, unfortunately, much like our care homes, some of these hospitals, including the staff and patients in them, have been failed at various stages throughout the crisis, and over the years as well.

We have to ascertain why what happened happened. Obviously, apart from the SAI review, there needs to be a full inquiry into these events, and that should be directly informed by the families, who should get the answers that they deserve. We should not, as others have said, disregard those people, such as health workers and their respective unions, because health workers have been failed throughout the crisis, from the denial of PPE to the more general rundown of services throughout the pandemic.

As Mr McNulty said, they may have raised concerns prior to this, I do not know, but I think that it is important, if they did, that that is listened to and addressed. I say this because, as I articulated earlier today, there are elements in the House who are going to great lengths to blame ordinary people for the spread of the virus. They talk about "reckless individuals", referring constantly to "house parties", but I think that the reality is that the same reticence to shut down workplaces in the first place fuelled moves to reopen them prematurely and in an unsafe way, which increased the spread of the virus, and possibly threatened more deaths. That was while creating a context in which many people began to draw the conclusion that if you could go to work, why not socialise with friends etc.

Just last week, I asked the First Minister to divulge the medical evidence that shows that although COVID can spread in a home where there are six people, it does not spread in a workplace where there are hundreds of people. I asked the Health Minister the same question today. I take it that he was rushed in some of his comments today, but, on neither occasion, was I given the evidence to ascertain why it spreads in homes but not in workplaces.

I give my sympathies to the families. Hopefully a tragedy such as this will not happen again.

Mr Swann (The Minister of Health): I thank Mr O'Dowd for proposing this Adjournment debate. I am thankful for the opportunity to further address the House on COVID-19, the outbreak that we have seen in Craigavon Area Hospital and on the related issues that we have seen in Daisy Hill Hospital, which I commented on yesterday in response to Mr McNulty's question for urgent oral answer.

In starting from where Mr Carroll left off, it is about ensuring that this does not happen again. It is about ensuring that we have the support in our health service and hospitals, and the support for the staff, to make sure that we do all

that we can to address the spread of COVID-19.

I express my sincere sympathies to the loved ones of those who have passed away, and I reiterate that I am deeply sorry for the heartbreak and the loss that those families have suffered.

Thorough investigations are absolutely essential, and I am determined that no stone will be left unturned to ascertain the facts about the causes and about these cases and about any learning that we can take to prevent a further occurrence. While we do all that we can to protect ourselves and our society from the risk that this virus constantly poses, our citizens should, at all times, expect the highest standards of infection control to be in place across our healthcare facilities.

In the light of these recent clusters, the Southern Trust's immediate priorities are, first, to care for affected patients and staff and to prevent the further spread of the virus. Secondly, it is to ensure that the appropriate investigations are initiated, with involvement from the families, and supported and controlled by my Department.

6.45 pm

I have been clear that this is a very serious matter. As I have said previously, a thorough investigation is required so that patients and bereaved families receive the answers that they are entitled to.

The Southern Health and Social Care trust has confirmed that the level 3 SAI investigation will be extended to include the outbreak at the male medical ward at Daisy Hill Hospital. The investigation will be independently chaired, and, as I have said, its findings will be made available to the families impacted and will be made public. As I said in the House yesterday, I expect the independent chair to be appointed by the end of this week. I can give John the assurance that the independent chair will be appointed and selected in conjunction with the Health and Social Care Board and the Public Health Agency.

As to why the terms of reference have not been finalised yet, that is because the independent chair and also, importantly, the families will have input into the terms of reference. I have met with families who have been through a level 3 SAI, and their experience was not good. They were not supported right. So when I declared that this outbreak warranted a level 3 SAI, it was not, as the Member said, because it

was the only tool in the box; it was the tool that I had to ensure that we could get the answers that the families and also the staff need.

As I said yesterday, we expect the chair to be in place by the end of this week, and we will move as quickly as is practicable to get the answers. I think it is important to be very clear at this stage that, while we want an expeditious investigation, we simply cannot put a timeline on it until we have greater clarity about the underlying causes, which the investigation will provide. An SAI is about learning, and it is vital that we are thorough in our investigation and take every opportunity to learn from these tragic circumstances.

My Department and I are in regular contact with the Southern Trust, and I want to assure the public, patients and staff that all necessary measures are being taken, first, to control the outbreaks and, secondly, to investigate the circumstances that caused them. I also want to give them reassurance that all is being done to make sure that patients are safe, that the families are supported and that the staff are also important, because time after time in here, tonight, we have acknowledged the work that the staff have undertaken.

As I said yesterday, the trust is working with the Public Health Agency and Public Health England to make sure that the management of the response is of the highest standard and that the necessary lessons are learned right across our health and social care system. The trust is taking that necessary learning from Public Health England to identify the actions that can be taken now to support the patients and the families, because Public Health England has already gained experience of outbreaks. We want to learn from it and apply that learning here in Northern Ireland, but also to make sure that that learning is not just for the Southern Trust but for all the trusts in Northern Ireland, because, across these islands, we all have the same desire, and that is to ensure that patients, staff and visitors have access to safe healthcare in our hospitals.

These are unimaginably difficult times for the families, and I want to assure them that the Patient and Client Council is available to advocate on their behalf and to provide independent support as they engage in the process with the trust and the investigation. I said here yesterday that, if those families are reticent about support from the trust or do not think that it is going to be an open and transparent process, that is what the Patient and Client Council is there for.

I also want to take this opportunity to reassure the staff who are working through these unprecedented times to care for their patients and our loved ones that they are supported in their work and the daily challenges that they are presented with. This is not about apportioning blame. It is fundamental that we learn from this and take robust steps to ensure the safeguarding of our staff and patients in all of our hospital settings.

I listened intently to the debate today, and I take note of Members' concerns and frustrations because I have those same feelings. I want to provide a brief update that I received from the Southern Trust on the patients and staff who have been affected. Ms Bradley talked about hearing the reports in this House; this is information that I have received today, so it is only right that I provide it when I have it. We have had calls for transparency and clarity, so this is the information that I have received.

In relation to Craigavon, 14 patients tested positive; six of them have, sadly, passed away, five remain in-patients in North Respiratory for ongoing clinical care and three are at home. In Craigavon, 146 staff have been tested, 23 of whom have tested positive and 45 are in self-isolation. However, 26 of those 45 have now returned to work, such is their dedication and commitment.

Mr McNulty spoke about the staff, and it is not just the nurses and doctors; it is the cleaners and the porters. It is the entire team. So often, we look at our health and social care workers as workers in a job. They carry out a vocation and have a dedication that I have seen no equal to in the past seven months.

In relation to Daisy Hill Hospital, 13 patients have tested positive and five of those have, sadly, passed away. There is one at home and the remainder have been transferred to Craigavon, in line with the Southern Trust's protocol for management of COVID. Some 204 staff to date have been tested, 28 of whom have tested positive and 73 in total are self-isolating. If any Member knows of any family members who have concerns around getting access to tests, please come forward and let us know because they have access to pillar 1.

I will respond briefly to a couple of points that have been raised. I can confirm that enhanced cleaning is taking place on both sites several times each day, particularly in outbreak wards, where it happens four times per day, and also in donning and doffing areas. On touch points and staff terminals, measures are guided by best proactive advice from the Public Health

Agency and learnings from Public Health England.

If the Speaker will indulge me with an extra couple of minutes, I have an extra page to read. I will finish on time, but it is vital that I convey the answers that I have here. I appreciate your indulgence. These measures, as I say, are guided by best proactive advice from the Public Health Agency and learning from Public Health England.

On the question of staff moving across hospital sites, I discourage the type of unfounded speculation that there has been. I have received provisional data on genotyping of the outbreaks of those who have tested positive, and, so far, there has been absolutely no link between staff who volunteered to help out across sites and the transmission of COVID-19 into Craigavon hospital.

Staff working flexibly across our sites is not uncommon and is safe. It is one of the strengths of our workforce, but I must stress this important point: the staff who came into Craigavon went from an amber PPE site to an amber PPE site. These are standard infection and control measures, which staff observe in order to prevent any transmission from one location to another. Nevertheless, these cases are a stark and tragic reminder that this virus is amongst us and is very much at large in our community.

I know that people want to get back to normality, and with our children going back to schools and colleges and many people returning to some kind of work pattern, it feels a little more like normal. These are still not normal times. We have to live our lives in the shadow of this terrible virus until the time comes when we have a safe and effective vaccine. Everyone is feeling the pressure. Each and every one of us must remain robust and not fall prey to the complacency that is creeping in upon us.

A number of Members referred to the rumours and speculation. I have always said throughout this pandemic that that sort of rumour and speculation is unhelpful. It is what most undermines our staff morale. It puts questions into the heads of families who do not have answers because, often, that speculation, rumour and innuendo, without ground and without basis, is what does the most damage.

In conclusion, there are undoubtedly questions that will have to be answered by the trust in relation to the outbreaks once the immediate threat has been brought under control. The necessary steps are under way and any

lessons will be shared across all health and social care trusts as they emerge because COVID-19 remains a lethal and highly infectious virus.

Mr Speaker, thank you for your indulgence.

Mr Speaker: I thank all Members who contributed to the debate this afternoon. The substance and tone of all the contributions have adequately and appropriately reflected the gravity of the situation today, and I commend all the Members for their very worthy contributions.

Adjourned at 6.55 pm.

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